

**Flygtningenævnets baggrundsmateriale**

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**enough**

The project to end genocide and crimes against humanity

# Too Far from Home

## Demobilizing the Lord's Resistance Army

Ledio Cakaj February 2011

Many former combatants from the Lord's Resistance Army, or LRA, have given up the fight during the past two years.<sup>1</sup> They have steadily returned to northern Uganda, making long journeys from Sudan, the Central African Republic, or CAR, and the Democratic Republic of the Congo. With the LRA scattered in small groups across a wide swathe of territory, each fighter tells a different story, but nearly all express disillusionment with the LRA and commander Joseph Kony. One fighter who escaped north of Western Bahr el Ghazal state in Sudan said: "Kony lied to us when he said we were fighting for the rights of our people in Uganda. We were too far from home."

Encouraging the defection of LRA fighters and providing opportunities for them to reintegrate into civilian life are critical components of the wider effort to neutralize the LRA's threat to civilians and comprise key objectives of President Obama's strategy to disarm the LRA. Despite the strategic imperative to encourage defections, current efforts are falling short and risk discouraging current fighters from leaving the LRA.

The process of defection brings about countless perils. Men, women, and children formerly in the LRA risk beatings and death if caught by LRA commanders. Once outside of the reach of their commanders, former LRA risk being lynched by the local populations of Congo, Sudan, and CAR as well as being mistreated by the regional armies.<sup>2</sup>

The majority of former combatants who survive all the hazards associated with abandoning the rebellion are pressured into joining the Ugandan army to fight against the remaining LRA with no training and no salary. Such actions are unethical and potentially illegal. Despite statements lauding the use of former LRA combatants, the practice of pressuring former combatants to fight for the Ugandan army should end.<sup>3</sup> Pressures range from denying amnesty to outright intimidation. Contrary to commonly held assumptions, the strategic value of former LRA fighters is minimal especially after they are kept for months in Ugandan army bases and "safe houses" in Kampala.<sup>4</sup> There exists no legitimate reason for the Ugandan army to use former abductees, led by some of the same commanders formerly in the LRA, to do the job of the national army with no training and no pay.<sup>5</sup>

Many of the former fighters able to reach Uganda are reluctant to return to their communities, preferring instead to relocate to major towns in northern Uganda. Fearing retribution from community members they were forced to attack when in the LRA and lacking economic opportunities there, people formerly with the LRA remain “far from home” even when they are physically in Uganda.

This report describes the experiences of former LRA who have recently returned to northern Uganda, explaining their reasons for leaving the LRA ranks, challenges faced throughout the demobilization period, the current status of the remaining LRA groups in Sudan, Congo, CAR, and recommendations to align existing efforts and provide greater incentives to encourage more LRA fighters to defect, disarm and come home.<sup>6</sup>

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### The LRA's current status and whereabouts

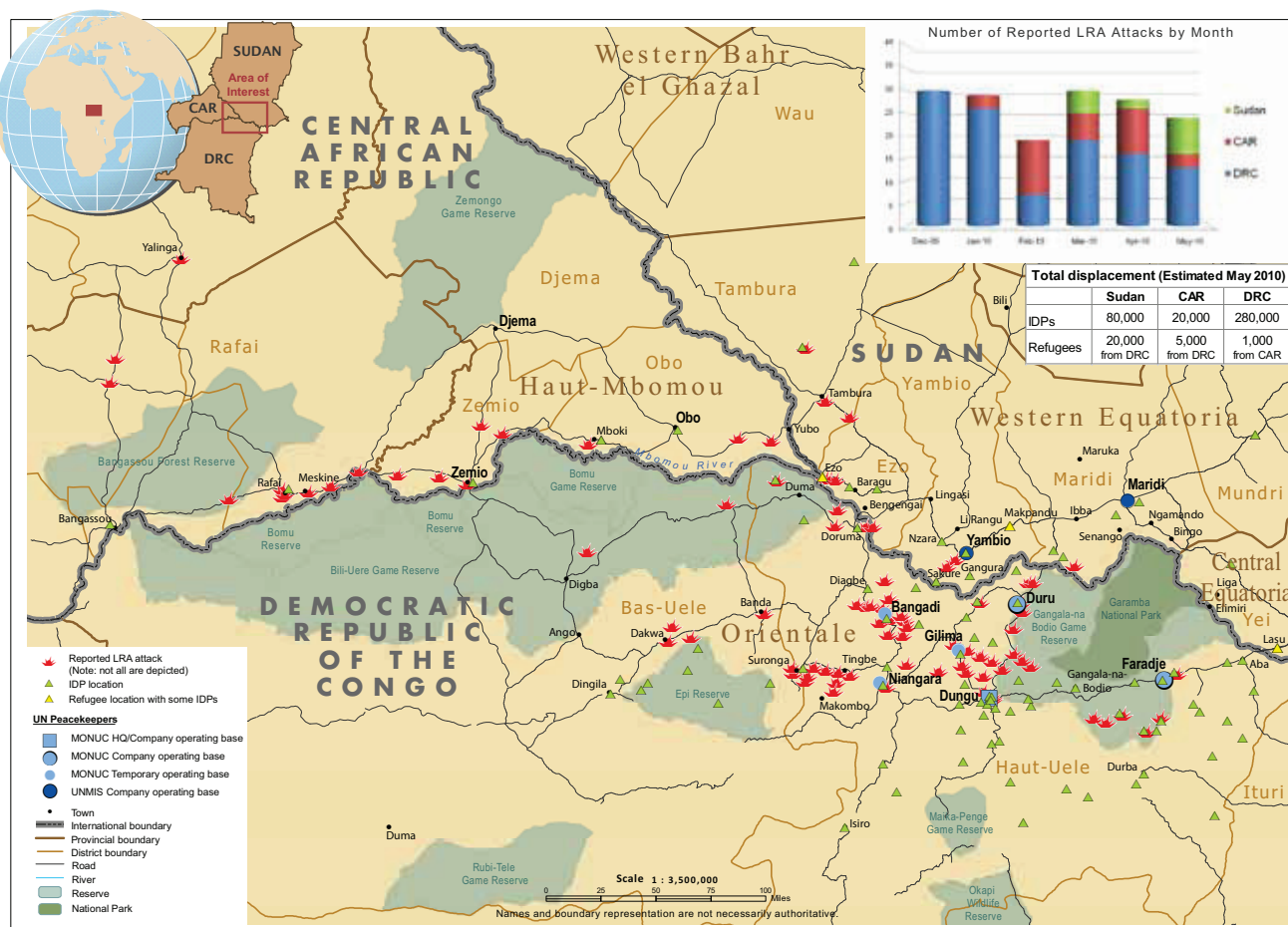
Scattered in small groups that operate over vast territories in Congo, Sudan, and CAR, the LRA is no longer the highly centralized organization it used to be.<sup>7</sup> Since Operation Lightning Thunder, or OLT, of December 2008 when the Ugandan army attacked LRA bases in DRC, LRA commanders have separated from one another. Kony operates with a small group of fighters while his top commanders Okot Odhiambo and Caesar Achellam move close to him. By October 2010, Kony was reportedly in southern Darfur and by the beginning of December 2010, he was moving back into CAR and possibly headed for Congo.

