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Conciliation Resources

# Accord

an international review of peace initiatives



Initiatives to end the violence  
in northern Uganda

**2002-09 and the Juba peace process**

A supplement to *Protracted conflict, elusive peace* (2002)

# Accord

## Initiatives to end the violence in northern Uganda

**2002-09 and the Juba peace process**



This publication serves as a supplement to Accord issue 11, *Protracted conflict, elusive peace: Initiatives to end the violence in northern Uganda* (2002).

The full contents of this and the original issue are available free of charge on Conciliation Resources' website. The publications are also available in print from Conciliation Resources.

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**Conciliation Resources**

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***Cover: Ugandan internally displaced persons raise their hands in support of traditional justice systems during a consultation meeting with LRA members, November 2007***

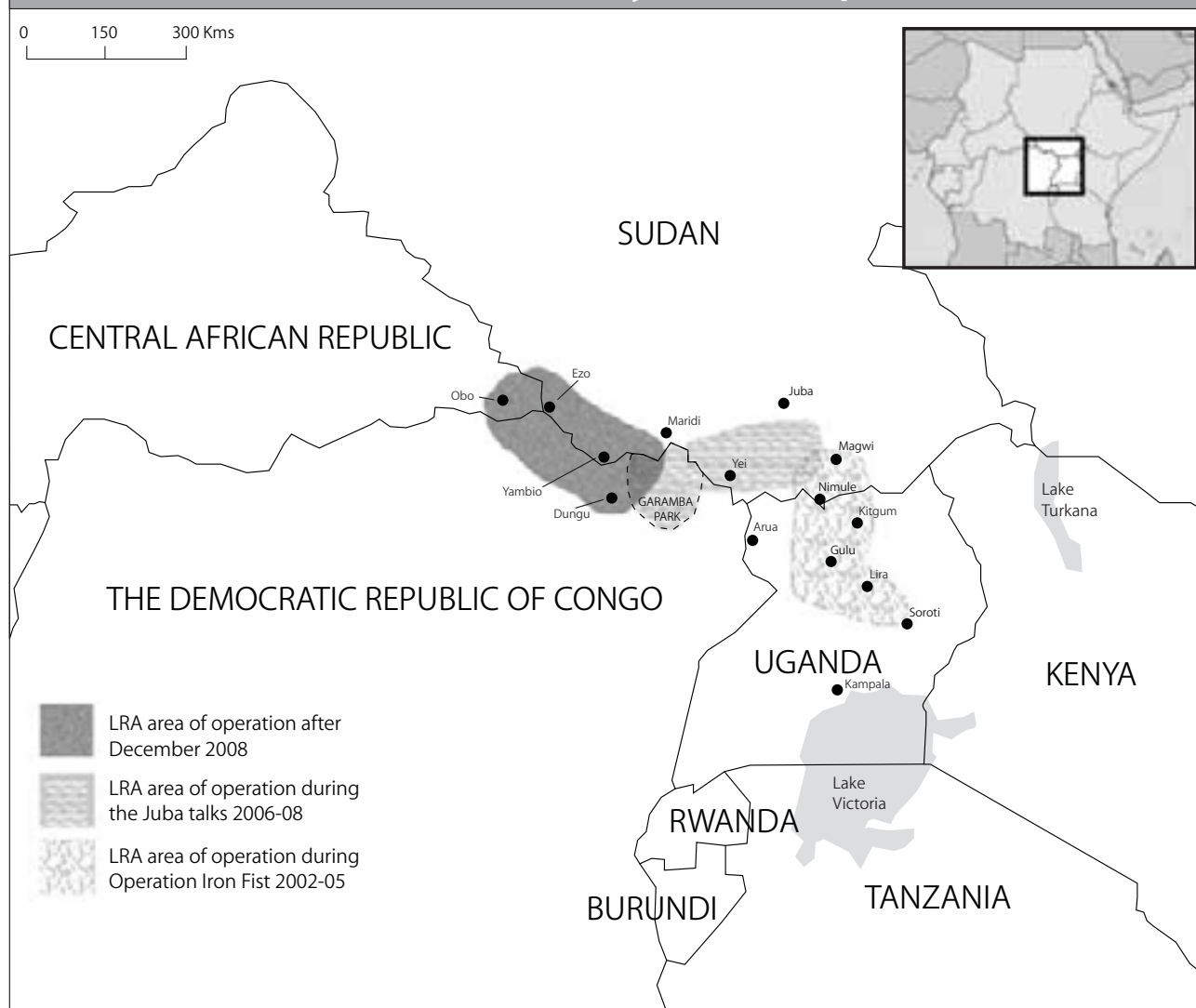
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## Lord's Resistance Army areas of operation



\* Areas of operation delineated are approximations.

## Acronyms

<b>ACORD</b>	Agency for Co-operation and Research in Development	<b>JIF</b>	(United Nations) Juba Initiative Fund
<b>AFRICOM</b>	United States Africa Command	<b>LRA</b>	Lord's Resistance Army
<b>CAR</b>	Central African Republic	<b>LRA/M</b>	Lord's Resistance Army/Movement
<b>CPA</b>	Comprehensive Peace Agreement	<b>NGO</b>	Non-Governmental Organization
<b>CSO</b>	Civil Society Organization	<b>NRM</b>	National Resistance Movement
<b>DDR</b>	Disarmament, Demobilization and Reintegration	<b>PPT</b>	Presidential Peace Team
<b>DRC</b>	Democratic Republic of Congo	<b>PRDP</b>	Peace, Recovery and Development Plan
<b>GoSS</b>	Government of Southern Sudan	<b>SPLM/A</b>	Sudan People's Liberation Movement/Army
<b>GoU</b>	Government of Uganda	<b>UNDP</b>	United Nations Department of Political Affairs
<b>HE</b>	His Excellency	<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>ICC</b>	International Criminal Court	<b>UNOCHA</b>	United Nations Office for the Coordination of Humanitarian Affairs
<b>IDP</b>	Internally Displaced Person	<b>UNRF</b>	Uganda National Rescue Front
<b>IKV</b>	Interchurch Peace Council Netherlands (affiliated with Pax Christi)	<b>UPDF</b>	Uganda People's Defence Force (Ugandan government army)

# Profiles

## **HE Yoweri Kaguta Museveni**

has been President of the Republic of Uganda since 1986, when his National Resistance Army (NRA) seized power from the Uganda National Liberation Army (UNLA) government of Tito Okello. He has since won successive elections in 1996 and 2001, as well in 2006 – the first multiparty elections since he took power.

