

The building blocks of sustainable peace

The views of internally displaced people in Northern Uganda

While international attention focuses on the negotiations in Juba between the Ugandan Government and the Lord's Resistance Army, the views of those most affected by the conflict have so far not been adequately heard. Oxfam's research with displaced people in Northern Uganda highlights that although people feel that their lives have improved since the talks began, they remain pessimistic. As the talks progress, it is crucial that the concerns of the people of Northern Uganda in terms of security, freedom of movement and development are addressed as the essential building blocks of a just and lasting peace.

Summary

With the hopes of over 2.7 million people living in Northern Uganda riding on its success, the ongoing peace process in Juba between the Government of Uganda and the rebel Lord's Resistance Army (LRA) is finally starting to attract international support. International engagement is crucial at this critical stage in the negotiations. The talks that began in Juba in July 2006 are widely considered to be the best chance for peace since the war started over two decades ago. And yet the road to peace remains precarious: over 50 per cent of countries return to conflict within ten years of an initial peace agreement.¹ This briefing paper seeks to give greater voice to the people of Northern Uganda in order to help identify the building blocks to a just and lasting peace. It is based upon the findings of focus-group discussions with 91 internally displaced persons (IDPs), interviews with camp leaders and local Government representatives, and a survey of 600 IDPs across the Acholi region in May and June 2007.²

For many IDPs, the past year has brought dramatic change in their day-to-day lives. Fifty-seven per cent of those surveyed say that security has improved. Fifty-six per cent say they now enjoy greater freedom of movement. While most IDPs recognise that the Government's peace efforts brought about these improvements, most also continue to feel sceptical about the ultimate commitment of the Government and the LRA to bring a lasting peace to their area. Many feel that they are not being represented at or informed about the Juba process, and they do not trust the Government to promote development and address the perceived marginalisation of the north. The feeling of distrust among much of the IDP population stems from their experience of years of violence, coerced displacement, and lack of food and services in the camps in which they have to live.³

This feeling of alienation experienced by displaced people about both the Juba process and the Government, and the divide between the north and south of the country, can only be addressed through greater participation of affected communities both in the peace process and in making plans for the reconstruction and development of Northern Uganda. The Government of Uganda has in recent weeks taken important steps to address these gaps and this paper gives further recommendations on scaling up these efforts. A peace agreement between all parties to the conflict is only one of the building blocks for sustainable peace in Northern Uganda. To support a just and lasting peace the Government of Uganda should continue to allocate greater resources toward improving the engagement and understanding of communities in relation to the peace process and development plans, improve the security situation and support voluntary and sustainable return.

The building blocks for peace

Based on the recent survey of displaced people in Northern Uganda, Oxfam recommends that the Government and the LRA, with the support of the international community, should:

Improve security by:

- Remaining committed to the peaceful solution of the conflict and continuing to adhere to the Cessation of Hostilities Agreement by the Government of Uganda and the LRA.
- Improving the performance of the security sector (both military and police) in Northern Uganda to reduce and prevent incidents of sexual violence, the use of disproportionate force, and theft by security forces by:
 - holding perpetrators to account;
 - further speeding up the demilitarisation of law enforcement, and raising the pay and improving the training of police;
 - urgently addressing concerns through non-military means relating to peace, development, and the rule of law in Karamoja.

Engage communities affected by the conflict in the peace and development processes by:

- Continuing to invest in consultation of a cross-section of IDPs, including women, vulnerable groups, and LRA returnees on the Juba process and plans for economic and political development in the north. Consultations should be decentralised and take place consistently throughout the process. Radio, newspapers, and public notices should be used more effectively to deliver news and information about the peace talks to affected communities.
- Stepping up efforts to develop alternative justice mechanisms that will satisfy the expectations of the communities and meet international standards for accountability and justice. The International Criminal Court and the international community need to acknowledge the majority of the population's desire for peace above all else, while helping to ensure that any peace agreement includes a comprehensive strategy on transitional justice mechanisms.
- Prioritising the reintegration of ex-combatants, for example by providing counselling and rehabilitation centres for ex-LRA. States with strong experience in reintegration, such as the UK, need to ensure that reintegration is championed during and after the transition phase, and funds are set up to target both returnees and host communities.

Support sustainable voluntary return and viable livelihoods by:

- Encouraging freedom of movement throughout all the conflict-affected districts, both by withdrawing remaining restrictions on movement as the security situation allows and by ensuring no pressure is exerted on IDPs to move.
- Providing greater information to IDPs on the security situation in their home villages or satellite sites; conducting advance landmine and unexploded ordnance surveys, rather than relying on communities to identify minefields; and stepping up mine clearance before expected migrations take place.
- Providing targeted assistance to vulnerable segments of the population who are less equipped for life outside the IDP camps, including orphans,

widows, elderly people, and disabled people. This could include, but should not be limited to, support for building shelter, creating alternative livelihoods, and protecting land rights.

- Increasing the amount of funding allocated for road construction and maintenance, to facilitate humanitarian assistance to remote communities and improve market access.
- Developing a land strategy to mitigate the potential for disputes over land ownership. This should include, as a minimum, greater public information about citizens' land rights and, where possible, provide for formalisation and demarcation within the existing system of customary tenure, and guarantee access to land for women, in particular for widows and child-headed households.

1. Introduction

For over 20 years, Northern Uganda has suffered the effects of a conflict between the Ugandan Government and the Lord's Resistance Army (LRA), a rebel group that has its origins in Northern resistance movements that formed in the mid-1980s, in response to the rise to power of the country's current president, Yoweri Museveni. The conflict has evolved into a brutal insurgency that directly targets the civilian population; the LRA's tactics have included the looting of villages, massacres, mutilation, and the abduction of children who have then been forced to serve as soldiers or sex slaves. According to one estimate, more than 66,000 children and youth have been kidnapped since the start of the conflict.⁴

In the 1990s, the Government's response to the LRA attacks was to herd the population into dozens of protected camps, where they remain today. Conditions are squalid and residents have continued to suffer at the hands of the LRA despite the presence of the Ugandan army, the Uganda People's Defence Force (UPDF) – which has itself been accused of human rights violations.