LRA groups in Congo have been more sedentary and have tried to keep to areas of operations assigned to them by Kony. Dominic Ongwen, the LRA commander of forces in Congo, and his group of fighters have been moving throughout 2010 between Duru in Congo to Yambio and Nzara in Western Equatoria state in Sudan. Latest reports from former LRA fighters place Ongwen and his forces back in Congo, operating alongside the river Duru to the north of Haut Uele district. The fighters under Ongwen's immediate command and satellite groups under Lieutenant Colonel Binansio Okumu and Major Otto Ladere continue to operate also in Haut Uele. These troops are believed to be the perpetrators of attacks over the Christmas period of 2009 and would likely be responsible for any possible attacks in December 2010.<sup>8</sup>

The Ugandan army has steadily withdrawn from CAR due to upcoming elections and insecurity in Uganda. At least two battalions were redeployed from CAR to the Ugandan region of Karamoja in July 2010, leaving between 1,000-1,200 troops in CAR. Another 1,200 troops operate in Congo and Southern Sudan for a total of about 2,400 soldiers, which represents one third of the entire Ugandan army force deployed during and immediately after Operation Lightning Thunder.

Despite the significant drawdown of the Ugandan army and subsequent lessening of military pressure on the LRA, combatants have continued to abandon the rebellion,

## Lord Resistance Army reported attacks (December 2009-May 2010), displacement, and peacekeepers



Source: U.S. Department of State Humanitarian Information Unit, USG, MONUC, UN OCHA, UNHCR, Resolve Uganda, ENOUGH, Human Rights Watch.

which suggests that military action is only one of several factors encouraging defections.<sup>9</sup> Disillusionment with the LRA and general hardship are some of the other factors influencing the decision to leave the LRA.

### The challenges of increasing LRA defections

#### Reasons for leaving the LRA

*"I had not seen Kony for more than a year. Our C.O. [commanding officer] kept saying we were going to meet him soon and Kony was going to tell us what the plan was. But we never met him, our C.O. was lying or he just did not know."*

– S., junior commander in LRA group operating in CAR

*"Everybody wants to come out, even Dominic, but we are all afraid."*

– A former "wife" to LRA commander Dominic Ongwen

Despite facing countless risks, many combatants and “wives” formerly with the LRA decide to leave, risking almost certain death in the process. Reasons for leaving the LRA abound, but general disillusionment with the organization’s ideology ranked high with those who have recently returned. “We were deceived by our commanders,” said a former fighter. “They initially said we would go to Sudan to get guns and come back to Uganda to overthrow the government, then we were told to go to Congo to get guns and come back to Uganda, then to go to CAR to get guns and come back and then we were near Darfur with the same story. They were just lying to us.”

Almost all of the adult males interviewed cited the lack of a military strategy or aim as their primary reason for leaving the LRA. “I have been a fighter for most of my life, said S.O., formerly in a satellite group under Okot Odhiambo, “and thought I fought for the rights of my people in Acholi, but in the last year I have been surviving in the CAR forests protecting Kony’s wives. I did not see why I should continue doing that.”

Many of the women who returned cited general hardship, especially the lack of food and medicine in the LRA, as a main reason for deciding to leave. “We moved so much,” said A.K., a former “wife” to a junior commander in Kony’s group, “and I never had a chance to properly take care of my two year-old,” referring to her daughter who was diagnosed as malnourished and anaemic back in Uganda. Two other women formerly with the LRA said they were suffering from pneumonia and malaria. “We had no medicine in the bush,” said a former “wife” to Dominic Ongwen “and used traditional medicine which does not work well.”

### Obstacles to leaving the ranks

*“We were starving and cold, our babies were sick. We decided to put our lives at the hands of the civilians. If they killed us, so be it.”*

– A.G., on her decision to surrender to Sudanese civilians

People formerly with the LRA find it extremely difficult to leave. Often, they have a better chance of surviving by staying in the LRA rather than leaving.

The first risk people in the LRA face when contemplating leaving the ranks is death if they are caught trying to escape. C.A., a fighter in a LRA group operating southeast of CAR, decided to leave with his wife and two children in July 2010. Other fighters pursued them, killing one of his children and capturing his wife. Back in Uganda, C.A., possibly suffering from Post-Traumatic Stress Disorder, is certain his wife was killed to discourage others from leaving. “It is the way of the LRA,” he said.

After escaping, many have to overcome fears associated with years of indoctrination in the LRA. “When the Ugandan army attacked us,” said a former fighter under Dominic Ongwen, “they threw pictures of former LRA fighters,” referring to Ugandan army-produced leaflets encouraging fighters to come out. “Dominic told us if we escaped and went to Uganda, the army would take our picture and then shoot us like they had done with the people pictured in the leaflets.” Even though the leaflets state clearly in three different languages that the people pictured are safe in Uganda, many people formerly with the LRA are illiterate or are told not to believe what is Ugandan government propaganda. Many do not know whether they would be killed or mistreated upon reaching Uganda.

Fear of being killed by civilians in Sudan, Congo, or CAR strongly influences the decision making of people in the LRA. Often, the seemingly senseless LRA violence against civilians is ordered by LRA commanders to precisely alienate local populations and discourage fighters from leaving. “Civilians came to the house of the chief where we surrendered and wanted to kill us,” said a former LRA who came out of the bush near Obo in CAR. “They said they wanted to kill the Ugandans, the real *tongo-tongo*” using the local Pazande word which means among other things “to chop,” a clear reference to the LRA’s use of machetes and axes against civilians. A former LRA fighter who came out near Duru in Congo around the end of July 2010 believed that another fighter who surrendered at the same time in a nearby location was lynched by the local population. Enough was unable to independently verify this claim.

