



UGANDA

Executive summary

The roots of the conflict in Acholiland can be traced back to the colonial period and the regional preferences of post-independence administrations that resulted in the under-development of the northern part of Uganda. Protesting this marginalisation, the Acholi people and other northern-based groups eventually resorted to armed rebellion under the prophetess Alice Lakwena's Holy Spirit Movement. The Holy Spirit Movement later became the Lord's Resistance Army (LRA) that is today led by Joseph Kony.

The LRA formed an alliance with the Khartoum-based government of Sudan, drawing it into Khartoum's war against the Sudanese People's Liberation Army (SPLA), with the Government of Uganda (GoU), in turn, supporting the SPLA in its fight against the Khartoum government.

Several peace initiatives have been undertaken to resolve the Ugandan conflict. These intensified in the wake of the issuing of warrants for the arrest of Kony and other LRA leaders by the International Criminal Court (ICC). The Juba talks that were initiated in 2006 between the GoU and the LRA resulted in an agreement on a permanent cease-fire and a proposal for dealing with alleged perpetrators of atrocities through both the formal justice system of Uganda and local traditional justice mechanisms. The LRA, however, failed to sign the agreement and extended its violence into the Democratic Republic of the Congo (DRC) and elsewhere. It is suggested that the actions of the ICC and the ultimate failure of the Juba talks have resulted in a new turning point in the Ugandan conflict.

Abbreviations

DRC	Democratic Republic of the Congo
GoSS	Government of Southern Sudan
GoU	Government of Uganda
HURIFO	Human Rights Focus
ICC	International Criminal Court
IDP	Internally displaced people
LRA	Lord's Resistance Army
MONUC	United Nations Organisation Mission in the DRC
NCC	National Consultative Committee
NRA/M	National Resistance Army/Movement
NRC	National Resistance Council
PRDP	Peace, Recovery and Development Plan
RPA/F	Rwandan Patriotic Army/Front
SPLA	Sudanese People's Liberation Army
UNLA/F	Uganda National Liberation Army/Front
UPDA	Ugandan People's Democratic Army
UPDF	Ugandan People's Defence Force
UPM	Uganda Patriotic Movement

Introduction

The history of Uganda since independence in 1962 has been marked by economic divisions reflecting the colonial period, and by the use of violence as a political tool. As the competition for political power and material resources escalated, ethnic and tribal conflict intensified, with Uganda's new leaders repeatedly taking sides to promote the interests of particular ethnic groups, to the neglect of others. It is a conflict that has spiralled into a military confrontation between the Government of Uganda (GoU) and the Lord's Resistance Army (LRA).

In order to understand these developments, the Ugandan situation needs to be examined in its broader geographical, economic and political context. The following pages provide a brief historical overview of the conflict leading to the prevailing situation in the country. This is followed by a review of the situation in northern Uganda and its impact beyond Uganda's borders. Attention is then given to attempts being made, both nationally and internationally, to resolve the conflict.

Colonialism

Uganda became a British protectorate in 1894. This led to clans and tribes that had previously existed as autonomous groups being forced to live within colonially imposed borders. Tensions escalated between four separate kingdoms that had for generations learned to co-exist despite varying levels of hostility towards one another: the Bunyoro established in the fifteenth century, the Buganda that broke away from Bunyoro in the eighteenth century and two smaller kingdoms, Ankole and Toro that also separated from the Bunyoro.

Major resistance to the colonial process came from the Bunyoro kingdom in the years leading up to independence, resulting in a war that lasted for ten years. It ended with the banishment of the Bunyoro King, Kabalega II, to the Seychelles. During this time the British afforded the powerful Buganda kingdom a privileged status. They also invested resources in the southern part of the country, while neglecting the north and other regions. This situation continued until the beginning of the independence process, when Buganda demanded secession which resulted in a two-year exile of the Buganda King, Mutesa II, who enjoyed semi-divine status among his people.