However, the legitimacy of elections has been repeatedly challenged, including in the

Supreme Court, and opposition parties and civil society have complained about the continued narrowing of democratic space. Museveni is credited with establishing relative peace in central and western Uganda, and presiding over economic reforms that have lifted many out of poverty. In the conflict-affected areas of northern and eastern Uganda, however, poverty is double the 30 per cent national average. Museveni's handling of the Lord's Resistance Army (LRA) war has also been criticized as being overly militarized and for contributing to civilian suffering, and for failing to address the root causes of the conflict. Museveni will contest the presidential election planned for 2011.



**Uganda's president Yoweri Museveni, Kampala, November 2007**

© REUTERS/James Akana

**Joseph Kony** is the leader of the Lord's Resistance Army (LRA), an armed group that has waged war against Museveni's government since 1986. As the LRA increasingly committed atrocities against Acholi civilians, it lost its support base among the northern Ugandan population. In 2005 Kony was made the subject of an International Criminal Court (ICC) arrest warrant. In 2006 he declared his wish to conduct peace talks. Having been largely elusive through

decades of warfare, during the Juba talks of 2006-08 he opened up to the international community for the first time. He gave press conferences and met delegations from northern Uganda, Southern Sudan and the UN. He did not honour the set of agreements negotiated on his behalf at Juba, however, and refused to sign the Final Peace Agreement. Since 2008, after the start of a government military offensive (Operation Lightning Thunder) he has again severed communication with the outside world. LRA supporters have occasionally issued statements purportedly on his behalf, but there is doubt that they represent Kony's views.



**Leader of the Lord's Resistance Army Joseph Kony after a meeting with Jan Egeland at Ri-Kwamba, Southern Sudan, November 2006**

© REUTERS/Stuart Price

**HE Lt. General Dr Riek Machar Teny-Dhourgon** is Vice President of the Government of Southern Sudan (GoSS), and was the chief mediator of the Juba talks. Machar is a highly contentious figure in Sudan, having split from southern Sudanese rebel movement the SPLA to ally with the government of Sudan in the 1990s. He later reconciled with the SPLA and became Vice-President of the new GoSS after the death of Dr John Garang. His mediation of the Juba talks coincided with his own political struggles within Sudan. Since the failed Juba signing ceremony and the Ugandan government's military action against the LRA, he has publicly pledged his continued support for a political, peaceful resolution of the conflict.

**HE Joaquim Alberto Chissano** was the Special Envoy of the United Nations Secretary-General for LRA-Affected Areas and former President of Mozambique. Chissano became the Special Envoy late in 2006, offering greater international credibility to the Juba talks. While his involvement was largely representative, he is credited with bringing the parties back together at crucial points of division. In 2009 he gave his final briefing to the UNSC as a Special Envoy.



*Joaquim Chissano, Special Envoy of the Secretary-General for the Lord's Resistance Army-Affected Areas in northern Uganda, briefs journalists outside the Security Council Chamber, New York, March 2007*

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## LRA delegation to the Juba talks

Members of the LRA/M delegation were largely drawn from the Acholi diaspora, as well as some Ugandan residents and military personnel.

**Martin Ojul** led the LRA/M delegation from July 2006 to early 2008, when he was dismissed by LRA leader Kony while simultaneously resigning due to the death of second-in-command Vincent Otti. Having been known as a local preacher, the nature of Ojul's connection to both the LRA and the Ugandan government remained unclear throughout the Juba talks.

**Dr David Nyekorach Matsanga** took over as delegation leader from Martin Ojul. He is a self-styled political advisor and blogger on African affairs and has moved in and out of Ugandan politics for over a decade. The nature of his relationship with the LRA leadership is also unclear. He resigned from the LRA delegation in 2009.

**Justin Labeja**, a member of the peace delegation from the start of the Juba talks, he has since been named as the official delegation leader.

## GoU delegation to the Juba talks

The GoU delegation consisted of high-profile politicians and Ugandan security personnel.

**Hon. Dr Ruhakana Rugunda**, leader of the GoU delegation, is a seasoned GoU cabinet member and was Minister of Internal Affairs during the Juba talks. Having been engaged in previous LRA and GoU peace talks, he was criticized for offering no real negotiation points at the early stages of the process and continuing the GoU's non-political stance. As the process evolved Rugunda's profile increased, particularly after he personally went to Garamba Park to meet the LRA leadership. He is now Uganda's Permanent Representative to the UN. In that capacity he was president of the UN Security Council in July 2009 during Uganda's time as a non-permanent member on the Council.

## The International Criminal Court

The Ugandan government made an unprecedented self-referral to the ICC in December 2003. The Chief Prosecutor of the ICC, **Louis Moreno-Ocampo**, formally opened investigations in July 2004. In July 2005 the ICC issued arrest warrants for crimes against humanity for five LRA commanders: Joseph Kony, Vincent Otti (now deceased), Okot Odhiambo, Raska Lukwiya (now deceased) and Dominic Ongwen. The ICC has been criticized for not



*Louis Moreno-Ocampo, Chief Prosecutor of the International Criminal Court, June 2008*

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investigating alleged war crimes committed by the UPDF. Some argue that the warrants have been instrumental in diminishing LRA attacks and motivating the peace talks. Others view them as an impediment to negotiations and the main reason that Kony did not sign the Final Peace Agreement.