If managing to escape, people formerly with the LRA face the possibility of being mistreated or killed by the regional armies. LRA commanders warn their fighters they would be executed, poisoned, or enslaved by the Congolese, Sudanese, or the Ugandan armies. While it appears that most of the armies treat fighters humanely upon surrendering, some Congolese soldiers have mistreated former LRA fighters. The worst cases seem to take place in Doruma in Haut Uele, Orientale Province.

A.J., a former LRA combatant under a group commanded by Lt. Col. Achellam Smart, surrendered in Banda in Bas Uele, Congo in July 2010. He was taken to the Congolese army base in Doruma where he saw two other former LRA fighters

Ugandan army-produced leaflets encouraging fighters to leave the LRA and return to Uganda.

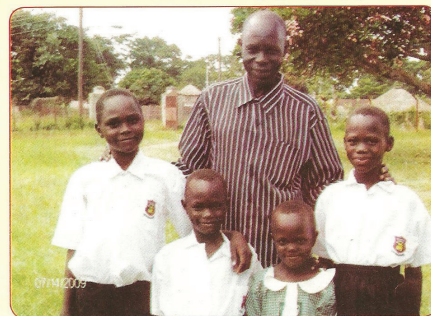
Only Kony, Odiambo and Dominic Ongwen are wanted by the court (ICC). Others are to free to escape and come back home.

LINGALA - Eza Kony, Odiambo and Dominic Ongwen, Parike ICC elingi. Bamususu moza na liberate yakukima kuna mozonga na mboka.

LUO - Kony Odhiambo kacel ki dominic ongwen keken aye jo ma (ICC) kot me wi lobo mito pido ikum gi. Wun jo mukene ni ducu utye agonya kati kama leng dwogo paco.



4 Div Comd Brig Otem Welcomes Lt Col Opio Makasi & Others at his Headquarters in Gulu. Lacoka wi dul mony me angwe pa UPDF Brig. Otem Awany tye ka jolo Lt col opioyo makasiki ki luwote mukenei gang kal p mony tye i Gulu.



When you escape report to MONUSCO UPDF, FARD, SPLA in Faluja, Duru, Nzara, Nabanga, Rikwangba and Duruma.

Ka dong il wiii, Iromo cito bot mony pa (UN) monusco, UPDF, FARD (mony pa Congo). spla ma gitye i Faluja, Duru, Nzara, Nabanga, Rikwangba, Ki Duruma.

Produced by the office of the UPDF Chief of Defence Forces. Man lok ma oza ki office pa lacoka

Capt Ray Apire Is living happily with his children in Gulu. LUO - Capt Ray Apire ma yam obedo i lum dong tye ka kwo agony ki yom cwiny kacel ki lupaco ne.

Lingala - Capt ay Apire azakufande malmu na bana nave kuna na Gulu

detained in the army base. The two former combatants had been kept in a hole in the ground for four months. “The guys were in bad shape and had rat bites all over their feet,” said A.J. who was soon after “rescued” together with the two other former combatants by a Ugandan army detach based in Bangadi, Haut Uele.

Another former fighter operating under a group led by LRA commander David Lakwo surrendered to the Congolese army in August 2010 and was taken to the Doruma army base. He spent two weeks in a hole on the ground with little food. Congolese soldiers apparently told him that the LRA killed a lot of people in Doruma and that all LRA fighters should be killed in revenge. He was also rescued by the Bangadi-based Ugandan soldiers, who were aware at this point of the mistreatment former LRA combatants experienced in Doruma and frequently checked the Congolese army base.

Finally, people formerly with the LRA dread returning to their areas of origin, afraid their communities will not accept them. “I was forced to kill my neighbors in front of everyone else,” said a former fighter who had been with the LRA for 13 years. “How can I go back?” The majority of the adult males who returned to Uganda in between July and September 2010 expressed a desire to remain in Gulu, the main town in northern Uganda, rather than return to their former communities. A recent survey of 116 former LRA combatants claims that 90 percent stated experiencing isolation and fear of revenge upon returning.<sup>10</sup>

### Twice abducted: Returning to Uganda

*“Please pray for my friends who were kept in Kampala.”*

– 19 year-old boy formerly with the LRA, referring to three other young men who came out of the bush with him but were “recruited” by the Ugandan army.

All four were abducted by the LRA in primary school in northern Uganda.

*“I was taken to the bush against my will and I was forced to do bad things for a long time. I just want to go home now.”*

– 23 year-old O. on what he told Ugandan army representatives asking him to join the army

Those who make it back to Uganda face enormous difficulties usually related to their status as former combatants. The process of receiving amnesty from the Ugandan government, although somewhat controversial, has served in the past to signify the beginning of a new life as civilians for former fighters.<sup>11</sup> The Ugandan Amnesty Commission, created by the Ugandan Parliament in 2000 to grant amnesty and accommodate former combatants, seemed to have discontinued handing out amnesty certificates to former LRA by the end of 2010. Enough documented 29 cases of former LRA returning to Uganda between January 2009 and October 2010 who have not yet received their certificates as required by the Amnesty Act.

One of the immediate problems created as a result is the lack of the “rehabilitation package” which was previously distributed upon receiving the amnesty certificate. This package included a sum of approximately U.S. \$125, a mattress, and other basic items aimed at helping former fighters to start their lives as civilians. “The Amnesty Commission used to give clothes to former combatants but now there have been cases of people formerly in the LRA coming home with their LRA uniforms on,” said a local official in northern Uganda. An official with the Amnesty Commission stated privately that there were no funds available for rehabilitation packages and that Amnesty Commission offices in Gulu were understaffed.

When Enough visited the Amnesty Commission in Gulu in December 2010, it witnessed a large pile of certificates intended for former combatants who had never received them. Some of these certificates were dated from November 2003 while the most recent ones were dated from August 2010. At least one of the names on the amnesty certificates belonged to a former combatant interviewed by Enough in April 2010 who said that after repeated visits to the Amnesty Commission offices in Gulu, he had failed to get his certificate. His certificate was dated May 2010, by which time he had already “joined” the Ugandan army fighting against the LRA in DRC.