Independence

Independence from Britain came in 1962, with different regions being required to provide different services for the colonial authority. The northern region had a history of soldiering and

unskilled labour and the colonial authorities looked to them to provide these services to its administration. The southern regions that were more economically prosperous saw their prosperity continue to grow under British rule. These differences between the north and south, as well as between other regions, which were entrenched and encouraged under the British, were further solidified after independence.

Milton Obote, a northerner, was appointed Prime Minister in 1962. The King of Buganda was inaugurated as non-executive President of an independent Uganda, with Buganda existing as a semi-autonomous state in a federation of Ugandan states. This situation endured until 1966, when Buganda rejected Obote's new republican constitution, resulting in the King being sent into exile. Obote subsequently banned all political opposition groups. In the meantime Idi Amin, who had been appointed army Chief of Staff by Obote, was building his power base in the West-Nile. This enabled him to stage a military coup in 1971 while Obote was out of the country, attending a Commonwealth Heads of State summit.

Amin embarked on a programme of populist gestures, including the release of many detainees and the return from exile of the King's body for burial, resulting in many Ugandans welcoming Amin's ascent to power. Britain and the United States regarded him as an ally in their fight against communism. This enthusiasm soon turned to horror as Amin massacred thousands of Acholi and Langi soldiers associated with Obote's administration. He later attacked civilians seen to be sympathetic to Obote, thousands of who fled across the Ugandan border into southern Sudan and the eastern regions of the Congo. Broadening his reign of terror, he turned his aggression against others who opposed his rule. His troops murdered several prominent businessmen and religious leaders. Foreigners were attacked and forced to leave the country. Amin nationalised foreign-owned companies and established an alliance with the Arab world. Having completed his domestic restructuring, Amin turned against his neighbours, ordering the invasion of the Kagera Salient region in Tanzania. This provoked a counter-invasion by Tanzanian troops in support of the rebel Uganda National Liberation Army (UNLA), which resulted in Amin's overthrow in April 1979.

Two brief presidencies followed. The first was that of Yusuf Lule, former Vice-Chancellor of Kampala's Makerere University, who was installed as provisional President by Tanzania after the toppling of Amin. Lule was soon removed from power by the National Consultative Commission (NCC), which effectively functioned as a parliament, following a dispute with him. His successor, Godfrey Binaisa, was removed from power 11 months later by forces loyal to

former President Obote, and elections were held in December 1980. Obote defeated the young Yoweri Museveni, leader of the Uganda Patriotic Movement (UPM), who had been involved in the establishing of the National Resistance Movement (NRM) and its military wing, the National Resistance Army (NRA).

Obote developed support among the middle class, students, peasants and influential Ugandan exiles, as well as regional leaders. This resulted in military support from Burundi, Zambia, Mozambique, Tanzania and Rwandan militia groups. In 1985, however, the Acholi faction within the UNLA, headed by Bazilio Okello and Tito Okello, ousted Obote, with Tito Okello assuming the presidency. During this time Museveni was fighting a guerrilla war that enabled him to overthrow Okello in January 1986.

On acquiring power Museveni suspended political party activity for an envisaged four-year transitional period, establishing the National Resistance Council (NRC) in an attempt to draw other groupings into government. He later established constitutional rule in 1995 which entrenched “movement politics”, a non-party policy that remained in place until Ugandans voted for a form of curtailed multi-party politics in a referendum in June 2005.

Northern Conflict

These developments did little to ease the northern conflict. The misconduct of NRA troops in the area further entrenched a sense of maltreatment and marginalisation among the Acholi people. Tensions mounted and sections of the Acholi people resorted to arms. The conflict was partially settled and a measure of *rapprochement* was reached. This resulted in thousands of Acholi, who had taken refuge in southern Sudan, returning home. Soldiers in the Uganda National Liberation Front (UNLF) that had fought alongside Tanzanian forces and the NRA to overthrow Amin were integrated into Museveni’s NRA, which was renamed the Ugandan People’s Defence Force (UPDF). Not everyone was, however, satisfied with the settlement, and some UNLA field-commanders formed a breakaway faction known as the Uganda People’s Democratic Army (UPDA), with the unrest continuing in the region. Some units in the UPDA linked up with dissident UNLA forces. Discontent intensified in both militias, with soldiers from both groups defecting to the Acholi prophetess Alice Lakwena’s popularist Holy Spirit Movement in 1986. This was later transformed into the Lord’s Resistance Army (LRA) under Lakwena’s father, Bishop Severino Olukoya. He was succeeded by Joseph Kony who was at the time a disgruntled UPDA soldier.