Following the onset of a new round of peace talks between the Government and the LRA in July 2006 in Juba, Sudan, the sides signed a Cessation of Hostilities (CoH) agreement that sparked hope for a return to peace for the 1.8 million internally displaced persons (IDPs) in Northern Uganda. There is widespread recognition that the negotiations represent the best chance for sustainable peace to date, and cautious optimism that a comprehensive peace agreement is achievable.

If and when an agreement is reached huge challenges will remain to be overcome on the ground. Those interviewed as part of the research have expressed their appreciation for some improvements in living conditions in the camps since the signing of the CoH agreement. But during interviews that were taken before the Government launched its current efforts of consultation, the same respondents revealed a strong feeling of neglect of their day-to-day concerns, their hopes and their fears, and their attitudes toward the discussions in Juba.

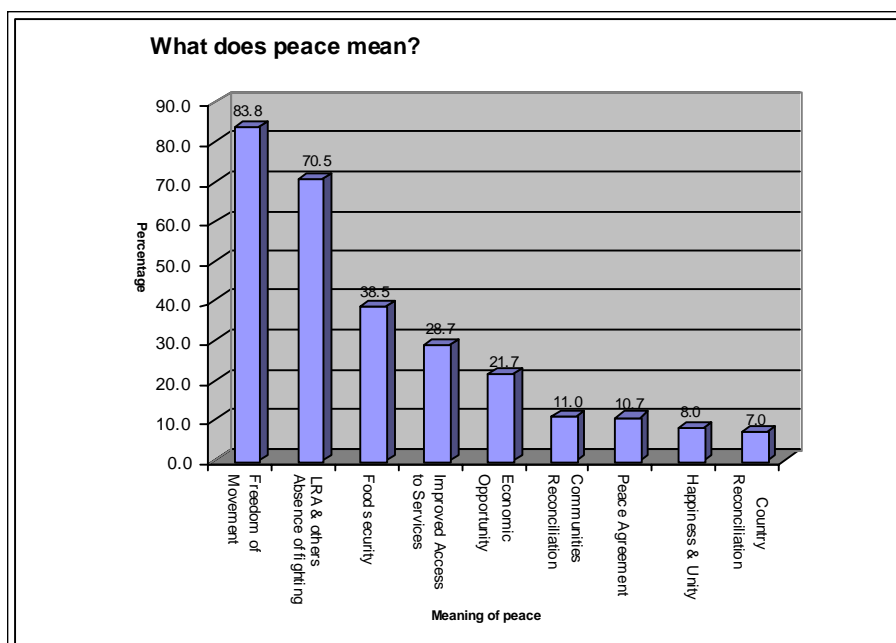
A peace agreement between parties to the conflict will only be a first step into a peaceful future for Northern Uganda. This briefing paper aims to amplify the voices of communities affected by the conflict. It highlights the continuing urgency of reaching a comprehensive peace agreement, and, on the basis of the views of those living in camps and new settlements, identifies some of the most important building blocks of long-term peace.

What 'peace' means for IDPs

Notwithstanding the recent improvement in security, 45 per cent of those surveyed described life in the camps as 'not peaceful'. Similarly, approximately half of all focus group participants said that their lives were not yet peaceful, despite the ceasefire between the Government and the LRA. These findings can be explained partially by continued security threats and by the perceived fragility of the Juba talks.

How would you describe the current situation in your community?		<u>The role of security and a formal agreement for peace:</u>	
Very peaceful	1.5%		<p>Asked about the greatest obstacles to peace, 85 per cent of survey respondents thought that there could be no peace in the absence of a formal agreement.</p> <p>Asked whether there was peace or not, focus groups frequently responded by referring to insecurity caused by attacks from cattle raiders.</p> <p><i>'I am still haunted by the past. If I see a stranger when I am alone, or if a dog barks, I get scared. The peace talks are still not finalised. The Karimojong are still raiding us. It's not yet peace.'</i> — man from Mucwini camp</p>
Peaceful	53%		
Not peaceful	44.5%		
Not peaceful at all	1%		
When you compare it with before the Cessation of Hostilities agreement, how is it today?			
More peaceful	60.5%		
The same	15.8%		
Less peaceful	23.7%		
How do you expect the situation to develop in the future?			
Very safe	2.5%		
Safe	69.7%		
Not safe	27.3%		
Not safe at all	0.5%		

But at least some of the explanation for the lack of a 'sense of peace' among many IDPs lies in the way they define the term. Asked to pick as many definitions of 'peace' as appropriate, more survey respondents chose freedom of movement (84 per cent) than chose the absence of fighting (70.5 per cent). Food security (39 per cent) scored third.



The lack of food security, economic opportunities, education, and health services were identified as IDPs' biggest worries, highlighting the strain of continuing to live in camps.

Another common complaint was the inability to access land for cultivation. '[IDPs] go to the new settlements even if there is only stagnant water there because life in the camps is like prison – they have no land here,' said one sub-county chief. While some IDPs can afford to rent nearby land in order to grow crops and supplement their rations from the World Food Programme, most cannot.

Camp life was identified as one of the greatest sources of tension:

According to a member of the Acet camp executive: *'Peace is when you are able to move freely and do things according to your own will. Now there is no peace because we are stuck in a camp and our lives are controlled by others.'*

'Things will only get worse unless people are able to go back to their villages and stop depending on handouts,' said a young man from Amida camp.