Some people formerly with the LRA, mostly adult males who came out in the last 18 months, stated that representatives from the Ugandan army repeatedly asked them to join the army, often citing their lack of amnesty certificates as a reason for doing so. A 19 year-old male formerly with the LRA said that other former combatants currently fighting with the Ugandan army consistently harassed him about joining the Ugandan army. “They said I did not get a certificate, which means I cannot be a civilian and that I am still a soldier,” he claimed.<sup>12</sup>

B.K., who returned to Uganda in November 2009 but never received his amnesty certificate, was picked up by Ugandan soldiers in Gulu and asked to go back to Congo to show army troops where he had hidden ammunition during his time with the LRA. After failing to find any ammunition, B.K. was kept in a Ugandan army base near the Ugandan/Congo border and pressured into joining the army. According to a friend who spoke to B.K. just as he deployed to fight for the Uganda army, soldiers told B.K. he would be allowed to go home and see his family one last time if he agreed to join the army, otherwise he would be kept in the army base indefinitely. B.K. deployed with the Ugandan army in May 2010, a couple of months after he had completed a rehabilitation program run by a nongovernmental organization in northern Uganda and weeks after he had enrolled in secondary school. B.K. had been unable to graduate from secondary school when he was abducted by the LRA in 2004.

Many former combatants are kept in so-called “safe houses” – illegal and irregular places of detention used by the Ugandan military and secret services – run by the Chieftaincy of Military Intelligence, or CMI, in Kampala.<sup>13</sup> According to three people Enough interviewed, between June and August of 2010 13 former LRA fighters were kept in a CMI

safe house located in the Kawempe neighbourhood in Kampala. They were interrogated often by CMI officers and were asked to join the Ugandan People's Defense Forces, or UPDF. Living conditions were poor although there were no indications of serious mistreatment.<sup>14</sup> After over three months in custody, 10 former combatants were allowed to return home, one agreed to join the army, while two were kept in the house. One of the two former combatants kept in the safe house is Okello Solomon Patrick, also known as Okello Mission, who was captured by the Ugandan army in March 2010 in South Sudan.

It is unethical that former combatants are pressured to fight in the same jungles they spent years trying to leave behind. Moreover, most, if not all, were abducted by the LRA; coercing them to fight amounts effectively to abducting them again. It is also unlawful to conscript combatants into the Ugandan army with no training and no salaries. Former LRA fighters have been recently recruited in the UPDF with no training, and the majority of the recent recruits do not receive salaries.<sup>15</sup> Whereas in the past there were some formal channels through which former fighters could be integrated in the UPDF, such channels have not existed for the last two years. By failing to train and pay them, the Ugandan army is essentially exploiting formerly exploited youth.

Strategically speaking, using former LRA combatants has little value for the Ugandan army. Most former fighters are debriefed in UPDF bases in the field (in Nzara, Sudan, Obo in CAR, or other field bases in DRC) for months. Since many former LRA spend additional months in CMI custody in Kampala, by the time they are recruited in the UPDF, their information is outdated especially given how fast active LRA groups usually move. Enough has learned of at least three cases in which former LRA combatants were taken by the Ugandan army to indicate caches of ammunitions hidden when the fighters were in the LRA, only to find the ammunition had already been unearthed by other active fighters in the LRA.

There is a real risk that groups composed entirely of former LRA fighters, with little or no formal training, and loosely affiliated with the UPDF are unaccountable and operating almost entirely independently of Ugandan army command. An Ugandan army officer told Enough privately that the use of former LRA combatants has caused internal conflicts in the Ugandan army top command, with some officers complaining that former combatants could pose a risk to "real" Ugandan soldiers. "How do we know they [former LRA fighters recruited in the Ugandan army] are not killing our own soldiers?" said the army officer.

Former LRA fighters who wear UPDF uniforms and operate in LRA areas tend to also confuse the local populations and give credence to the belief that the UPDF and LRA fighters "are brothers and they don't want to shoot each other," as many people in CAR told Enough in March 2010. "We found cases of people in Congo recognizing former LRA fighters, who had brutalized them in the past, move around in UPDF uniforms later," said an international researcher.

Military intelligence might not be exactly what the UPDF are after when recruiting former LRA, but rather a need for soldiers, especially well-disciplined ones. Ironically, despite public statements from Ugandan officials referring to LRA fighters as bandits, UPDF officers privately admit that the discipline and fighting ability of former LRA are often superior to that of trained Ugandan soldiers. As a former LRA combatant said, “The Ugandan army wants LRA to join them because we are good fighters.” Another UPDF officer said that former LRA fighters are used against current LRA fighters to provide “a self-sustaining solution to the problem, allowing the army to focus on other fronts such as Somalia and Karamoja.”<sup>16</sup>

### Discouraging defections: The case of Thomas Kwoyelo alias Latoni

*“We heard [on] the radio that Latoni was in prison. Our commander told us that finally the lies of the government were plain for all to see. All of us were going to be tried and hanged, not just Kony, Odhiambo, and Ongwen.”*

– S. O., former LRA fighter<sup>17</sup>

Thomas Kwoyelo, a former mid-level commander in the LRA was captured by the Ugandan army in February of 2009 in DRC.<sup>18</sup> Eyewitnesses told Enough that Kwoyelo was shot by Ugandan infantry troops. He hid in the bush injured and sent his “wife” to alert the Ugandan soldiers so that they could pick him up. When back in Uganda, Kwoyelo was debriefed by Ugandan military intelligence officers and by August 2009, he was charged in a local court with six counts of kidnapping with intent to murder. In October 2010, Kwoyelo was charged by the War Crimes Division of the Ugandan High Court with 14 counts of killing, abductions, and destruction of property. The War Crimes Division, established by administrative decree in July 2008, is the Ugandan government’s attempt at showing that it has the capacity to try grave crimes locally.<sup>19</sup>

Uganda has not prosecuted any LRA commanders until now, which makes the case of Kwoyelo puzzling. Furthermore, Kwoyelo was not a top commander, nor has he been accused of any particularly unusual crimes.<sup>20</sup> Despite statements from Ugandan army officials that Kwoyelo was fourth in command in the LRA, former LRA combatants claim that Kwoyelo was a mid-level commander and that at the height of his influence in 2007, when he held the rank of colonel, he was in charge of logistics. Later that year, however, he fell out with Kony and was demoted to private.<sup>21</sup> In addition, some of the facts in the War Crimes Division case against him are questionable at best, including that he was a colonel or commander at the time when he committed some of the alleged crimes.<sup>22</sup>

