

The Lord's Resistance Army: tackling a regional spoiler

While recently all eyes have been on the growing crisis in the eastern Democratic Republic of Congo (DRC), an opportunity to deal with one of the region's most notorious troublemakers has rather silently lost momentum. On 29-30 November 2008 the leader of the Lord's Resistance Army (LRA), Joseph Kony, refused to sign a final peace agreement with the Ugandan government for the third consecutive time. With initially promising negotiations risking ending in deadlock, the armed forces of Uganda, Southern Sudan and DRC launched a joint military offensive on 14 December 2008. There is a real danger that this move will spur an escalation of violence and a return to hostilities, rather than contributing to the dismantling of a rebel group that has ravaged northern Uganda for over two decades and increasingly threatens security in the region. If LRA activity intensifies, the international community should immediately support the establishment of a regional containment strategy aimed at minimizing the LRA's room for manoeuvre and creating new impetus for peace.¹

Background

Northern Uganda has been the scene of armed conflict ever since President Yoweri Museveni, a southerner, took power in 1986 by overthrowing a military regime dominated by the Acholi, the largest ethnic group in Uganda's northern districts of Gulu, Kitgum and Pader. In the wake of this coup, several protest movements emerged in the north challenging the newly established leadership due to fears of political and economic marginalisation. The LRA was born out of these movements and has used guerrilla warfare against the national army, the Ugandan People's Defence Forces (UPDF), and terrorized local communities in the north since 1987.

¹ Sources consulted include reports (such as International Crisis Group [ICG] (2008), *Northern Uganda: The Road To Peace, With Or Without Kony*; Quaranto (2007), *Northern Uganda: Emerging Threats to Peace Talks*; ICG (2007), *Northern Uganda: Seizing The Opportunity For Peace*, and; Lomo and Hovil (2004), *Behind The Violence: The War In Northern Uganda*), local news websites (notably www.new-vision.co.ug, www.monitor.co.ug and www.sudantribune.com) and LRA experts. The author would like to thank Sylvie More for her valuable input and comments on earlier versions.

The LRA does not consistently express clear political objectives. Common positions oscillate between the defence of the marginalised northern population and a 'divine' mission to overthrow Museveni and rule Uganda according to the Biblical Ten Commandments. Its mode of operating is highly opportunistic and it attacks, kills and displaces the same people that it at times states to fight for, which explains why it has lost virtually all the popular support it initially enjoyed. The size of the LRA has fluctuated over the years and although estimates of its strength vary, it is currently thought to number between 1000 and 2000 rebels, for the most part forcibly recruited children. The LRA is infamous for its brutal methods and for committing grave human rights violations.

Rebels without borders

Northern Uganda has unquestionably suffered the greatest burden of LRA activity. Since 1987, tens of thousands of people have been killed and 1.8 million were displaced at the height of the conflict. However the LRA has gradually become a threat to other countries in the region. In an area of weak

states with porous borders, the rebel group has been able to move freely and is now threatening security and stability in Southern Sudan, DRC and the Central African Republic (CAR).

Southern Sudan

Southern Sudan's Equatoria region has been used as an LRA rear-base since the early 1990s. Over the years, LRA rebels have committed numerous atrocities producing thousands of casualties among the local population. Besides a factor of insecurity in Southern Sudan, the LRA is a potential spoiler to the former's fragile, but currently peaceful, relationship with Northern Sudan. Khartoum's ruling National Congress Party (NCP) used the LRA from 1994 as a proxy militia during the 1983-2005 North-South civil war. Given that Khartoum is reportedly still arming the LRA, there is a real risk that the NCP will use the rebel group as a back-up force in the future, anticipating a collapse of the 2005 Sudanese Comprehensive Peace Agreement (CPA) and in light of the forthcoming nation-wide elections (2009) and a referendum on Southern Sudanese independence (2011).