**IKV Pax Christi**, a Netherlands-based peacebuilding NGO, was instrumental in bringing about the Juba talks by facilitating early contact between the LRA and Riek Machar. The organization withdrew from the talks amidst controversy about the negotiation modalities, but facilitated a separate meeting in 2007 between LRA/M and Ugandan government representatives in Mombasa, Kenya. While the meeting achieved an outline of a peace agreement, it is also seen as having fuelled distrust and division with the LRA/M.



# Peace and conflict in northern Uganda 2002-06

## Chris Dolan

In the period 2002 to 2006 the situation in northern Uganda made a definitive transition from being a 'forgotten conflict' to being highly visible and a centre of attention for the international community. Wider international agendas on terrorism, humanitarianism and justice influenced the strategic choices of the conflict parties – the Lord's Resistance Army (LRA) and the Government of Uganda (GoU) – in an era that saw escalating violence and displacement.

In the wake of the recently established 'global war on terrorism', international actors sanctioned a renewed push towards a military solution. In January 2002 Uganda and Sudan held talks, facilitated by the UK, which authorized Uganda People's Defence Force (UPDF) incursions into southern Sudan. The stated aims of the incursions were to rescue abducted children and to capture or kill Lord's Resistance Army (LRA) leader Joseph Kony and his key commanders.

The Sudanese government was widely believed to have been supporting the LRA but now needed to position itself extremely carefully in the light of the war on terrorism. In March 2002 Uganda passed the Anti-Terrorism Act making membership of the LRA a criminal offence, a year after the US State Department had posted the LRA on its 'B-list' of 'other terrorist organizations'. This was a blow to ongoing grassroots peace efforts, exposing civilians attempting to promote dialogue to charges of treason, and also raising the stakes for any government considering offering them support.

Following US-sponsored 'routine training' of 6,000 UPDF soldiers, Operation 'Iron Fist' – the UPDF's military offensive against the LRA – officially began in March 2002. Although originally intended to expire within a matter of weeks, it was extended on numerous occasions.

The costs of the offensive were high and more soldiers were recruited as the UPDF came under increasing pressure. Community leaders in northern Ugandan districts Gulu and Kitgum were ordered to recruit at least five men each from their respective wards, and the formation of ethnic militias in all the conflict affected regions resulted in an additional 30,000 men being put under arms, though with only the briefest training. Troops were redeployed from other areas of Uganda and the government would later blame the failure to disarm fighters in the north-east sub-region Karamoja on the redeployment of UPDF troops to the north.

The strategy had other costs, evident for example in the government's decision to cut social services budgets by

25 per cent in October 2002 in order to fund the building of roads for the military in northern Uganda.

The consequences of escalating militarization in terms of humanitarian crisis were dramatic. The number of internally displaced persons (IDPs) rose from around 400,000 before Iron Fist, to over 1.5 million – at one point the third largest internal displacement situation in the world. The operation's impact, however, was in key respects the opposite of its stated goals: rather than rescuing abducted children and eliminating the LRA threat, it prompted an increase in both. The LRA spread its operations far deeper into the Lango and Teso northern sub-regions than before. Human Rights Watch estimated 5,000 new abductions in the period June 2002 to March 2003 alone. The phenomenon of children commuting into towns for better security on a nightly basis re-emerged on a massive scale.

Fresh incentives emerged to sustain the conflict. For example key members of the UPDF were eventually found to be logging high-value timbers from their areas of operation in southern Sudan. One area where the military offensive did appear to achieve its objectives was in enabling an increase in the numbers of LRA rebels reporting to the Amnesty Commission. LRA 'reporters' to the Commission jumped from 1,086 in 2002, to 3,601 in 2004, before declining again to a mere 90 in 2007.

In parallel to escalating its military activities against the LRA, the Government of Uganda was deeply involved in peace talks in the West Nile region with the second Uganda National Rescue Front (UNRF II, a breakaway faction of the West Nile Bank Front rebel group that included UNRF members refusing peace with Ugandan President Yoweri Museveni). These talks sought to end more than two decades of conflict between the government and the UNRF that had begun in 1979 following the ousting of Idi Amin Dada. The government-UNRF II ceasefire that occurred in June 2002 was presented by the Ugandan Government as a by-product of Operation Iron Fist. The demobilization that resulted was minor, however, compared to government recruitment patterns elsewhere.

The creation from mid-2003 onwards of ethnic militias to repel the LRA resulted in more than 30,000 men taking up arms in the Lango, Teso and Kitgum regions in less than a year. The first militia in Teso (*Amuka*) was pulled together by Musa Eweru, the Resident District Commissioner of Kisoro district, who abandoned his posting in order to rally his ethnic kinsmen. But both this militia and the ones subsequently established in the Lango sub-region (Rhino Boys) and Kitgum district (Frontier Guards) were rapidly brought under government control.

*Dr Chris Dolan lived in northern Uganda in the late 1990s while working for the NGO ACORD. He completed his doctorate from the London School of Economics in 2005. His book, *Social Torture; the Case of Northern Uganda, 1986-2006*, was published in April 2009 (Berghahn Books). Since July 2006 he has been Director of the Refugee Law Project, Makerere University, Kampala.*

Ethnic tensions were aggravated in Lira and Gulu districts in early 2004 after the massacre of approximately 200 people at Barlonyo IDP camp in Lango sub-region prompted retaliatory attacks by Langi against Acholi, believing as many did that the massacre had been perpetrated by the 'Acholi' LRA.

## Intermittent peace efforts

Sporadic government led or sanctioned peace efforts during this period failed to make a breakthrough. In November 2002 the LRA ignored a call from the newly established Presidential Peace Team (PPT) for it to assemble in designated 'safe-zones'.

Subsequent attempts by an expanded peace team led by Museveni's half-brother Salim Saleh to enter into dialogue with the LRA in March 2003 were also unsuccessful. Turning down Museveni's appeal to assemble in safe-zones, the LRA demanded that a ceasefire be extended throughout the whole region. Following the withdrawal of the government's limited ceasefire offer in April 2003 and the dismissal of PPT Chair Eriya Kategaya, another new peace team (*Uduru Kuc*) was established, but again to little effect.