Kwoyelo is technically eligible for amnesty. He recently applied for amnesty but has not received an answer from the Amnesty Commission. Officials at the Amnesty Commission and the spokesperson for the Ugandan Defense Ministry claim that unlike other LRA combatants, Kwoyelo was charged because he was captured in battle

and did not surrender. There is no such distinction in the Amnesty Act, however, and more senior commanders captured prior to Kwoyelo have received amnesty.<sup>23</sup> The notion of surrendering versus being captured is also debatable. Kwoyelo has reportedly argued that he was in the process of surrendering, in that he alerted the government soldiers to come get him.<sup>24</sup>

It appears that Kwoyelo has been chosen as a first test case in order to show to the ICC judges that Uganda through its War Crimes Division can try the top LRA commanders indicted by the International Criminal Court, or ICC.<sup>25</sup> It is unclear, however, how the Ugandan authorities will get around the issue of amnesty or lack thereof in Kwoyelo's case. As a legal expert observed, "Kwoyelo's case could be thrown out on a constitutional basis. It is unconstitutional to try him due to the Amnesty Act of 2000."

A LRA fighter stands guard for one of his commanders along the border of Sudan and the Democratic Republic of Congo.

Certainly many LRA commanders, in addition to those under ICC indictments, need to be tried for crimes committed, a much needed process in terms of justice and truth telling. The Ugandan authorities have not explained the choice of Kwoyelo as the first to be tried which has caused a great deal of speculation in Northern Uganda.<sup>26</sup> It is possible that Kwoyelo was charged because he reportedly refused to join the Ugandan army. Other former LRA commanders who have been accused of grave crimes but who agreed to fight with the UPDF have received amnesty.<sup>27</sup>

The seemingly haphazard way of applying the Amnesty Act and the lack of any explanation on the part of the Ugandan government sends the wrong message to LRA fighters in the bush; it discourages mid-level commanders like Kwoyelo from surrendering for fear of being prosecuted and makes senior commanders feel they can get away with continuing to attack civilians as long as they agree to join the UPDF if captured. At a time when it is crucial to encourage mid-level commanders in DRC and CAR to come out, trying Kwoyelo has a pernicious effect on demobilization strategies.

Keeping Kwoyelo in prison and trying him in court also brings up an apparent contradiction in the demobilization leaflets the UPDF distributes in areas with a LRA presence. In the leaflets, a



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message designed to encourage fighters to defect says: “Only Kony, Odhiambo and Ongwen are wanted by the ICC. Others are free to escape and come home.” This message is no longer true, and these contradictions are usually seized upon by LRA commanders in the bush to convince fighters that the Ugandan government lies and would kill them if they escape.

Similarly, the case of Okello Mission is problematic from a legal perspective as well as a demobilization point of view.<sup>28</sup> Mission, who graduated from Makerere University with a degree in Computer Science in 2003, joined the LRA during the Juba talks in 2006 and is known to have played a key role in explaining to Kony technical issues raised during the peace talks. He was captured in March 2010 in South Sudan, where he claimed he had gone to renew peace talks on behalf of Kony. Mission has been detained with no charge since April 2010 in the CMI safe house in Kawempe, Kampala. He has been denied amnesty even though he is technically eligible to receive it. Ugandan authorities have said he would be charged with treason, but no charges have been filed in the last 10 months.

To make matters worse, the Ugandan army spokesperson Lt. Colonel Felix Kulayigye said after Mission arrived in Kampala, “*Any one captured* is treated as a criminal and will be tried in an army court martial, so Okello is in this category,” a statement that appears to contradict the Amnesty Act of 2000 and has the potential to deter any combatants, regardless of rank, from defecting.<sup>29</sup>

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## LRA fighters left behind

Most of the former LRA who recently returned to Uganda describe a significantly weakened organization but one that is far from finished. “The LRA is not one thing anymore,” said a former fighter, “it is rather many small things, small groups apart from one another.” Scattered mostly in CAR and Congo, some LRA groups operate more than 1000 km away from one another with no communications. Attacks against civilians in Congo, CAR, and Sudan by these LRA groups have continued.

## Democratic Republic of the Congo

Dominic Ongwen, for instance, a commander indicted by the ICC for crimes against humanity and war crimes, has not communicated with Kony or other top commanders since May of 2009. According to former fighters under Ongwen, his group has been weakened in the last few months due to a joint offensive by the Ugandan and Congolese armies that pushed the group from Duru in Congo to south of Yambio in Western Equatoria state, or WES, in Sudan. In the offensive, at least one person, Lt. Olak, Ongwen’s chief of security was killed, two other LRA fighters were captured and four women escaped. Ongwen’s group is reported to have attacked civilians in Basumkagbi

and Sangha near Nzara in WES in August 2010 and Namoongbiti, four miles south of Yambio, in September 2010. In the Namoongbiti attack, an LRA group of seven attacked and killed 10 people, including a mother and her two young children.

Other groups in Congo have also been weakened, although a recent resurgence in attacks and abductions has been reported. Attacks were reported on November 9, 2010 in Ngilima and on November 4, 5 and 14, 2010 near Bangadi in Haut Uele. Another attack was reported on November 9, 2010 when the LRA attacked the Dikumu primary school in Ango territory in Bas Uele. Five pupils were reportedly abducted as they were waiting for class to start.

People abducted on November 4 and 5, 2010 near Bangadi, who later escaped, reported that LRA fighters had asked them about military positions, triggering fears of imminent LRA attacks. “We fear a repeat of the December attacks,” a local priest told Enough, referring to LRA killings in December 2008 that left more than 900 civilians dead and in December 2009 which claimed more than 300 civilian lives. In response to fears over renewed December attacks, MONUSCO, the U.N. mission in DRC, announced that it had deployed small groups of peacekeepers in areas in Haut Uele where the LRA was expected to attack. A similar MONUSCO deployment in 2009 repelled some LRA attacks but was unable to stop the killings of over 300 people in Makombo in Haut Uele.