Building on the initiatives of Lakwena's Holy Spirit Movement, the LRA was rooted in the politics of discontent which resulted in the struggle for power giving way to violent conflict between the NRM and the LRA. Twenty years later this conflict continues to impact on Ugandan politics. The LRA initially enjoyed significant support among grassroots Acholi people. Kony, a self-styled mystic and priest who combines a blend of Christianity, Islam and Acholi beliefs in the spirit world, turned the LRA into a major force among the Acholi people. This changed when the LRA came to regard civilians as fair targets – believing that they were too easily being co-opted by government forces. Groups of Acholi organised themselves into guerrilla units to fight the LRA, which responded by seeking to punish and “cleanse” the Acholi people. The situation was further aggravated when the LRA formed a military alliance with the Khartoum government. This drew the Ugandan rebels into Khartoum's war against the Sudanese People's Liberation Army (SPLA) that was fighting the Khartoum government from bases within northern Uganda, with the SPLA getting support from the GoU. In 2002 the UPDF responded with an intensification of military action in “Operation Iron Fist”, the failure of which resulted in lengthy and widespread retaliatory operations by the LRA. This caused massive displacement and suffering. Millions of people were forced by the Ugandan army to live in Internally Displaced People (IDP) camps – a process designed to prevent LRA fighters from infiltrating local villages.

Atrocities were committed by the LRA, the UPDF and their respective allies. Children were abducted and trained as soldiers, often being forced to commit atrocities; the civilian population was brutalised by rape, mutilation, torture and outright slaughter; women were taken as “bush wives; villages were raided, stores looted, houses and schools burned; and the local administration and infrastructure collapsed. Thousands were killed and close to two million people were displaced. In 2003, the impact of the war waged by the LRA and UPDF was described by Jan Egeland, then UN Under-Secretary for Humanitarian Affairs, as “the biggest forgotten, neglected humanitarian emergency in the world today, with security implications for surrounding areas both within and beyond the borders of Uganda.”

Regional conflict

The Ugandan conflict was not limited to the north and continues to impact on other parts of the country and neighbouring countries. Most perilous are the conflicts along Uganda's porous border with the Democratic Republic of Congo (DRC). These led to the direct involvement of Ugandan forces in the war against Mobutu Sese Seko's government, in what was then known as Zaire. Fighting alongside Burundian and Rwandan forces, the UPDF engaged in a military

campaign to support Laurent-Désiré Kabila's rebel forces which resulted in the overthrow of Mobutu in May 1997. Soon after obtaining power Kabila accused his allies of seeking to establish a Tutsi-Hima empire in the region and sought to expel the Tutsis from the country. Allies became enemies and a massive conflict ensued in the DRC. The situation changed somewhat when Joseph Kabila assumed the DRC presidency after the assassination of his father Laurent Kabila. Relations continued, however, to remain tense as a result of continuing clashes between Uganda, rebel groups and the Congolese army – with the situation being to some extent relieved as a result of a joint MONUC initiative, together with Congolese and Rwandan troops, to rid the eastern province of rebel groups. The presence of the LRA in the DRC continues to be a matter of grave concern to Uganda.

Uganda's relations with Rwanda also continue to be strained. This is largely as a result of a power struggle for regional influence and as a result of tensions that can be traced back to the participation of Rwandans in Museveni's NRA rebellion in the 1980s and the invasion of Rwanda by the Rwandan Patriotic Army (RPA) under Paul Kagame. Kagame, a former Commander in the UPDF who later became President of Rwanda, and Museveni, his former Commander-in-Chief and President of Uganda, continue to have strained relations.