Another factor underlying the continued anxiety of many focus group participants was the relatively widely held view that, should the talks in Juba fail, a new round of conflict could ensue that is even more brutal than past fighting. Indeed, virtually all participants were deeply sceptical about the prospects for a lasting ceasefire. Most of the recent migrants are ready to return to the camps at short notice if the security situation deteriorates. Only around 5 per cent of those who have left the camps have gone to their home villages;⁵ many

remain within a few kilometres of the main camps and continue to access food distribution and health and education services there. In this context, reports that huts in the main camps are destroyed when IDPs move to new sites are particularly worrying. In short, the encouraging exodus of recent months should not be taken as an irreversible trend.

2. State of play: peace and security in Northern Uganda

Camps for the internally displaced have been a feature of life in Northern Uganda since 1996, when the Government, already a decade into the conflict with the LRA, ordered tens of thousands of residents of Gulu district to move into 'protected villages', in an effort to deprive the rebels of resources. In the intervening years, as the conflict raged on, between 1.8 and two million people were forced into over 200 such camps across the north of the country.⁶ More than 90 per cent of the population in the three main war-affected districts of Gulu, Kitgum, and Pader have been displaced – some 1.2 million people.⁷ At the height of the conflict, conditions inside the camps were such that many more people died from preventable diseases and from malnutrition than did from LRA attack.⁸

The impact of the cessation of hostilities

Since the signing of the August 2006 Cessation of Hostilities agreement, the decade-long trend of increasing displacement of the Acholi population has begun to reverse. A sharp drop in LRA attacks and improved security throughout the region have led many IDPs to return home, or at least to move to satellite sites away from the congestion of the main camps. As of May 2007, some 723,000 people were living in camps in Gulu, Kitgum, and Pader, a figure down by one-third from the camp population at the end of 2005.⁹

A strong majority of IDPs say that the ceasefire has made a significant difference in their lives. Freedom of movement has increased, people no longer have to sleep in the bush out of fear of the LRA, there is greater access to land, water, and firewood, schools are no longer regularly interrupted by security alerts, and overall tension in the camps is diminished.

Over half of IDPs said that the CoH had brought major improvements:

Fifty-seven per cent of those surveyed said that security had improved, 56 per cent said they now enjoyed greater freedom of movement, and 34 per cent said the ceasefire had increased their access to land.

'It is getting better now,' said a woman from Madi Opei camp. *'We can go to the fields to cultivate and send our children to the wells to collect water and there are no abductions.'*¹⁰

'There are no more gunshots,' said a man from Mucwini camp. *'There used to be gunshots at around 6pm or 7pm every evening and if the UPDF found you outside the camp limits, they would beat you and accuse you of being a rebel.'*

According to a woman from Omat camp: *'Our relationship with the army and police has improved because the issue of collaborators [those found outside camp limits] has disappeared.'*

Continuing threats to the civilian population

However, IDPs continue to face a range of security threats in and around the camps. First and foremost in recent years has been the LRA itself, although fear of attack or abduction by the rebels has diminished significantly. Nonetheless, the LRA was cited as a major security threat by IDPs in all three districts in which the research took place.

In Kitgum and Pader districts, however, fear of armed groups from neighbouring Karamoja – the least developed region in Uganda, where malnutrition rates are currently higher than those in the Acholi sub-region¹¹ – was even greater than fear of the LRA. Armed pastoralists from Karamoja regularly cross into eastern Acholi and Teso sub-regions to steal livestock and loot villages, often committing acts of violence such as rape and murder in the process.

Concerns about a spillover of insecurity from Karamoja were ever-present:

'While the Government is talking to the LRA they should also be talking to the Karimojong [people from Karamoja]. Even if the peace process with the LRA succeeds, the Karimojong will still disturb us. They come over both from Sudan and from within Uganda. And the Government forces cannot protect us.' — Senior Official Madi Opei camp

In Gulu district, residents also expressed fear of random armed crime by a group of Bookec (literally 'criminal elements' in the Acholi language) – reportedly UPDF deserters and other individuals.

For many IDPs, emerging threats from new armed groups illustrate the Government's inability to maintain security across the vast bushland of Northern Uganda. To prevent insecurity in Karamoja from derailing peace efforts in Juba, the Government of Uganda and the international community need to devote greater energy and

financial resources toward stepping up development efforts and strengthening the rule of law in the northeast. Ultimately a peaceful solution to the conflict with the LRA will not be enough to guarantee long-term peace. Non-military means to establish peace, development, and the rule of law in Karamoja are urgently needed. Only by finding mechanisms to bring marginalised communities throughout Uganda into the political mainstream and by fostering their trust in the Government will there be a basis for sustainable peace throughout the country.

Security forces

Law enforcement in Northern Uganda has primarily been the responsibility of military forces and Local Defense Units (LDUs), a locally recruited militia who have little or no accountability to the State.¹² Poorly trained and poorly paid 'special police constables' by far outnumber regular police, and more than one sub-county in three has no police presence at all.¹³ In the absence of any significant State authority other than the military and a few police, it has often proved impossible for members of security forces to be held accountable if they have abused their power.

Attitudes among IDPs toward the security services varied from person to person. Many were appreciative of the role played by the UPDF and the LDUs in helping to protect the camps and in responding to attacks by the LRA and Karimojong raiders. But even those who were appreciative often expressed fear of the security forces, because individual members were said to be responsible for human rights abuses and for acts of robbery and sexual violence.

Similarly, some IDPs complimented the police for maintaining law and order, but many noted that the level of training and education of police was inconsistent, and that those with minimal training often tended to be the most dishonest. Some respondents said that badly trained police would be no improvement on the military.

Several IDPs observed that the pay of LDU members and police was often late or not forthcoming at all, and that these units consequently preyed on the population. Asked whether it would be a good idea to deploy more police to Northern Uganda, as the Government has committed to do in its Peace, Recovery and Development Plan (PRDP), the majority of IDPs responded positively, with the caveat that the police should be well trained and paid.