### Central African Republic

LRA groups operating in CAR have also continued to attack civilians. Apart from attacks taking place in Vakaga prefecture that were widely reported in the media, less publicized attacks took place in southeastern CAR. On October 19, 2010, the small town of Guerekindo, 100 km. west of Zemio, was attacked by a large LRA group where at least six people were abducted. Another attack took place on November 11, 2010, 35 km. west of Zemio where four people were abducted. The recent attacks on the Zemio-Rafai road have shown that LRA groups are active in southeastern CAR as well as north-eastern CAR and northeastern Congo.

### Sudan

In the aftermath of OLT in December 2008, LRA attacks have largely taken place in Western Equatoria state in southern Sudan, although some LRA violence in Western Bahr el Ghazal has also been reported. LRA attacks in WES have not been continuous, as no LRA groups were permanently based in WES during the past two years. A LRA group led by Ongwen tends to move from DRC to WES and carry out attacks mostly to secure food and recruits. Ongwen’s fighters are possibly responsible for the three separate attacks on September 3, 4, and 5, 2010, seven miles south of Yambio where

eight Sudanese civilians died. On October 20, an attack in Bawo, also near Yambio, left one person dead and one seriously injured. No major attacks were reported during the months of October and November but on December 20, 2010, an alleged LRA attack in Maridi county left four people dead and an estimated 50 people were abducted.<sup>30</sup>

An important part of the LRA, including top commanders Joseph Kony, Okot Odhiambo, and Ceasar Achellam, have been reportedly operating near South Darfur in Sudan. Attacks in 2010 in the Vakaga prefecture in Sam Ouandja, Ouanda Djalle, and Birao were reportedly perpetrated by troops under Odhiambo and Achellam.

### Kony's movements

According to a former LRA fighter, an escort to the LRA commander, Kony, and a group of 30 fighters moved from CAR to Western Bahr el Ghazal state in Sudan. “Kony had a pre-arranged meeting with the Arabs [the Khartoum-controlled Sudanese Armed Forces] in October,” said the former escort who left at the end of August and after a week of walking southeast came out near Wau, the capital of Western Bahr el Ghazal.

Lord's Resistance Army leader Joseph Kony.



The former fighter claims that, after a meeting between LRA fighters under Kony's orders and Sudanese Armed Forces, or SAF, officers in October 2009 in Dafag in South Darfur, it was decided that another meeting would take place exactly a year later on October 2010. The information regarding the meeting of October 2009 corresponds to what other former LRA, notably Okello Mission, have already stated. The details about a second meeting in October 2010 are, however, new.

While it is certainly worrying that Kony or his commanders would meet with Sudanese army officials, it appears that no support was afforded to the LRA by the Sudanese for most of 2010. "Two LRA commanders, Major Kibwola and Captain Otim Ferry, went with the Arabs while Kony stayed three miles away from where the meeting took place," claimed the former fighter, adding that the two LRA commanders came back after a week and brought with them small quantities of bread, cooking oil, and salt.

"Kony said we had to hurry back when Kibwola and Ferry came back so we left very quickly. We then walked back to Central [African Republic] and down to Congo where we spent some time but came back up and started walking towards Darfur again," said the former escort to Kony.

It appears that whatever was agreed between Kony's men and the SAF officers, Kony was in a hurry to share with his commanders in southeastern CAR and northeastern Congo. From testimonies of other former LRA, Kony managed to meet with some LRA commanders, but not with Ongwen who very likely received a message from Kony dispatched by a messenger or runner.

It is unclear what, if anything, was agreed between Kony's envoys and the Sudanese Armed Forces. A representative of the Southern Sudanese army, the Sudan People's Liberation Army, has argued that the LRA was intent on destabilizing Southern Sudan before the 2011 referendum in return for Khartoum's support. At the moment, LRA groups in DRC and CAR appear to be mostly trying to survive by looting food and abducting people to carry and prepare food, although fears of large scale attacks against civilians, especially in the Congo, cannot be discounted.

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### Conclusion: The urgent need for a coherent demobilization strategy

Throughout the history of the LRA, attempts to solve the conflict have varied between military options and peace talks, both with limited results. Attempts at encouraging defections have been far and few in between. At this crucial moment when the LRA seems disorganized and lacking a rigid central command, it is important for the government of Uganda, with the help of partners, to ensure that LRA combatants are convinced to leave the ranks peacefully.

The Ugandan army with the help of the United Nations missions in Congo and Sudan, and possibly with funding from the United States or the European Union, need to draw up a demobilization strategy aimed specifically at LRA combatants. Efforts by the United Nations Demobilization and Reintegration Department at MONUSCO to encourage defections are laudable, but the Ugandan army with the support of the Ugandan government has to take the lead in designing and implementing an effective demobilization strategy.

Stopping the pressure on former fighters to join the army ranks should be a priority for the Ugandan government. Ending illegal practices such as keeping former combatants in military custody for months should also be implemented rapidly. The issuing of amnesty certificates and reintegration packages should be resumed immediately, while the application of the Amnesty Act needs to be publicly clarified. Formal channels of integrating former combatants who wish to join the Ugandan army should also be established or reinstated.

Encouraging defections has not been a priority of the Ugandan army, even though this type of action is usually standard military operation for modern armies as part of their psychological warfare operations.<sup>31</sup> Apart from ensuring that former combatants are treated well when back in Uganda, more can be done by the Ugandan and regional armies to facilitate the immediate reception of former combatants. It is striking, for instance, that people in the LRA have better chances of surviving by remaining in the LRA rather than escaping, given the high probability of being killed or dying of fatigue or hunger when in the LRA. This incentive structure needs adjusting.

It is important, for example, that the Congolese army treats well those who surrender and that the local populations in Sudan, CAR, and Congo do not lynch or otherwise mistreat LRA fighters who come out. The Ugandan army as well as U.N. missions in the region can help establish, for instance, welcoming committees composed of village chiefs, clergymen, army, and U.N. officials to ensure that LRA combatants can surrender without fear of being killed.

But a strategy aimed at encouraging defections of LRA combatants, currently lacking in the Ugandan military effort, needs to go beyond simply ensuring that former combatants are not mistreated. A serious effort is needed to understand the internal dynamics of the LRA including the operational history of the organization and what drives certain commanders, especially those who are not indicted by the International Criminal Court, to remain in the LRA.