These conflicts aside, Khartoum's role in the Ugandan conflict has been most significant as a result of its support for the LRA. The resultant tensions between Uganda and Sudan continued until the signing of the Nairobi Peace Accord in 2001. An outcome was "Operation Iron Fist" initiated in 2002 by the UPDF against LRA troops in southern Sudan, with the support of Khartoum. There were at the same time initiatives being undertaken to promote peace between the GoU and the LRA, while speculation continues that Sudanese and Ugandan governments are continuing to supply the LRA and the SPLA with some support.

The peace efforts failed and destabilisation intensified in the region, resulting in a new agreement in December 2008 between Uganda, Sudan and the DRC to eliminate the LRA through "Operation Lightning Thunder".

Peace initiatives

The Nairobi Agreement between Museveni and President al-Bashir of Sudan was mediated by former US President Jimmy Carter. It provided for the closing of military bases provided for the LRA and the SPLA in Sudan and Uganda respectively. Although not immediately implemented, the agreement paved the way for the Carter Center representatives to meet with LRA officials.

This led to the Winnipeg Conference hosted by the Canadian government in September 2000. The conference created an opportunity for Ugandan and Sudanese delegates to explore options for peace that included the use of local and traditional peace practices. Attempts to take these initiatives forward were, however, severely damaged by the US government's response to the 11 September 2001 attacks on New York and the Pentagon which resulted, *inter alia*, in the classification by the US State Department of the LRA as a terrorist organisation.

Nevertheless local peace initiatives in northern Uganda have been intensified: The GoU has offered amnesty to any rebel forces who turned in their arms; the Acholi Council of Chiefs and Elders, banned under colonial rule has been revived; and a community-based human rights organisation, Human Rights Focus (HURIFO) was set up to focus on the plight of civilians and children caught in the crossfire between government forces and the LRA. These developments have placed pressure on both sides to seek a non-violent resolution to the conflict. Ugandan civil society delegations under Archbishop Jean Baptiste Odama have met with UN, European Union (EU) and GoU officials in New York and elsewhere. This, together with pressure from a coalition of local and international NGOs, resulted in the appointment of a panel of experts to assess the situation. It included Betty Bigombe, a former Ugandan cabinet minister, Paramount Chief Acana II, Prince Zeid of Jordan (and President of the Assembly of State Parties to the International Criminal Court (ICC)), the UK Ambassador to the UN, Sir Emyr Jones Perry, and the Canadian Ambassador to the UN, Allan Rock. The panel recommended that the situation in northern Uganda be placed on the Security Council agenda. Bigombe, with support from the UK, Netherlands and Norway, later facilitated direct talks between representatives of the GoU and the LRA, exploring the possibility of applying local and traditional mechanisms for justice and reconciliation in the attempt to resolve the conflict. Although no settlement was reached, international pressure mounted, especially from donor countries. The US, on the other hand, continued to provide direct military support to Museveni's forces as part of its fight against terrorism.

Museveni's response to these initiatives may best be summed up by his joint appearance at a press conference with the ICC Chief Prosecutor Luis Moreno Ocampo in January 2004. Ocampo announced his intention to investigate the LRA, leading to the indictments of Joseph Kony, (the late) Vincent Otti Okot Odhiambo and Dominic Ongwen in July 2005. Whereas there was significant support for the ICC's initiative in some international circles, Jan Egeland captured the ambivalence of others when he stated: "Those who have been indicted should face justice. But what is more important now is that we should concentrate on ending the war..."

Justice can be served in many ways. It is up to the prosecutor to decide whether we resort to traditional justice or stick to the ICC indictments.” Archbishop Odama argued that “the presence of the court and its activities are in danger of jeopardizing efforts to build the rebel's confidence in peace talks... How can we tell the LRA soldiers to come out of the bush and receive amnesty, when at the same time the threat of arrest by the ICC hangs over their heads?” Bigombe further argued that: “They should have taken more time to study the situation and understand it fully... It would not have cost them much to wait for two years to give this process a chance.”