On 15 November 2004 the government declared a seven-day ceasefire to enable Betty Bigombe, a former minister, to pursue talks with support from the US, the UK and the Netherlands. This was extended for a longer period but hostilities soon resumed when the LRA attacked Alero, Gulu district, on 1 January 2005.

## Proliferation of international initiatives

UN involvement increased exponentially following the visit of the Secretary-General's Special Representative on Humanitarian Affairs, Jan Egeland, in November 2003 [see *Egeland interview, p. 19*]. His assertion that northern Uganda was one of the worst humanitarian crises in the world drew attention from the Security Council, which condemned LRA atrocities. It also prompted a significant increase in external intervention from early 2004.

This increase in international awareness went hand in hand with a number of wider developments in the humanitarian and international justice fields. Uganda became something of a test case for new international agendas and strategies.

IDPs became a higher priority around this time: the UN High Commissioner for Refugees (UNHCR) expanded its mandate to incorporate IDPs and the UN worked closely with the Ugandan government to develop the world's first national IDP policy (2004) based on UN principles. Northern Uganda was also used as one of the pilots for the controversial humanitarian 'cluster' approach under which UN agencies assume responsibility for coordinating particular aspects of a humanitarian situation.

In the domain of international criminal justice, the world's attention was again drawn to northern Uganda when Museveni referred the situation to the newly established International Criminal Court (ICC) in 2003 [see *Afako article, p. 21*]. With all eyes on the ICC to see whether or not it could deliver on its promise of reducing impunity for war crimes and crimes against humanity, arrest warrants were issued for five LRA leaders in July 2005 and unsealed in October the same year.

Of those wanted, Joseph Kony and Okot Odhiambo are believed to be alive now. Raska Lukwiya was reportedly killed in 2006, while Vincent Otti was reportedly executed by the LRA while in Garamba National Park in the eastern Democratic Republic of Congo (where the LRA gathered during the Juba talks) in October 2007. Dominic Ongwen was rumoured to have been killed in 2005 but this has not been verified.

The ICC's involvement was not welcomed by all. Civil society actors pointed out that the referral was at odds with the provisions of Uganda's Amnesty Act, which LRA fighters had begun to take up in significant numbers. Their scepticism received an angry response from proponents of international justice, but subsequently prompted a more in-depth discussion both within Uganda and internationally about the role of traditional justice and mechanisms such as truth-telling processes and reparations.

The national and regional context also shifted substantially in this period. A national referendum held in Uganda in July 2005 led to the re-introduction of multi-party politics for the first time since 1986. National elections were held in February 2006, although Museveni's National Resistance Movement (NRM) received virtually no support in the conflict-affected northern regions.

Two major and volatile conflict situations in the region improved with the signing of the Comprehensive Peace Agreement (CPA) in Sudan in January 2005 and the holding of elections in the Democratic Republic of Congo (DRC) in 2006. Developments in Sudan in particular impacted on the LRA situation. The CPA meant Khartoum had less reason or opportunity to provide support for the LRA, while the newly-established Government of Southern Sudan became less willing to continue hosting the UPDF.

This combination of international attention and national and regional political shifts inevitably influenced the Ugandan government's strategic options. It was under pressure to demonstrate its commitment to furthering regional peacemaking and to protecting its own citizens, while new economic opportunities created by a more stable southern Sudan added additional incentives to end the conflict. These were the conditions surrounding the peace negotiations between the Ugandan government and the LRA that began in Juba in July 2006.

The cessation of hostilities that followed in September was a blessing to the LRA-affected populations of northern Uganda. Operation Iron Fist and the LRA's response had resulted in ever higher levels of militarization at a national level and had pushed the humanitarian crisis to its peak. But the ceasefire enabled the UPDF to redeploy back to Karamoja and revive its brutal, military-led disarmament process, which required a new humanitarian response. This neatly reflects how national and international treatment of the Ugandan situation has lacked political analysis of the broader pattern of conflict in Uganda and across its borders, and has failed to appreciate sufficiently the need for locally-driven solutions, coupled with a national perspective on durable peace in the country as a whole.

# Searching for solutions in Juba: an overview

**Author: Mareike Schomerus Contributing Author: Betty Acan Ogwaro**

The Juba talks were not supposed to end the way they did. After an elaborate and often inclusive negotiating process between the Lord's Resistance Army/Movement (LRA/M) and the Ugandan government – involving dialogue unparalleled in twenty years of violent conflict – the LRA/M ultimately refused to sign the final agreement in 2008.

Since then the Ugandan government has pursued the LRA militarily across Southern Sudan, the Democratic Republic of Congo (DRC) and Central African Republic (CAR), and the LRA has carried out atrocious attacks. As of December 2009, the LRA leadership has neither been caught nor killed, and LRA military strength remains unclear. This article reflects on why the talks failed and asks what lessons may be learned.

## Background to peace talks

Before talks in Juba began in summer 2006, the results of minimal previous political negotiations between the warring parties had been disheartening, leaving little hope that any peace venture could work. Past negotiations had failed because LRA demands had not been clear, the Ugandan government had issued deadlines or launched attacks, and grievances at the heart of the conflict had not been addressed.

By 2005, in the wake of failed peace efforts and inconclusive military campaigns, reliable contact with the LRA had broken down. International hostility towards the LRA was growing, notably embodied in the controversial investigation into its abuses by the International Criminal Court (ICC) that led to warrants being issued against five LRA commanders in July 2005.

The Sudanese government's support for the LRA weakened after Khartoum signed the Comprehensive Peace Agreement (CPA) with the Sudan People's Liberation Movement/Army (SPLM/A) in January 2005. The CPA led to the creation of the semi-autonomous Government of Southern Sudan (GoSS), which had its own interest in ending LRA violence. Its new Vice President Riek Machar began to investigate the possibility of facilitating negotiations rather than relying on force to push the LRA out of Sudan. Southern Sudanese politicians had been receiving signals from both conflict parties that a major obstacle to a peaceful settlement had been the lack of a common platform for talks, or a trusted mediator, but that by early 2006 the timing for GoSS to offer such platform seemed right.