There is great potential in reaching out to LRA commanders to convince them to defect. This is particularly the case with mid-level commanders operating in north-eastern Congo and southeastern CAR with no communications with Kony. Some form of communication with these commanders already exists, mostly through radio

messaging via Radio Uganda and Radio Mega FM as well as through the use of letters. Commanders such as Dominic Ongwen and Ochan Bunia have allegedly already sent letters to various communities in Congo “explaining” the role of the LRA. There were reports that days before leaving the LRA ranks in October 2009, Lt. Colonel Charles Arop was in daily contact with Lt. Colonel Okot Odek who remains with the LRA. It is unclear if Odek, who is based south of Garamba park in Congo, continues to use a phone but there have been reports that some of the LRA fighters operating between northeastern Congo and southwestern Sudan might be using cellular phones, taking advantage of cellular coverage in those areas.

More needs to be done prior to commencing establishing some form of contact with LRA leaders. There is a need to understand who the commanders in charge of groups in Congo and CAR are and what constitutes their incentive structures, which is something that the Ugandan army appears to have ignored.<sup>32</sup> While the debate on how to resolve the conflict has fluctuated between war and mediation, less glamorous and cheaper options such as encouraging defections and peacefully engaging mid-level commanders have been rarely pursued. It is time such efforts are taken seriously, especially with the recent involvement and aid of the U.S., E.U., and the African Union.

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## Endnotes

- 1 This paper is based primarily on interviews with 18 people formerly with the LRA carried out in the months of November and December 2010 and about 60 additional interviews with former LRA combatants in the past 16 months. A dozen interviews with Ugandan army officers and state officials were also conducted.
- 2 Generally speaking, Ugandan soldiers in CAR, Congo and Sudan appear to have treated well former LRA combatants who surrender to them.
- 3 See for instance: “Uganda enlists former rebels to end a war,” New York Times, April 10, 2010, available at <http://www.nytimes.com/2010/04/11/world/africa/11lra.html>. The article fails to mention that many of the fighters, including the main subject, Opiyo Makasi, were kept in safe houses and forced either by intimidation or lack of other options to join the Ugandan army. There are also questionable statements relating to the effectiveness of former LRA fighters against active LRA fighters.
- 4 Safe houses are in fact places of detention where former LRA are kept and not allowed to leave. Various Ugandan security services, especially one ran by the Chieftancy of Military Intelligence have been accused of detaining people, and at times torturing them, in the so-called safe houses. See: Human Rights Watch, “Open Secret: Illegal detention and torture by the joint-anti terrorism task force in Uganda,” (2009).
- 5 At least three former LRA commanders, Lt. Colonel Opiyo Makasi, Lt. Colonel Charles Arop and Major OkotAtiak currently command separate Ugandan army units of over 200 former LRA fighters in total. Since the former LRA units operate practically independently of the Ugandan army command, this has ensured that the former combatants have been led by the same people both in the LRA and the Ugandan army. “Life is the same,” said a former combatant. “We are still fighting, ordered around by the same people, but this time the enemy is different.”
- 6 It is not the scope of this paper to provide a detailed analysis of reintegration challenges in Northern Uganda; excellent work in this field already exists. See Justice and Reconciliation reports, notably: Justice and Reconciliation, “With or without peace: Disarmament, Demobilization and Reintegration in Northern Uganda,” (2008); and Justice and Reconciliation, “Alice’s story: Cultural and Spiritual Dimensions of Reconciliation in Northern Uganda,” (2006). Also: Tim Allen and Mareike Schomerus, “A Hard Homecoming” (USAID and UNICEF, 2006). An excellent chapter on challenges faced by former combatants especially in relation to land matters can be found in: Gareth McKibben and James Bean, “Land or Else: Land-Based Conflict, Vulnerability and Disintegration in Northern Uganda,” (IOM, UNDP and NRC, 2010).
- 7 For a detailed description of the LRA post December 2008, see: Ledio Cakaj, “The LRA of today,” (Washington: Enough Project, 2010), available at <http://www.enoughproject.org/publications/lords-resistance-army-today>. For the LRA’s recent activity in Congo, see: Ledio Cakaj, “This Is Our Land Now: Lord’s Resistance Army Attacks in Bas Uele, Northeastern Congo” (Washington: Enough Project, 2010), available at <http://www.enoughproject.org/publications/%E2%80%9C-our-landnow%E2%80%9D-lord%E2%80%99s-resistance-army-attacks-bas-uele-northeastern-congo>; and Ledio Cakaj, “Between a Rock and a Hard Place: LRA Attacks and Congolese Army Abuses in Northeastern Congo” (Washington: Enough Project, 2010), available at <http://www.enoughproject.org/publications/lra-army-abuses-congo>. For an analysis of the LRA in the Central African Republic, see: Ledio Cakaj, “On the Heels of Kony: The Untold Tragedy Unfolding in the Central African Republic” (Washington: Enough Project, 2010), available at <http://www.enoughproject.org/publications/heels-of-joseph-kony-commander-of-lordsresistance-army>. For Enough’s analysis on the LRA in Sudan, see Ledio Cakaj “The Lord’s Resistance Army and the Threat Against Civilians in Southern Sudan” (Washington: Enough Project, 2009), available at <http://www.enoughproject.org/publications/lrathreat-southern-sudan>.
- 8 By the time this paper was published, no reports of mass killings emerged. Given the experience of December 2009 when killings of over 300 in Congo were not reported for least a few months after the fact, there is still the possibility that attacks occurred during the Christmas period in 2010 but have not been reported yet.