Riek Machar, Vice-President of the Government of South Sudan (GoSS), met with Kony in March 2006 to facilitate negotiations between the GoU and the rebels. Behind-the-scenes initiatives by others involved in the peace process continued and an interim ceasefire between the GoU and the LRA – the Cessation of Hostilities Agreement – was signed in Juba in August 2006. This opened the way to a fragile peace process which has since its inception seen violations of the truce, numerous setbacks and eventually a cautious agreement on a permanent ceasefire –all of which depended on the signing of a final agreement by the LRA. Kony’s response to the proposed ceasefire has been characterised largely by his demand for clarity regarding the jurisdiction of traditional justice mechanisms in relation to the proposed special division of the Ugandan High Court, set up in 2008 to deal with the alleged LRA crimes. Despite numerous indications that he would meet with negotiators and sign the peace agreement, this did not happen. LRA violence has since escalated in the DRC-in March 2010 Human Rights Watch released a report stating that over 300 people had been massacred by the LRA in north-eastern DRC in December 2009.

Traditional mechanisms of justice and reconciliation

The use of traditional rituals in Uganda, especially in the war-ravaged regions of the north, has been widely discussed in peace-building literature. These rituals are central to the Juba Agreement on Accountability and Reconciliation of 2007, which specifies the need to find a balance between these and more formal practices of prosecution. Best known are the Acholi rituals of *Nyuo Tong Gweno*, *Mato Oput* and *Gomo Tong*.¹ Other ceremonies often attached to these rituals are *Kayo Cuk Ailuc* and *Tonu ci Koka*, as well as the compensation ritual of *Culo Kwor* which is used when an appropriate settlement is agreed upon.

Surveys conducted by the International Center for Transitional Justice and Human Rights Center at the University of California, Berkeley in 2005 and again in 2007 indicated that the

people of northern Uganda were undecided as to whether to forego prosecutions in favour of traditional practices or find a way of combining the two. This ambivalence on the part of villagers towards returning soldiers is as much grounded in anger and desperation to see an end to the war, as it is in the social and psychological realities faced by virtually every family in the region. Violence divided families and clans, resulting in deep familial feuds about whether and how to receive alienated family members back into the community.

The future

A turning point was reached in the Ugandan conflict with the warrant for the arrest of Joseph Kony and other LRA leaders, the December 2008 joint initiative by the DRC, Sudan and Uganda (Operation Lightning Thunder) against the LRA, and the eventual failure of the Juba talks.

Whatever the future holds for the LRA leaders, traditional rituals and mechanisms for justice and reconciliation, as discussed in the Juba talks, are likely to play an important role in peace-building in northern Uganda and in the region. The established court system will, in turn, need to play its part in resolving long-standing conflicts. The involvement of the ICC also means that there needs to be agreement between the ICC and Uganda that allows for a greater level of complementarity between international demands for justice and national as well as traditional structures of justice within Uganda. This requires:

- More clarity on the role of the ICC in the Ugandan conflict. When the ICC opened investigations in northern Uganda, the prosecutor indicated that the Court's intervention would help end the war, stating that the role of the Court was to contribute directly to peace. However, when Joseph Kony indicated a willingness to enter into peace negotiations (bad faith aside) provided charges against him were dropped, the prosecutor stated that it was his job to prosecute not to make peace. This raises the question as to whether the ICC's warrant for the arrest of Kony and his cohorts closes all other options for resolving the conflict – including the judgment of the Ugandan courts on the matter.
- Greater cooperation between the ICC and the national courts in order to counter the disempowering of the national justice system. The ICC needs to put more energy into building national justice systems and where necessary sensitising local judicial mechanisms to the demands of international justice. In so doing it can create space for local judicial initiatives through which to resolve local conflicts.

- Continuing debate on the dichotomy between African communitarianism and colonial forms of liberal individualism. Western notions of law and individual responsibility were an inherent part of colonialism. This resulted in traditional law mechanisms being suppressed, with resistant traditional leaders being replaced with colonial collaborators or those who were more compliant. Post-colonial leaders rarely saw any reason to deviate from these practices. This has resulted in little space being given for communal African values to be taken into account in international law.