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*Betty Acan Ogwaro is currently Eastern Equatoria's State Minister for Agriculture in Southern Sudan. During the Juba talks, she was the Southern Sudan Legislative Assembly member for Magwi County in Eastern Equatoria State and a member of the Peace Secretariat, the administrative headquarters of the Juba negotiations.*

The Netherlands-based non-governmental organization IKV Pax Christi had also been seeking to bring the warring parties to the negotiating table, driven by the belief that talks involving civil society were the only viable option to bring lasting peace [see *Assefa interview*, p. 14].

While Machar was attempting to reach the LRA leadership, LRA/M representatives were reaching out to Pax Christi, who facilitated initial contact with Machar. After a series of covert meetings, Machar was able to relay the LRA's preparedness for peace talks to the Ugandan government.

Talks opened in Juba on 14 July 2006. The delegations swiftly agreed a negotiating agenda:

- 1) cessation of hostilities
- 2) comprehensive political solutions
- 3) justice and accountability
- 4) demobilization, disarmament and reintegration (DDR)
- 5) a permanent ceasefire

Detailed and important agreements were eventually reached for each item. But creating momentum and political will proved arduous and the talks struggled to achieve the level playing field necessary to build trust between the parties. The reasons for these difficulties and ultimately for the failure of the talks are discussed below. They include: mismatched motivations and expectations of the parties; asymmetries in their negotiating capacities and mandates; continued violence and distrust; the complexity of the interests being represented and the difficulty in managing the talks process; and international actors' problems in fully supporting the talks.

## Different motivations and expectations

The parties arrived at the table for different reasons and with different agendas. Each side was under international pressure and saw the process as an opportunity to reposition itself. With the LRA squeezed as a result of the CPA and the ICC warrants, peace talks offered it the chance to neutralize these threats and also to reinvent itself as the voice of all Ugandan opposition.

The Ugandan government saw the opportunity to present itself as working with renewed focus on its northern regions in the face of growing international criticism. However, the Ugandan government perceived the talks as a time-restricted means to work out the technicalities of ending the LRA's



insurgency, while the LRA saw them as an open-ended political process. These contrasting perceptions conditioned both parties' expectations of the talks, creating a major obstacle to a successful resolution.

The government claimed to have largely defeated the LRA and purportedly saw it more as an irritant than a political opponent. Kony's survival remained a personal affront to many in the Ugandan security establishment who had spent years fighting him, but talks were tolerated as an opportunity to draw a line under two decades of conflict by offering the LRA a negotiated 'soft-landing'. The government delegation's brief was to offer the carrot of amnesty to Kony and his commanders while deploying the stick of deadlines and military action. The government saw no contradiction in continuing military operations as part of a spectrum of measures to push the LRA to a largely technical agreement.

The LRA/M delegation, however, reassured by international support for the talks, was dismissive of the amnesty offer and considered deadlines and military pressure as contradictory to the spirit of a political peace process. It approached the negotiations as a chance to re-politicize a conflict that had come to represent seemingly senseless violence. Soliciting extensive international press exposure for the first time, the delegation sought to redefine narratives on the war and identify what it saw as the root causes of the conflict. It argued that the LRA had been successfully fighting a legitimate war against an oppressive government. The inclusion of members of the Acholi diaspora in the negotiations signalled that this was a time to address longstanding grievances.

Many observers believed the LRA leadership's real motivation was to buy time to regroup and that its participation was primarily a smokescreen. Whether the LRA/M was sincere in its attempts to find a political settlement is moot, but the diversion theory does not account for how much the LRA/M exposed itself through the Juba process: the mythologizing of Kony was a major element of the LRA's war strategy, which was lost with the extensive press coverage that came with involvement in Juba. Whatever its intentions, the LRA ultimately damaged its own credibility as a political actor in the talks by struggling to formulate its political agenda,

collapsing into disunity and power struggles, and continuing to commit atrocities against civilians.

## Representation and negotiating strength

A second fundamental difficulty for the talks stemmed from the mismatched delegations. Neither conflict party was represented in person by its principal actor: the LRA's Joseph Kony and Uganda's President Yoweri Museveni remained remote from the process. The government delegation was experienced and included high profile politicians such as Interior Minister Ruhakana Rugunda. However the sincerity of the initial team was somewhat compromised by the inclusion of the military commander who had long been in charge of the operation against the LRA. This appeared to confirm LRA suspicions that atrocities it had carried out would be given more attention than those committed by the Ugandan army. The government delegation sent a lot of mixed signals, but also patiently accepted the time-consuming Juba set-up and the often amateurish demeanour of the LRA/M delegation.

The representation problem was much more acute on the LRA side, with a delegation composed mainly of members of the Acholi diaspora. Members of the LRA/M delegation complained that they lacked technical assistance for research and negotiation and were unable to present themselves as equal partners. Moreover, their link to the LRA high command was tenuous. Machar tried unsuccessfully to strengthen the LRA/M delegation by convincing Vincent Otti, the LRA's second-in-command, to join the talks.

The delegation's link to people on the ground can also be questioned. While many Acholis in Uganda have a shared sense of political marginalization and antagonism towards the Kampala government, they have also borne the brunt of both LRA and Ugandan army violence. The need for an urgent resolution of the conflict was not necessarily felt as strongly by Acholi diaspora wanting to rectify the events of the 1980s at the root of the conflict. As the peace talks gathered pace, some delegation members pushed through their own personal agendas and political interests, causing tensions within the delegation and Sudanese and Ugandan civil society.