- 9 The majority of former combatants who came out last summer originated from LRA groups that had witnessed little military action in the last few months prior to their defection. The only exceptions were two women and one young Sudanese fighter who surrendered after they split from the main group under Dominic Ongwen when attacked by a joint unit of Congolese and Ugandan soldiers in July 2010.
- 10 McKibben and Bean, "Land or Else." The survey also states that the majority of women formerly in the LRA prefer not to return to their areas of origin for fear of retribution and inability to access land. Depressingly, the survey publishes the cases of between 200-300 women formerly in the LRA, who lacking any other opportunities, are forced to work as prostitutes in Kasubi parish, near the Ugandan army barracks, north of Gulu town.
- 11 The issue of amnesty however has also been criticized by many people formerly in the LRA who state that that they don't want to ask the Ugandan government to "pardon" them for acts they were forced to commit. In addition, the amnesty process is seen as one sided in Northern Uganda. "The Ugandan government and army officers should also apply for amnesty for violence against civilians they caused in Northern Uganda in the past," said a civil society leader in Gulu.
- 12 Former LRA combatants have been trained and constantly drilled when in the LRA to behave as soldiers, completely distinct from civilians, something they take very seriously. Often, receiving the amnesty certificate is of enormous symbolic significance to former combatants who regard the act of receiving the certificate as a ritual of "becoming" civilians.
- 13 This is not the first time former LRA combatants have been kept in CMI safe houses. In July 2008, a number of former LRA commander led by Lt. Colonel Opiyo Makasi escaped from a CMI safe house after being kept there for more than seven months. As Sunday Otto, a former commander, told the Ugandan *Daily Monitor*, "We are not allowed to touch the gate, we are not free, we cannot see our families, we cannot see outside the gate, is that Amnesty?" "Ex- LRA commanders escape from safe houses," *Daily Monitor*, July 7, 2008. Opiyo Makasi was later put in charge of a group of 120 former LRA fighters in the Ugandan army.
- 14 All of those interviewed said that they were not tortured or beaten up but that they were not allowed to leave the house and had little food and water.
- 15 A former combatant said that former LRA fighters who have recently joined the Ugandan army are told they will receive salaries once they return to Uganda after fighting with the Ugandan army and that accounts are opened for them in Ugandan banks but that no one has received any money in the past year. Only former LRA commanders who now lead groups of former LRA fighters seem to receive salaries.
- 16 It is possible that the Ugandan army is in need of soldiers especially as it has over 5,000 troops deployed to the African Union Mission in Somalia and a few thousands in the volatile Ugandan region of Karamoja where the army is currently conducting a disarmament exercise.
- 17 In addition to Joseph Kony, Okot Odhiambo, and Dominic Ongwen have also been indicted by the International Criminal Court.
- 18 Thomas Kwoyelo originates from Kilak, in Amuru district in Northern Uganda. According to the Ugandan case against him, he is 39 years old although it is likely he is younger. He was in charge of an LRA group during the early to mid 2000s operating near Pabbo Internally Displaced Peoples camp in Amuru.
- 19 For a better understanding of the War Crimes Division, see: International Centre for Transitional Justice, "Uganda: Impact of the Rome Statute and the International Criminal Court," (2010).
- 20 A more senior commander than Kwoyelo, Colonel Charles Arop defected to the Ugandans on November 3, 2009. Arop, who is believed to have led the so-called Christmas Massacres in the DRC, received amnesty and is now leading a group of former LRA fighting for the Ugandan army.
- 21 According to former LRA combatants, Kwoyelo was accused by Kony of plotting together with Vincent Otti to kill the LRA leader in October 2007. This led to the executions, on Kony's orders, of Vincent Otti, then second in command, Major Adjumani, Lt. Colonel Ben Achellam, and Captain Alfred Otim "Record." Kwoyelo was demoted to private. He was reportedly told by Kony in front of everyone that he was only alive to remind other fighters they would suffer if they plotted against Kony.
- 22 The case states that Kwoyelo joined in 1988 and quickly rose to the rank of colonel. Even by the prosecution's reckoning, Kwoyelo was 17 years-old in 1988 and it is highly debatable whether he joined or was abducted. He could not have been a colonel or commander at the time some of the crimes he has been accused of were committed. Some of the crimes he allegedly committed were in the early 1990s, and he would have been too young then.
- 23 For example, Brigadier Kenneth Banyar.
- 24 Kwoyelo told a New Vision reporter that he was trying to surrender when landing in a UPDF ambush. 'LRA's Kwoyelo flown to Entebbe on drip; New Vision, 4 March, 2009. Other former LRA, notably, Okello Mission, have said they were not captured by the Ugandan army but were about to surrender when the troops appeared.
- 25 The necessity for a Ugandan court to try crimes committed by LRA commanders was highlighted during the Juba talks between the Government of Uganda and the LRA leadership. Indictments by the International Criminal Court against Kony and other LRA commanders were regarded, at least by LRA commanders, as stumbling blocks to the peace agreement. The War Crimes Division was devised in part to deal with this problem although it is unclear whether the War Crimes Division will be able to try commanders under ICC indictments.
- 26 A possible explanation popular in Northern Uganda seems to be that Kwoyelo was believed responsible for a killing of a National Resistance Movement (party in power) mobilizer in Paabo, Northern Uganda, in 2003. This prompted some people interviewed by Enough to say that the government is always 'concerned with trying to protect their own rather than establishing justice for all.'
- 27 Colonel Charles Arop, for instance, although the Ugandan court might not be able to try people who have committed crimes outside of Uganda—in DRC, in Arop's case.
- 28 See the above reference to Okello Solomon Patrick, also known as Okello Mission.
- 29 Emphasis added. See: "Ugandan claims capture of LRA peace interpreters, 4 others," *Afrique en ligne*, April 7, 2010, available at <http://www.afriquejet.com/news/afrique-news/uganda-claims-capture-of-lra-peace-interpreter,-4-others-2010040747238.html>.
- 30 "LRA kills four in Maridi," Sudan Radio Service, December 23, 2010, available at <http://www.sudanradio.org/lra-kills-four-maridi-wes>.
- 31 Even the leaflets encouraging LRA fighters to come out are printed by MONUSCO.
- 32 Surprisingly little information exists on other LRA commanders apart from Kony. The only exception remains the excellent work by the Justice and Reconciliation Project on Dominic Ongwen. See: Justice and Reconciliation Project Northern Uganda / Liu Institute for Global Issues, "Complicating victims and perpetrators in Uganda; On Dominic Ongwen," (2008).

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Enough is a project of the Center for American Progress to end genocide and crimes against humanity. Founded in 2007, Enough focuses on the crises in Sudan, eastern Congo, and areas affected by the Lord's Resistance Army. Enough's strategy papers and briefings provide sharp field analysis and targeted policy recommendations based on a "3P" crisis response strategy: promoting durable peace, providing civilian protection, and punishing perpetrators of atrocities. Enough works with concerned citizens, advocates, and policy makers to prevent, mitigate, and resolve these crises. To learn more about Enough and what you can do to help, go to [www.enoughproject.org](http://www.enoughproject.org).

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