IDPs wanted increased security and the rule of law but were suspicious of the security services:

'It would be a good idea to increase numbers of police, but only if they are trained well. If they are only trained for a few months, they are no better than soldiers.' — man in Madi Opei camp

'It would be a good idea to increase their numbers if they are paid well and on time. Otherwise they will use their guns to threaten the people and get money from them.' — young man from Amida camp

A minority of focus group participants was opposed to more police. *'If their numbers increase they will just carry out more arbitrary arrests,'* said a young man from Laguti camp. *'We just don't want to see more guns.'*

Sexual violence

Sexual violence was the third most commonly cited security threat after Karimojong raiders and the LRA. Women rated it as their greatest fear in terms of personal security, blaming drunk husbands, members of the security services, such as the UPDF and LDUs, and random youth.

'They hide in the bush and if you go looking for firewood they grab you and rape you,' said a young woman from Unyama camp.

According to the commander of one camp, 'One of the main problems in the camps is sexual violence. Only this week one woman was raped and the same the week before.'

Young men also identified sexual violence as one of the biggest security risks, not only to their families but to themselves. They cited members of the security services as the most common culprits. If trust in the security services is to increase, the Government must do more to hold perpetrators of sexual violence to account.

Social breakdown

Many IDPs also spoke of increasing breakdown among the traditional Acholi family unit. They blamed a combination of alcoholism, mental illness among victims of the conflict, and the myriad social stresses of camp life. First-hand evidence of some of these problems was apparent during the research for this paper, when focus group discussions were often interrupted by obviously drunk or mentally disturbed individuals.

Also of great concern is the plight of youth. Half of all IDPs in Northern Uganda are under the age of 15.¹⁴ A shocking one-third of children above the age of 10 have lost a parent.¹⁵ With many having been in the camps for years — some more than a decade — a generation of young people is growing up knowing little else.

Focus group discussions highlighted incidents of sexual violence, domestic disputes, alcoholism, mental illness, youth alienation, idleness, and pent-up frustration, which many attributed to camp-life.

Focus group discussions revealed a society verging on breakdown:

'We are people losing our sense of direction. This is the first meeting we've had where we've sat together and shared ideas.' — young man from Amida camp

'A lot of women have to go to other men, because they are so poor they do not see other ways. This is also a result of congestion and the demoralisation of camp life.' — camp commandant.

3. Views of Juba: who is negotiating for peace?

Peace talks between the Ugandan Government and the LRA have been taking place on and off in Juba, the capital of southern Sudan, since July 2006. All stakeholders and in particular the Government of Uganda have been widely commended for their immeasurable efforts to keep the peace talks on track. Mediated by the Government of southern Sudan and its vice president, Riek Machar, the talks yielded an unprecedented bilateral ceasefire in August 2006. After a four-month stalemate in early 2007, negotiations resumed in April, with an extension of the ceasefire and an agreement on Comprehensive Solutions, which addresses such issues as the need for broad-based democratic governance in Uganda. In June, a first agreement on the principles of Reconciliation and Accountability was achieved. However, the talks continue to face several major hurdles, among them the issue of the International Criminal Court indictments against four top LRA commanders, including the rebel leader Joseph Kony.

Lack of information undermines confidence among IDPs

At the time of research in June 2007, knowledge of what was happening at the peace talks was uniformly poor among IDPs. Only 4 per cent of survey respondents felt that they were 'well informed' about the peace process. Although the vast majority of IDPs know that peace talks are taking place in Juba, virtually no-one has detailed knowledge of the substance of the negotiations. The main source of information for IDPs is local FM radio. A small minority receive

information from newspapers, and many said that they also receive news about the talks through rumour and hearsay.

'Like the rest of the community, I receive information through Mega FM,' said the commander of Mucwini camp. 'Sometimes the rebel leaders actually call the station directly and then we hear them talk over the radio. This can have a huge influence on people. For example, when Kony said that it was now safe for people to return home, they really started to move.'

In addition to knowing little about the negotiations, few IDPs have information about the composition of the respective delegations in Juba. Most focus group participants were uncertain as to whether they had a representative at the peace talks. In Acet camp, no-one on the 20-person camp executive knew whether they were represented.

Lack of information and representation undermines IDPs' trust:

'If I had a representative at the peace talks, that person would have come back during the recess and explained to us what had happened there,' said one of the camp executives. *'And he would have also listened to our views in preparation for the next session.'*

In the words of a man from Mucwini camp: *'The talks would be relevant to us if occasionally one or two representatives of the Acholi people now in Juba would come here and discuss the results with us and get our thoughts, but no-one comes. Everything is hearsay.'*

In focus group discussions many of the 91 respondents expressed a desire for their elected sub-county chairperson (known as the 'LC3') to be better informed so that he could pass on news to the people. However, measures to inform the population through their local representatives have so far not been discussed.

In October 2006, in an effort to bring in delegates more representative of the affected population, Machar invited Acholi members of the Ugandan parliament and civil society leaders to join the talks, but the LRA delegation rejected their participation.¹⁶ Ongoing discussion between the LRA and Government delegations about a set of consultative meetings on Agenda Item III, Reconciliation and Accountability, have since led to meetings being held by the Government in several locations of Northern Uganda. However, if these are not adequately planned and consistently held, there is a strong risk that they will be ineffective, and that an agreement will be concluded without real input from the communities involved.

Only a minority of focus group participants believed that their interests were being promoted in Juba, and only a few respondents were convinced that the Government's peace efforts were entirely sincere, and that peace or war depended solely on the conduct of the LRA.

A common view was that the Government was not fully committed to the talks:

'Just when things seem to be going well, the Government does something that pulls the sides apart again.' — man from Lugore camp

'If they were really committed,' said a camp commander, *'why do they not also talk to the Karimojong? Why do the Karimojong today disturb us in the same way the rebels used to but the Government does not talk to them?'*

A further view, expressed by a minority of participants, was that the Government does not want peace because it profits from the war.