**Ruhakana Rugunda (L), Riek Machar (C) and Martin Ojul (R) exchange documents at Juba.** © PETER MARTELL/AFP/Getty Images

## Continued violence and distrust

The first agreement, the Cessation of Hostilities (August 2006), was almost instantly violated by both sides and was difficult to monitor due to limited resources. Some violations were due to the vagueness of the agreement. The assembly areas were not clearly demarcated – specifically in the proposed assembly site east of the Nile – and neither the LRA nor the Ugandan army were clear where they should assemble. Other violations were deliberate. Observers noted that the proposed eastern assembly area had been fully surrounded by Ugandan troops. Helicopter attacks on the LRA were reported by Southern Sudanese military on the ground, although the Ugandan government denied this. The LRA retaliated violently against Ugandan troops and Sudanese civilians. Such violations damaged the credibility of the Juba talks, undermining expectations that peace negotiations would bring an end to violence.

However, the main sticking points from the LRA's perspective proved to be the agreements on justice and accountability and DDR. To Kony, the hierarchy of local justice procedures, Uganda's new special division of the High Court and the ICC was not clear [see *Afako article*, p. 21]. Agenda item four on DDR did not clearly spell out what would happen with the LRA and Kony immediately after signing. The lack of trust between the conflict parties had created a chasm between what could be negotiated and what could be trusted.

## Multiple voices and parallel processes

Attempts to allow a voice for a broad range of actors, notably the way in which Ugandan parliamentarians and civil society groups were involved as observers, should have helped to build a credible and locally-anchored peace process. However, with so many different interests at stake, the Juba talks at times became an instrument for multiple political agendas, as interested parties sought to use the LRA cause to voice their own complaints against the Ugandan government.

A number of other points of contact between Acholi representatives may have had a positive impact on inter-Ugandan political dialogue, but in fact muddied communication with the LRA as different actors emphasized different positions to them.

It also proved difficult to find a united civil society position across the Sudan-Uganda border. This became clear when Sudanese

and Ugandan Acholi held separate workshops in June 2006 and March 2007 respectively. None of the agreements negotiated at Juba dealt with how issues of accountability and reconciliation applied to the southern Sudanese, and many members of Sudanese civil society felt that their concerns were not addressed.

All this made the content of the main Juba talks very difficult to manage. If mediation at Juba could not bridge all the gaps between the parties, confidence in the main process may have been further eroded by the need for a parallel set of negotiations between representatives of the LRA/M delegation and a different group of government negotiators in Mombasa in the spring of 2007, under the auspices of Pax Christi. The Mombasa meeting produced an outline of an agreement, and in some ways kick-started the stalled process. But it also exacerbated distrust within the LRA/M delegation, and contributed both to a split in LRA leadership and to the spiralling complexity of the talks process.

## International involvement and the question of justice

Deliberating justice issues in the shadow of ICC warrants for several LRA leaders brought the relationship between peace and justice into sharp focus in Juba, and divided local and international opinion. As many supporters of the ICC were caught between backing the talks and protecting their investment in the international court, the prominent perception of Kony and the LRA as irrational, religious fanatics, unable to negotiate meaningfully, allowed international actors to evade a clear stance on whether they were prepared for political compromise with the LRA. The result was ambiguous and piecemeal international support for the talks, which failed to create the necessary conditions or political incentives for final agreement.

Operationally the talks also proved a major challenge. After initial confusion, the UN Office for the Coordination of Humanitarian Affairs (OCHA) took the lead, culminating in OCHA head Jan Egeland's visit to the LRA in the bush in late 2006. OCHA was struggling with the task and, as Egeland explains in this issue [see *Egeland interview*, p. 19], the fact that a humanitarian delivery agency like OCHA had to facilitate a political process at Juba exposed problems of coordination and capacity within the UN system.

The establishment of the UN Juba Initiative Fund (JIF) in October 2006 initially appeared to address the talks' early financial problems, promising a large cash injection. But this too encountered problems, as broad consultations made disbursement sluggish, while the sudden influx of money may also have contributed to a rift within the LRA. In general, oversight of progress at the talks was insufficient to encourage the parties to overcome their mutual distrust and negotiate in good faith.

In an attempt to rectify this shortfall in trust, former Mozambican President Joaquim Chissano was appointed as UN Special Envoy to LRA-Affected Areas in late 2006. He has been credited with bringing international gravitas to the process and maintaining its momentum, as his appointment

seemed to emphasize the UN's commitment to treating the conflict as both regional and political. But he has also been criticized for not taking a clear stance on the military offensive launched by the Ugandan army in December 2008.

The involvement of the US army's Africa Command (AFRICOM) in military strikes after the talks echoed earlier doubts expressed about US interests at the talks. Washington's position vis-à-vis the conflict in Uganda has not been clear as it seems to have mixed attempting a political solution with a new approach of strengthening local military capacity. A US representative joined the mediation team in 2007, almost at the same time when the establishment of AFRICOM was announced. Confusion over AFRICOM's mandate added to the suspicion that it would provide military support to the Ugandan army – as indeed it did.

In sum, international actors did not send clear signals about their support for the talks or the specific agreements. Moments of strength and decisiveness, for instance when international actors such as Chissano were able to unlock a difficult situation, were the exception. Leverage was too often either unavailable or not used by a conflicted and cautious international community.

## Towards a new approach

After the Juba process ground to a halt in late 2008, the search for a solution again turned to military options. The Ugandan army, supported by AFRICOM and the armies of DRC and Southern Sudan, launched Operation Lightning Thunder on 14 December 2008 by bombing the LRA's camp. The operation's official mandate was to put pressure on Kony to sign the agreement, but a continuing lack of success prompted a shift in objectives to weakening the rebels and destroying their command structure. Neither aim seems to have been fully achieved, and the humanitarian impact in vast parts of Southern Sudan, the DRC and CAR has been catastrophic.

The LRA has retaliated with brutal massacres. Increased army presence has left civilians in three countries feeling vulnerable rather than better protected. An estimated 400,000 people have been displaced with extremely limited access to humanitarian aid.