Democratic Republic of Congo

The LRA first sought refuge in the remote north-eastern DRC in 2005 and eventually developed a semi-permanent base in the Garamba National Park area in the Oriental province. While it initially left the population alone, the group undertook a series of attacks between September and November 2008 during which more than 100 people were killed and over 50 000 displaced. Until late 2008, the LRA's presence in DRC remained unchallenged by the Kinshasa-based government, which had other and more pressing domestic crises to manage. With regard to the LRA, Kinshasa's main concern has been to prevent Uganda from using the rebel group's presence in DRC as a pretext to unilaterally invade its territory to neutralize the group. This fear has its roots in the fact that Uganda supported anti-government insurgency groups in DRC during the 1998-2003 Congolese war and developed a vast interest in the illegal exploitation and trade of DRC's natural resources that persists today.

Central African Republic

The latest country to suffer an LRA incursion is CAR. In February 2008, LRA fighters briefly entered the south-east of the country from their bases in DRC and have been accused of looting villages, raping women and abducting some 150

people. This invasion was apparently motivated by the need to resupply and 'recruit'. According to a number of sources, Khartoum has used this desolate region of CAR as a safe haven to deliver supplies to their proxy on standby, just as it did previously in north-eastern DRC. The LRA is an added problem that CAR's authorities can certainly do without, troubled by rebel groups and road bandits in the north-west and north-east and lacking the capacity to control their borders and protect their territory.

Assessing the Juba process

Initiated and hosted by the Government of Southern Sudan, the most recent rounds of peace talks between the LRA and the Ugandan government started in Juba on 14 July 2006. There were two important incentives for the LRA to take part in these talks. Firstly, having lost immediate strategic relevance to Khartoum after the establishment of the Sudanese CPA in January 2005, the rebel group received less support from its most important external backer. Secondly, on 13 October 2005 the International Criminal Court (ICC) issued arrest warrants against its leader Joseph Kony and four of his top commanders, charging them with war crimes and crimes against humanity. Weakened by these developments and hoping to avoid prosecution, the LRA accepted a seat at the negotiating table.

In working towards the establishment of a Final Peace Agreement (FPA), the Juba process essentially focussed on two important issues: (i) existing political, economic and social disparities between northern Uganda and the rest of the country, and (ii) dismantling the LRA. As regards the first issue, the FPA includes a plan for reconstructing and developing the war-affected north, which has suffered from ongoing hostilities, marginalizing government policies and neglect over the last two decades. Addressing the second issue, the FPA provides for a permanent cessation of hostilities, includes principles for the disarmament, demobilization and reintegration of LRA combatants, and tackles the thorny questions of reconciliation and accountability.

Benefiting from unprecedented international and regional engagement and support, the Juba process initially produced some encouraging results. The most notable achievements were a lull in

hostilities and an improved security environment in northern Uganda, enabling an estimated one million displaced people to return to their villages, once the LRA had settled in DRC in mid-2006. But in the end, despite two years of negotiating and the signing of five different protocols, the FPA, although finalized in April 2008, was never ratified. On three different occasions, Kony did not attend the final signing ceremonies.

The ICC indictments are generally presented as the main stumbling block in this regard. Kony demands that the arrest warrants are lifted before any settlement can take place. Museveni maintains that only a signed FPA will convince the United Nations Security Council to defer the warrants and allow a special division of the Ugandan High Court to try Kony and his deputies.

In fact a deeply rooted mistrust between the parties represents a more substantial obstacle for peace than the apparent stalemate over the ICC indictments. Museveni and Kony are extremely suspicious about each other's commitment to a peaceful resolution of the conflict and regularly accuse the other of using the talks only for political and personal gain. These suspicions and accusations are not unfounded. It is no secret that Museveni strongly favours a military approach when it comes to addressing the problem posed by the LRA. At the same time, the LRA's existence has always provided his administration with a strong argument for justifying controversial policies, most notably its high expenditure on defence. These considerations raise doubts as to Museveni's willingness to eradicate the rebel group completely.

While Museveni's seriousness about the talks and incentives for making peace with the LRA can be questioned, it is safe to say that Kony in particular has lacked genuine interest in peace and has manipulated the Juba process for his own benefit. The LRA has been offered money, food and medicine in return for its continuing participation, while negotiations have also bought it time to rearm and swell its ranks. Evidence that Kony never intended to lay down his weapons and has been using the Juba process as a cover for reinforcing his army is growing stronger by the day.