A minority of respondents thought that the conflict continued because Government officials profit from it:

'There can't be peace because the leaders of this country have turned war into business and they have an interest in keeping it going,' said a young woman from Unyama camp.

This was also the view of some officials. *'War has become business,'* said an official in the Paicho sub-county office. *'If you have an important office, you don't want the war to end.'*

Despite positive steps forward during the Juba talks and in terms of planning wider consultations, there is little information getting through to the IDP population, reinforcing the longstanding feeling of marginalisation among much of the IDP population. Respondents had little trust in the Government, which they blamed for failing to adequately protect them from violence, forcing them into camps, and not providing for their most basic needs during displacement.¹⁷ This alienation from the Juba process and mistrust of the Government could ultimately undermine the prospects for sustainable peace if steps currently taken to address these issues are not further scaled up.

Justice and the role of the International Criminal Court

The International Criminal Court (ICC) indictments of senior LRA commanders have attracted controversy and debate, both in Northern Uganda and internationally. The LRA's demand that the indictments be withdrawn and has led many observers to conclude that a compromise will be required that guarantees the security and livelihood of the rebel leaders if the conflict is to be resolved.

There have been various suggestions of what form such a compromise should take. Domestic trials through special courts are discussed as one possible way to ensure that any penalties facing Joseph Kony and his lieutenants are not so high as to deter them from coming out of the bush, but will satisfy international standards of

accountability and justice. An important agreement on reconciliation and accountability reached by the two sides in June 2007 provides for a combination of traditional and legal justice mechanisms. But if sufficient implementation mechanisms are not established, this is unlikely to satisfy international standards of justice and accountability.

The opinions of IDPs on the justice issue are critical. They will be the ones who will have to forgive atrocities and in some cases live side-by-side with the perpetrators. In focus group discussions, the vast majority of IDPs demonstrated a negative reaction to the ICC indictments.

37% of survey respondents believed that the ICC was the biggest obstacle to the peace process, and nearly all focus group participants felt that the ICC had been 'hurtful', not 'helpful':

'The indictments should be withdrawn. The rebels at one stage were willing to come back to the villages. But the ICC indictments made them stay in the bush.' — man from Mucwini camp

'If the arrest warrants aren't withdrawn, Kony won't come out of the bush and the next round of conflict will be worse than before.' — man from Lugore camp

Many IDPs had heard LRA leaders, including Kony and his deputy, Vincent Otti, speak out against their indictments on local radio as the primary obstacle to peace. In addition, many IDPs also associate the ICC with the hanging of Saddam Hussein in Iraq. The Iraqi dictator's name came up unprompted at least once in every focus group discussion.

Many IDPs associated the ICC with the hanging of Saddam Hussein in Iraq:

'If the ICC arrests Kony, he will be hanged like Saddam,' said a young man from Amida camp. *'But if he is put in jail in Uganda, then after some time the people will be able to forgive him.'*

It is clear that the significant opposition to the ICC distracts the attention of the victims from the Government of Uganda's own responsibility to provide for a comprehensive set of transitional justice mechanisms. This creates a real risk that, in the case that should the peace process encounter major problems concerning the issue of justice, the ICC would be scapegoated.

It also obscures nuances in the attitudes of IDPs. If the ICC is removed from the discussion, there is significant support for the prosecution of senior LRA commanders. In some instances, IDPs specified that they would like to see Ugandan courts prosecute the LRA leaders; in others, they simply expressed support for

‘prosecution’, with only a vague sense of who might do the prosecuting.

Some focus group participants whose families had been harmed by the LRA appeared to suppress their wish to see the top LRA commanders punished, either for the sake of consensus or due to peer pressure. One woman who had had two children killed by the LRA initially refused to raise her hand along with other women who were expressing their belief that amnesties were the best option, but when this was noticed by other participants, she joined them. Indeed, many of the same people who believe that LRA commanders deserve to be punished say that they would support traditional justice or amnesties if this helped bring about peace.

The collective longing for peace appeared to be paramount for most:

‘Justice without peace is completely useless to us.’ — parish chief

‘OK, it is very painful, but for the sake of peace we must forgive.’ — woman in Omat camp whose children were killed by the LRA

‘Almost everyone in this community has been involved with the LRA in some way. Many have committed crimes. If there is prosecution, then everyone must be prosecuted. If there is forgiveness, it should be for everyone.’ — member of the Acet camp executive

In summary, IDPs’ views on the justice questions are complex. Many express support for prosecution, especially by Ugandan courts, however this support is often tempered by the overwhelmingly high priority placed on the need for peace. But there are also signs that communities would find a permanent amnesty for those responsible for the worst crimes difficult to swallow.

The Government of Uganda, with the help and support of international partners and in close consultation with affected communities, should therefore step up its efforts to develop justice mechanisms that will satisfy both the expectations of communities and international standards for accountability and justice.

Reintegration of ex-combatants

Should the peace process in Juba produce a comprehensive agreement, a key challenge will be the reintegration of LRA combatants into community life, provided for under Agenda Item V (Demobilisation, Disarmament and Reintegration) of the peace talks. Many ex-combatants have lived for years in the bush, have experienced traumatic events and, in some cases, have committed atrocities. A degree of apprehension among Acholi civilians about living together with former LRA combatants is evident and fear of

the *cen*, a bad spirit believed to emanate from past wrongdoing, is said to be a major obstacle to the integration of ex-combatants.¹⁸

However, despite this anxiety, a majority of focus group participants expressed the belief that reintegration is possible as long as ex-combatants receive counselling before they return and financial and vocational assistance once they arrive.

Some of this optimism derives from the fact that many former LRA fighters have already been integrated into the camps. Under the Government's Amnesty Act, those who surrender are provided with reintegration packages worth approximately \$250 as well as education or vocational training. However, there is no formal system of counselling; although many ex-combatants do receive counselling from NGOs, others fall through the cracks.