Peace may still elude the region, but the Juba talks have left a legacy. There has been renewed debate on the role of international justice in 'local' peace processes, as well as fresh perspectives on the history of the LRA insurgency and some of the legitimate grievances of the people of northern Uganda.

Agenda item two outlined more comprehensively than any previous negotiations a plan for ending the political marginalization of northern Uganda. The Ugandan government's commitments to northern Uganda's recovery were one of the more successful aspects of the process. Three years of talks with regional involvement and five substantial negotiated agreements have enabled the return of the majority of IDPs in northern Uganda and the basis for a Peace, Recovery and Development Plan for the north (the Ugandan government launched the PRDP in October 2008; implementation began in April 2009). Agenda item two may still serve as the starting point for a future peace process.



**Top: Machar arrives in Nabanga for the Final Peace Agreement signing ceremony.**

**Above: Dignitaries wait for Kony at the signing ceremony.**

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Machar has publicized his desire to pursue negotiated and creative approaches to conflict resolution. Current LRA/M representatives have called for a ceasefire to re-establish contact with their leadership. The Ugandan government has stated that it is still open to a deal if Kony decides to sign the negotiated documents.

But the intense emphasis on Kony as a 'one-man obstacle' to resolving a regional conflict now involving several armies and UN peace operations may not provide the full picture. His failure to sign the deal after an elaborate and in many ways inclusive negotiation process might signify his lack of commitment to a peace deal, but it may also point to bigger issues.

The Juba talks have shown that a minimum level of political will on the parts of all negotiating parties is necessary for a peace agreement to be reached and for it to have traction thereafter. Political incentives can be strengthened or weakened by the international community and conditions were not optimized for a successful outcome at Juba. Technical asymmetries and issues of legitimacy hampered the LRA delegation and, although progressive, the models of inclusiveness applied in the process did not always facilitate trust or clarity.

Peace and negotiation processes are increasingly recognized as necessarily complex affairs that should look beyond the exclusive interests of the parties to reflect the reality of the conflicts they seek to resolve. But the Juba talks were not able to balance inclusiveness with efficiency to deliver a deal. Wider tensions ultimately won out. In practice, it was not possible to reconcile international justice imperatives and their political implications with achieving a negotiated peace settlement. Juba has demonstrated that supporting peace processes in the light of the Rome Statute requires new thinking.

# Interview: Hizkias Assefa

## Civil society engagement: the role of Pax Christi in the Juba process

This is a brief account of how international non-governmental Catholic peace movement Pax Christi facilitated dialogue between the Lord's Resistance Army (LRA) and the Government of Uganda (GoU) as part of the Juba negotiation process. It is drawn from an interview with Hizkias Assefa who worked with Pax Christi at the time. Due to ongoing peacemaking efforts in the region and resultant sensitivities, the account remains an overview.



and animosity between the delegates, which they were not helped to overcome. The parties were not even able to have informal facilitated encounters to work through some of the blockages despite the fact that both delegations requested such help. The confidence of both sides, particularly the LRA, in the Juba talks dissipated significantly at this time and they were calling for a change of venue.

So a 'back channel' approach was envisioned to try to jump-start the stalled negotiations. In early 2007 informal talks were organized by Pax Christi in Mombasa, Kenya, intended to respond to blockages in the Juba process, caused in part by the 'goldfish-bowl' atmosphere of Juba. The idea was to transfer the results of any progress made in Mombasa back to the formal mediation process in Juba. The Mombasa talks were held with the approval of the top principal of each conflict party. Prior to going ahead, we were assured that the other Juba mediation panel members would be informed of the back channel process. In the true sense of negotiation, the Mombasa talks provided the opportunity for more genuine and open interaction between the parties than was happening in Juba.

There are many reasons for the failure of the Juba talks as well as for other peacemaking efforts that preceded them. Negotiations in Mombasa cleared blockages to direct communication between the senior figures from both parties. However, the opportunity to build on those accomplishments was largely lost when the talks resumed in Juba.

Pax Christi's involvement with the LRA situation dates back to 1998 and my personal involvement began in 1994. The Juba negotiations to end the LRA conflict started because of contact and trust established with the two protagonists – the LRA and the GoU – during this time. These relationships were the basis for the first negotiation contacts with LRA leader Joseph Kony and his deputy Vincent Otti in early 2006, and later that year between the LRA senior leadership and the GoU, which led to the start of the Juba talks.

Joseph Kony had written to Pax Christi asking for our mediation. The venue was significant for the LRA because of International Criminal Court (ICC) arrest warrants for certain LRA members. As Sudan was not a signatory of the Rome Statute, LRA members could enter Southern Sudan without being arrested. We therefore approached the Government of Southern Sudan (GoSS) requesting they host a meeting in order for us to facilitate a very low-key, problem-solving type of negotiation process. However, various factors prevented us from following through on the design of the talks as initially intended.

Despite the difficult conditions of the talks, an important Cessation of Hostilities Agreement was reached at the end of August 2006 that effectively brought the fighting in northern Uganda to an end. By late Autumn, the negotiations became seriously stalemated and both delegations were frustrated that the talks were foundering. There was immense suspicion

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# Interview: Julian Hottinger

## Perspectives of a mediator

### Can you describe Switzerland's early involvement in the Juba process?

Switzerland had been active in negotiations in Naivasha, Kenya, that led to the signing of Comprehensive Peace Agreement between the Government of Sudan and the Sudan People's Liberation Movement/Army in 2005.



The Government of Southern Sudan (GoSS) told us of their desire to discuss with the Lord's Resistance Army (LRA) how to put a stop to the killing, the abducting and the raping of local Sudanese communities, and how they could get the process started: how to get an LRA delegation to negotiate in Juba that was genuinely representative of the LRA high command.

By mid-June 2006 there was a rough idea of what the LRA wanted to discuss, more or less the famous five-point Juba agenda. We were conscious of the International Criminal Court (ICC) issue and of debate back home about sensitivities on agenda item three on reconciliation and accountability.