A push for peace or return to war?

Kony's refusal on 29-30 November 2008 to sign the FPA sparked the beginning of a new chapter

in recent attempts to deal with the LRA. In an unexpected but seemingly carefully prepared move, Uganda, Southern Sudan and DRC jointly launched a military offensive on LRA bases in Garamba Park in DRC on 14 December 2008. According to official statements, 'Operation Lightning Thunder' aims to pressure Kony into signing the Juba peace deal. Reportedly backed by the United States, the three armies destroyed five LRA camps using aerial bombardment before ground troops were sent in. The Ugandan and Southern Sudanese authorities assure that hostilities will be scaled back as soon as the rebels move to Ri-Kwangba, the designated assembly area at the Sudanese-Congolese border, and sign the FPA. At the time of writing, the implications of this unforeseen shift of recent strategy are still unclear. Nonetheless, three scenarios are now imaginable:

1) *The joint military offensive is successful and defeats the LRA*

A well executed and effective military offensive could potentially neutralise the LRA. However, previous attempts have shown that either the UPDF lacks the technical capacity to secure a victory over a rebel group with a long history of guerrilla warfare, highly adept at operating and surviving in such an environment, or that the Ugandan authorities lack the political will. Furthermore the Southern Sudanese and particularly the Congolese armed forces are weak and preoccupied with domestic matters. Their role in this joint offensive is probably limited. On the whole, the chances for this military coalition effectively carrying out the complicated operation that both the LRA and the Congolese jungle necessitates are low. Unless Kony is either captured or killed, in which case a gradual disintegration of the LRA would probably ensue, this scenario is unlikely to unfold.

2) *The joint military offensive weakens the LRA and Kony reengages in the Juba peace process*

Arguably, a short well-targeted military offensive that corners and isolates Kony, ultimately pressuring him into signing the FPA, would be the preferred scenario at this point. Nevertheless, the plausibility of this occurring is questionable. As stated above, Uganda, Southern Sudan and DRC presumably don't have the required military ability to lock Kony in, leaving him with no other option than to finalize the peace process. Furthermore taking into account that Kony was probably not interested in a settlement in the first place and that fears for

his personal security are the main driving force behind his actions, this military offensive, that will only enhance his mistrust of the parties involved, is unlikely to secure the long awaited ratification of the FPA.

3) *The joint military offensive is unsuccessful and results in an escalation of violence*

If the tripartite operation does not succeed in either cornering, capturing or killing Kony, he and what is left of his army will flee the scene and most likely slip into Southern Sudan or CAR. From there, we can expect guerrilla warfare and a fresh wave of attacks and forced recruitment in the CAR-DRC-Southern Sudan area, as the LRA will try to make up for the losses it is suffering during the current military offensive. This is the worst-case scenario, yet at present it is the most likely.

In the event that this third scenario arises, the international community should immediately act to support the establishment of a regional containment strategy to reduce the LRA's room for manoeuvre, which would, in time, help enable a revitalisation of the peace process. Ideally, the peacekeeping missions in Southern Sudan (UNMIS), DRC

(MONUC) and CAR (MICOPAX) should form the core of this regional strategy, which will need to focus on monitoring LRA movement, cutting off its lines of supply and protecting civilians from LRA attacks.

Development and justice for northern Uganda

Tackling the LRA – paramount for the region's security and stability – is a considerable challenge. However, a sustainable solution to the lingering problem of fragility in northern Uganda will require more than merely dismantling the LRA. The war-affected northern region is in pressing need of significant reconstruction and development efforts, and justice needs to be brought to those communities affected by the atrocities committed by both the LRA and the UPDF during the 22-year conflict. The international donor community should ensure that President Museveni follows up on his promise to address the grievances of northern Uganda, which will otherwise remain a breeding ground for rebellion.

The views expressed here are those of the authors and are not necessarily those of the Clingendael Institute or its staff members.

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