A majority of respondents expressed the belief that reintegration is possible as long as ex-combatants receive counselling:

The story of a returned child: 'So many have already returned. At times they kill. At times they do not know anything but life in the bush. There was once a small boy, only a few years old, who had returned from the bush with his mother. When a vehicle came along the road he said to his father, "Shoot it, shoot it". The Government should put in place centres where these people can be looked after for some time.' — camp commander

The importance of counselling was repeatedly emphasised by focus group participants. Those who have lived with returning members of the LRA know of the deep psychological trauma that life in the bush can inflict. Some focus group participants argued that only those who had family members with whom they could live should be allowed to return to the communities, while the rest should be isolated in special rehabilitation centres. Others argued that the community should have a role in determining who was fit to return, and should itself receive counselling on how to live with ex-combatants. One participant from Lugore camp also voiced the concern that villagers might become jealous of ex-LRA members if the latter received generous reintegration packages while ordinary civilians did not.

Reintegration assistance needs to involve the communities:

'If they [ex-LRA] are going to be empowered, the community should be empowered too.' — man from Lugore camp

Clearly, successful reintegration of ex-combatants will require significant new funding for reintegration packages and for counselling targeted at both former LRA members and the communities receiving them. It will be important that the PRDP, as the future defining framework for interventions in the North, adequately plans for this.

4. Between hope and fear: the challenge of returning home

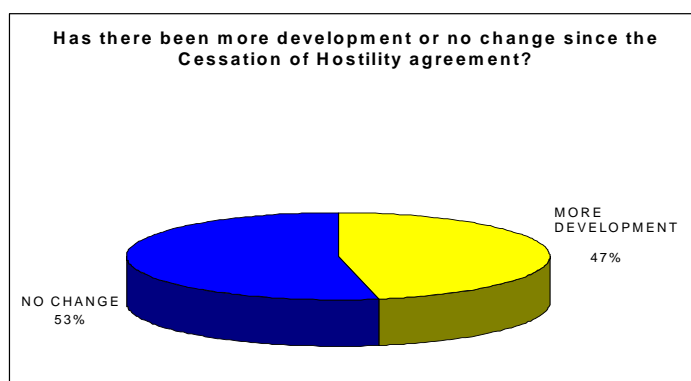
Judging from focus group discussions, the vast majority of IDPs remaining in camps in the Acholi sub-region have thought seriously about moving soon to satellite sites or to their home villages, propelled by the desire to cultivate their own land, grow their own food, and return to their traditional way of life. Many say they are waiting until a formal peace agreement is signed. Others are deferring their departure until October or November, when grass will be long enough for the building of roofs. What is clear is that if a peace agreement is signed and the security situation remains stable, most IDPs will leave the camps within a matter of months.

Humanitarian needs and lack of a peace dividend

Security fears relating to the LRA and to Karimojong raiders, as well as the continued presence of landmines in many areas, are most commonly cited as the main deterrents to leaving the camps. However, even if and when those fears subside, many IDPs will still remain fearful of leaving.

More than half of respondents stated that improved security had not yet brought a peace dividend:

Only 9 per cent of respondents noticed an improvement in food security and only 17 per cent noted an improvement in the provision of health and education services. More than half (53 per cent) said there had been no increase in development activities since the ceasefire began.



The new sites are often unprotected by security forces. Many have no clean water, and most are without functioning schools or health clinics. Many are inaccessible by road. In addition, IDPs need

significant quantities of start-up materials to relocate themselves and their families, including seeds and tools for cultivation, and mature grass or tarpaulins to build their homes. Although the Government has promised resettlement packages, many IDPs say that these have not materialised.

Improving roads to remote villages – or in many cases, creating them from scratch – is important for several reasons. First, without road access, those who have settled in new sites will have difficulty accessing World Food Programme distributions, which tend to take place in the bigger camps. Second, service provision in areas that are not served by roads will be extremely difficult, meaning that many civilians in need will miss out on crucial health and education services. And third, residents of villages without road access are less able to reach markets where they can sell their surplus crops.

The Government's Peace, Recovery and Development Plan foresees only \$29m being allocated to roads over three years for all of Northern Uganda, including for routine maintenance.¹⁹ After years of neglect, particularly of community roads, this will simply not be sufficient to allow IDPs to make a successful transition from life in the camps.

Increased support will also be necessary for vulnerable segments of society, such as orphans, widows, elderly people, and disabled people. With orphans accounting for 9 per cent of all children and widows for 12 per cent of all women,²⁰ and with significant numbers of disabled or mentally ill people in the camps, there is a large segment of the IDP population that will be unable to make the transition from camp life without substantial and specially targeted assistance.

A large segment of the IDP population (the widowed, orphaned, disabled and elderly) will be unable to make the transition without targeted support:

'The disabled have no way of getting home or surviving there,' said David Ngole, sub-county chief for Palaro. *'We need a greater focus on the vulnerable.'*

'Elderly people don't have enough energy to cultivate fields so they don't have enough to eat.' — man from Mucwini camp

Freedom of movement and the role of the Government in promoting resettlement

The Government of Uganda has formulated exemplary policies for the protection of IDPs throughout the process of displacement and return.²¹ However, implementation of these policies has sometimes proved inadequate.

While freedom of movement has been widely granted, there are still many areas where movement is limited to sites identified by the District Security Committee and the District Disaster Management Committee. At the same time, and somewhat at odds with the continuing security threats and restrictions on movement, Government officials have repeatedly urged movement in terms that may have suggested that movement was compulsory. In late 2006 the Minister for Disaster Preparedness and Relief declared that IDPs would have to clear the camps by 31 December.²² In April 2007, the same minister addressed a letter to the chief administrative officers of the districts to encourage them to 'blacklist' NGOs that continued to provide assistance in camps slated for closure.²³

In some instances, the return assessment officers commissioned by the Office of the Prime Minister in November 2006 to assess the return intentions of IDPs are said to have strongly encouraged them to leave the camps.²⁴

Some IDPs complained that they were being requested to move before they were ready:

'The chairman of our district is announcing on the radio that everyone should go back to their villages,' said a member of the Acet camp executive. 'First we were forced to move into the camps, now we're being forced again.'