It is impossible to undo centuries of legal history. In addition, times and needs have changed. The challenge is not to ignore or undermine international law. It is to find ways of recapturing communal values as a contribution to peace building in Uganda and elsewhere.

The resolving of issues of impunity, whether through international or local justice cannot, however, alone ensure sustainable peace. The essential as well as the proximate causes of a conflict need to be addressed. In northern Uganda this necessarily involves the redressing of exclusion and underdevelopment in the area. Recognising this need, the GoU in 2007 launched the important Peace, Recovery and Development Plan (PRDP) to “eradicate poverty and improve the welfare of the populace of northern Uganda”. A general lack of implementation capacity, adequate funding and political will suggests, however, that the PRDP is in danger of becoming yet another doomed recovery plan. Development is rarely implemented with the level of dedication required to ensure that it works, unless there is also a deepening of democracy. For this to happen the strongman politics of Museveni will need to give way to a broader and deeper understanding and implementation of democratic politics.

¹ The **Nyuo Tong Gweno** ritual is part of a reconciling process designed to receive returning soldiers or abductees back into the community. A raw egg is crushed underfoot in the belief that this allows the evil of violence and war to be transferred into the purity and innocence of the egg, a process that enables the combatant to be cleansed. A twig from the Opobo tree, traditionally used to make soap, is on occasions employed as a cleansing agent and a *layibi*, a stick used for the opening of the granary, is sometimes used to symbolise the right of the returning person to eat with the community again.

The **Mato Oput** ritual is, in turn, used to celebrate the closure of a dispute. Its origin is attributed to two estranged brothers who fled from an approaching lion and were forced to take refuge in an Oput tree where they reconciled their differences. The ceremony begins after a council of elders has mediated between both the individuals or groups party to a conflict, as well as their families and clans. The mediation involves truth telling, a cooling-down period and agreement on compensation and restoration. To mark the settlement, the conflicting parties partake of a drink made from the bitter roots of the Oput tree to wash away the evil, after which a goat is slaughtered and a ceremony of restoration is held.

Gomo Tong, which means the “bending of the spears”, celebrates the cessation of hostilities and a willingness by warring parties to put aside their aggression in the pursuit of peace. The celebration centres on opposing communities or clans bringing their weapons to a central place where, in response to ritual and prayers, they are bent or destroyed.

Uganda Fact Sheet

Basics ¹	
Capital	Kampala
Total population (millions), 2011	36.6
Population distribution, 2010	
Urban	13
Rural	87
Population annual growth rate (%), 2005-15	3.6
HDI (ranking out of 179 countries), 2010	143
Adult literacy rate (% aged 15 and older), 1995-2005	66.8
Health	
Life expectancy at birth (years), 2000-5	53.2
Infant mortality rate (per 1000 live births), 2009	62.5
HIV prevalence (% aged 15-49), 2009	6.5

Demographics			
Ethnicity		Religion	
Baganda	16.9%	Roman Catholic	41.9%
Banyakole	9.5%	Protestant	42%
Basoga	8.4%	Muslim	12.1%
Bakiga	6.9%	Other	3.1%
Iteso	6.4%	None	0.9%

¹ Information taken from the Central Intelligence Agency, Government of the United States of America, <https://www.cia.gov/library/publications/the-world-factbook/geos/ug.html>

Langi	6.1%
Acholi	4.7%
Basigu	4.6%
Lugbara	4.2%
Bunyoro	2.7%
Other	29.6%

Economy	
GDP (US\$ billions), 2010	41.7
GDP per capita (US\$), 2010	1200
Inequality measures (Gini Coefficient Index)	45.7
GDP- Composition by sector (%), 2010	
Agriculture	23.6
Industry	24.5
Services	51.9
Imports of goods and services (US\$ Billion), 2010	4.5
Exports of goods and services (US\$ Billion), 2010	2.9
Government Expenditure (as % of GDP)	
Education, 2009	3.3
Health, 2004	2.5
Military, 2005	2.3
Total debt service (as % of GDP), 2006	2.2