In areas where freedom of movement has yet to be granted, the sites deemed to be safe seem to be those where a UPDF or LDU detachment has been deployed. According to the commander of Madi Opei camp: 'People move to places where there are military detachments. They would not be allowed to move to other locations.' In some cases it has been reported that UPDF detachments have been established at the request of IDPs. In other areas, security and law enforcement is entirely absent.

Most IDPs lack the critical information about security that they need in order to decide whether and when to relocate their families. There needs to be a greater effort on the part of local Government to provide this information so that future migration is based on sound, well-informed decisions by IDPs themselves. To this end, the Government should withdraw the remaining restrictions on movement, ensuring no pressure is exerted on IDPs to move before they are ready.

The land question

An issue that came up repeatedly in focus group discussions and in interviews with camp leaders and local Government representatives was the potential for conflict over land ownership. Over 90 per cent

of the Acholi population have been displaced from their land for much of the past decade and, with the vast majority of land ownership being through customary tenure (i.e. through informal rules developed over generations), there is widespread concern that conflict over land rights could negate any gains made at the peace table. 'Land disputes are the greatest problem we have,' said one of the chiefs.

For many IDPs, land is the only capital they possess. Prior to the conflict, most of the Acholi population lived in villages and kept animals, but over the course of the conflict the livestock population has been decimated. With few income opportunities in the camps, IDPs will return home with virtually no possessions to their name. Land is thus both prized and fiercely defended.

There is widespread concern that conflict over land could negate gains made at the peace table:

According to a man from Lugore camp: *'Now that people are preparing to return home, the issue of land disputes is looming and could bring about even worse conflict.'*

'Land disputes are causing a lot of tension in the community,' said a member of the Acet camp executive. *'Some people are intimidating others not to go back to their homes because they want to take the land for themselves.'*

As a 2005 report by the Civil Society Organisation for Peace in Northern Uganda noted, individuals who hold their land by customary tenure and who have no other legal documentation – a description that fits most of the displaced population – risk losing their land, for a number of reasons. These include Government-mandated development, leases given to investors, land grabbed by relatives and neighbours or through fraud, squatters, landmines, and conflicts between customary and state legal systems.²⁵ Plans by the Government to promote development through mechanised farming²⁶ and the creation of a land market have the potential to further exacerbate fears of land grabbing and to alienate people from the Government.

Indeed, many of these risks were mentioned by focus group participants. In Unyama camp, two participants were unable to return home because the Government had requisitioned their land for the construction of a university and for the expansion of a national teachers' college. In Lugore, the sub-county chief said that he had arrived in the camp that day to arbitrate in a dispute in which a local official had been bribed to award land to an individual who did not rightfully own it. A recent briefing paper by the Refugee Law Project

reported two cases in which single women had been killed in order to prevent them claiming land.²⁷

Traditionally, Acholi elders have been the final arbiters of disputes and have kept track of how land in their communities was distributed between families. But with the widespread death and displacement of recent years, much of that knowledge has been lost. There are also significant incentives and opportunities for those with power over land issues to abuse their position. According to the commander of Unyama camp, some elders have been targets of extortion and violence because of their knowledge.

The lack of formal, written documentation of land ownership is especially problematic for the most vulnerable: for example, orphans who do not know where their family plot is or other disadvantaged individuals who are unable to defend what they know is theirs. 'Many people have lost parents,' said a young man from Laguti camp. 'Since only the elders know which land belongs to whom, they could take advantage of orphans by giving them a smaller share of land.'

The land issue risks inflaming inter-clan animosity, as well as fuelling increased anti-Government sentiment. If a new round of instability in Northern Uganda is to be prevented, it is critical that much greater attention be paid to the land issue. This could come in a number of forms, but it is crucial that interventions be sensitive to the specific circumstances of Northern Uganda. At a minimum, policies need to recognise the need and desire of IDPs to return to their land, as well as the tensions that can result from attempts to transform land held under a system of customary tenure into titled land, in a society where land rights are collective rights and literacy levels are low. As far as possible, demarcation and registration of land should take place within the traditional system of customary tenure, and in particular should be sensitive to the specific vulnerabilities of women and children.

5. Conclusion

The ongoing negotiations in Juba are the best hope for peace for the citizens of Northern Uganda. However, there should be no doubt about the continued precariousness of the situation. The effects of war and confinement of people into camps have stretched Northern Ugandan society almost to breaking point, and if the Juba talks fail, it could bring a new round of violence that not only reverses recent progress but pushes the population into complete social and economic collapse.

Although the Juba negotiations have begun to attract the international attention and involvement they deserve, there is as yet not enough focus on the views of those who are most affected by the peace process. There is now an opportunity to put aside past divisions between the South and the North and to work together for peace. However, if the sense of marginalisation and the distrust felt by many IDPs are not addressed, those divisions will be perpetuated. Dealing now with the concerns of people directly affected and planning for the many challenges of a post-conflict transition are the building blocks of sustainable peace.

Notes

¹ Centre for the Study of African Economies, Department of Economics, Oxford University, Collier Paul (2004), *Breaking the Conflict Trap: Civil War and Development*, available at

<http://www.un.org/esa/documents/Development.and.Conflict2.pdf>, (last consulted by the author on 31 July 2007) p.9.

² This paper is based on the findings of a quantitative survey of 600 IDPs in 11 camps in the districts of Gulu, Kitgum, and Pader, as well as a series of focus group discussions involving 91 IDPs and interviews with camp leaders and local Government representatives in eight camps in the same districts. The opinions gathered in the focus group discussions and interviews — which we quote at length here — complement the survey and offer additional insight into IDPs' attitudes. The research was conducted in May and June 2007.

Several important limitations to this paper should be noted. Firstly, although it does provide a number of concrete policy recommendations, its primary purpose is to give voice to the IDP population. Secondly, research was conducted only in Acholi region. Although some of the paper's conclusions are likely to be accurate and relevant for the Teso and Lango regions, others may not be. Thirdly, readers should be cautious in extrapolating data presented here to the entire Acholi population. Despite the reasonably large number of respondents to the survey (600), rigorous sampling methods were not employed because of the logistical difficulties of such an effort in Northern Uganda. Given the remarkably consistent information that emerged from the survey, focus group discussions, and interviews, however, we remain confident in the report's analysis and overall conclusions.

³ Civil Society Organisations for Peace in Northern Uganda (2004), *Nowhere to Hide. Humanitarian Protection Threats in Northern Uganda*, p.10.

⁴ Annan, Blattman, and Horton (2006), available at www.sway-uganda.org (last consulted by the author on 31 July 2007)

⁵ Inter Agency Standing Committee Working Group in Uganda.

⁶ 'Counting the Cost: Twenty Years of War in Northern Uganda', Civil Society Organisations for Peace in Northern Uganda, 30 March 2006.

⁷ Ibid.

⁸ See, for example, 'Health and Mortality Survey among Internally Displaced Persons in Gulu, Kitgum, and Pader Districts, Northern Uganda', Ugandan Ministry of Health, 1 July 2005. www.who.int/hac/crises/uga/sitreps/Ugandamortsurvey.pdf.

⁹ Inter-Agency Standing Committee Working Group in Uganda, IDP Population Movement, May 2007.

¹⁰ Four categories of focus group participant were involved: women aged 30–60, women aged 15–29, men aged 30–60, and men aged 15–29. For the purposes of this report, when participants are identified as 'woman' or 'man', they are 30–60 years of age; those identified as 'young woman' or 'young

man' are 15–29 years of age. One focus group — in Acet — involved a mixed group of women and men aged 30–60, who together formed the camp executive.

¹¹ UN OCHA (2007), Mid Year Review of the Consolidated Appeals Plan.

¹² United Nations Office of the High Commissioner for Human Rights (2007), *Report of the High Commissioner for Human Rights and Follow up to the World Conference on Human Rights. Addendum: Report on the Work of the High Commissioner for Human Rights in Uganda*, p.9.

¹³ Republic of Uganda (Kampala: August 2006) *National Peace Recovery and Development Plan for Northern Uganda*, p.36; and Republic of Uganda (Kampala: March 2007) *National Peace Recovery and Development Plan for Northern Uganda*, p.42.

¹⁴ 'Counting the Cost', op. cit.

¹⁵ Northern Uganda Internally Displaced Persons Profiling Study, Office of the Prime Minister, Department of Disaster Preparedness and Refugees, Volume II, September 2006.

¹⁶ 'Northern Uganda: Seizing the Opportunity for Peace', International Crisis Group, Africa Report No. 124, 26 April 2007, p.14.

¹⁷ Civil Society Organisations for Peace in Northern Uganda (2004), *Nowhere to Hide*, op. cit.

¹⁸ Baines, E.K. (2007) 'The Haunting of Alice: Local Approaches to Justice and Reconciliation in Northern Uganda', *The International Journal of Transitional Justice*, Vol. 1, 2007, 91–114.

¹⁹ 'National Peace, Recovery and Development Plan for Northern Uganda: Second Draft for Consultations', Government of Uganda, 9 March 2007.

²⁰ 'Northern Uganda Internally Displaced Persons Profiling Study', op. cit.

²¹ See, for example, Republic of Uganda (Office of the Prime Minister: August 2004), *The National Policy for Internally Displaced Persons*.

²² *New Vision* (October 2006) quotes the Minister of Disaster Preparedness and Relief, Tarsis Kabwegyere, as saying: 'We have also recruited 29 resettlement officers to ensure that by December 31 all the camps are empty.'

²³ Kawegyere, T. (5 April 2007), official correspondence to the District Chairpersons of Northern Uganda, 'Re: Establishing Humanitarian Facilities in the Old Camps'.

²⁴ Refugee Law Project (Makere University: June 2007), *Briefing Paper: Rapid Assessment of Population Movement in Gulu and Pader*, p.7. See also *New Vision* (October 2006), op. cit.

²⁵ 'Land Matters in Displacement: The Importance of Land Rights in Acholi Region and What Threatens Them', Civil Society Organisations for Peace in Northern Uganda, December 2004, p.xiii.

²⁶ See Ministry of Lands, Housing and Urban Development (2006), *Position Paper on Service Delivery on National Peace, Recovery and Development Plan for Northern Uganda (PRDP) 2006–2009*.

²⁷ Refugee Law Project (Makerere University: June 2007), *Briefing Paper: Rapid Assessment of Population Movement in Gulu and Pader*, p.7.

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<p>Oxfam GB Oxfam House, John Smith Drive, Cowley, Oxford, OX4 2JY, UK Tel: +44 1865 473727 E-mail: enquiries@oxfam.org.uk www.oxfam.org.uk</p>	

Oxfam International Secretariat: Suite 20, 266 Banbury Road, Oxford, OX2 7DL, UK
Tel: +44 1865 339100 Email: information@oxfaminternational.org. Web site: www.oxfam.org

Oxfam International advocacy offices:

E-mail: advocacy@oxfaminternational.org

Washington: 1100 15th St., NW, Ste. 600, Washington, DC 20005-1759, USA

Tel: +1 202 496 1170.

Brussels: Rue Philippe le Bon 15, 1000 Brussels, Belgium

Tel: +322 502 0391.

Geneva: 15 rue des Savoises, 1205 Geneva, Switzerland

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New York: 355 Lexington Avenue, 3rd Floor, New York, NY 10017, USA

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