At the beginning there was a lot of technical work to see what could be done, what could not be done, how to sequence things and how to be careful not to leave gaps. So we discussed how we could design a process that was extremely complicated due to the fact that we had an LRA delegation coming to Juba while the LRA representatives we really had to negotiate with were still in the bush. It was group work where everyone was chipping in, bringing in their own expertise, knowledge and experience, while at the same time trying to figure out what would work best and if that did not work, what would be the alternatives.

### How did you respond to debates on justice and peace in Juba?

The GoSS supported Switzerland having contact with the ICC. We had been very active in the treaty of Rome. So it

was important that we had an ambassador who would be explaining to the ICC what we were doing in Juba while I would be assisting and advising the mediators, although I would not be mediating directly.

In June 2006 there was concern that the Juba process would risk sacrificing justice in the name of peace. We decided we would take part very actively in Juba but that we would not engage on issues to do with accountability and justice. We felt these issues should be dealt with by Africans, as they were better placed than Europeans or Westerners to handle these issues in ways more understandable in the region.

Following long nights of discussions I was comfortable that a solution could be found through the creation of some form of special court that would operate within Uganda. This concept was vague in the beginning. But we did have a clear idea of alternatives that could deliver some form of justice without prejudicing the ICC.

### Can you comment on the roles played by different UN bodies in Juba?

Early UN engagement, led by the UN Office for the Coordination of Humanitarian Affairs (UNOCHA), was appropriate at the start of the process, when we were also concerned with humanitarian issues such as the abduction of children by the LRA and internal displacement.

The arrival of President Chissano as the UN Secretary-General's Special Representative in December 2006 had a positive impact. He brought new weight, visibility and interest from the international community. The LRA was quite nervous and sometimes distrustful of the Juba process. Chissano could explain things differently, review the timetable of the talks and certain angles of the agenda.

Chissano also brought diplomats from regional countries into the process and they helped him to map a potential solution. He kept both Kampala and Kinshasa well briefed on what was happening. So there was a will to look beyond the borders of southern Sudan or northern Uganda, to the totality of the areas affected by the LRA, which was of course Chissano's mandate.

*Julian Thomas Hottinger works with the Swiss Federal Department of Foreign Affairs. He is a highly experienced mediator and has provided expert technical assistance to peace negotiations in conflict situations including Sudan, Indonesia and Uganda. He holds a PhD in Political Science and specialized as an International Conflict Mediator at the Canadian International Institute for Applied Negotiations [CIIAN] in Ottawa, Canada.*



### **What is your overall assessment of the international community's impact on the Juba talks?**

The process was quite isolated in Juba so international impact was limited. But we managed to build the process into what at least looked like an agreement that had potential to solve the problems. This was extremely important.

At the same time there was a global debate on the ICC and whether or not you negotiate with indicted combatants. That debate is without doubt healthy and needed. There is a lot of misunderstanding. There is a feeling in Africa that Africans are being put under pressure by international justice. The debate has not been conclusive for Juba. But it has made people think about the issues. Maybe the context we were caught in at the beginning of Juba in July 2006 will not repeat itself elsewhere.

### **What was lacking from the Juba set-up?**

In Juba we were not able to build confidence. LRA delegates at Juba were not the key decision-makers. They were constantly consulting the leadership while some issues being discussed were beyond their knowledge or understanding and needed explanation. Things said in Juba would be interpreted differently in the field or in Garamba Park.

### **What are the lessons you have drawn from Juba?**

The first lesson is: African processes for African conflicts. This relates to dynamics, structure, and how a process functions and organizes itself and its way of doing things. And it responds to demands that different African peace processes are treated differently.

Second is the fact that Uganda is a democracy. It was not just the government talking to the LRA. Parliamentarians representing the Acholi people in northern Uganda participated in the process, as well as parliamentarians from the Ugandan legislative and the regional structures. Mediators have to take into account the opinions of those representing the people and how these work regarding domestic political agendas as well as within the peace process. The Acholi community's involvement should have been better organized. They were running up to Garamba to discuss issues with the LRA while not necessarily going through the process and there were different levels of discussion taking place.

The third lesson relates dealing with delegations of parties that do not necessarily represent the parties themselves. Obtaining some form of agreement when the real decision makers are not at the table was an issue that we knew was going to be a constant problem, which it remained until the very end.

### **Would you say the Juba talks were a success?**

I believe the process showed that you can negotiate with some very, very difficult groups. We made more progress with the LRA than we have in years. I believe that until the disappearance of LRA second-in-command Vincent Otti in

2007 there was some real will within the LRA to find a solution. After that maybe things slipped out of control. Various elements of the Juba agreement have started to be implemented inside Uganda. And Juba has provided a framework that addresses the issues. If negotiations ever start again it is quite possible that this framework will be of great help.

But it would be dishonest to say they were a success. While the Juba talks have made the situation much better in the northern part of Uganda and have been very valuable to the Acholis for the moment, the problem has been displaced and has created hell for others. In Juba, until the last moment we were never sure if we had a deal or not. There is a feeling that Africans are being put under pressure by international justice. The debate has not been conclusive for Juba. But it has made people think about the issues. Maybe the context we were caught in at the beginning of Juba in July 2006 will not repeat itself elsewhere.

# Interview: His Highness Rwot David Onen Acana II

## Acholi civil society engagement in Juba

### The talks' set-up

#### What is your impression of mediation at Juba?

The talks brought on board different actors, both international and local, which provided legitimacy to the process. The mediation team involved people of high calibre and respect. But the team's weakness was that it continued with 'business as usual' without stopping to re-evaluate progress, challenges and why certain things were not going right; especially when the Lord's Resistance Army (LRA) leader Joseph Kony stopped engaging with the mediation directly. As time went on the role of the Government of Southern Sudan (GoSS) as mediator became tricky, as it was not seen as neutral.



#### What are your thoughts on the LRA/Movement and Ugandan government delegations?

The government team was composed of capable individuals but the challenge they faced was that they seemed not to get the full support of the political leadership in Kampala. Whereas the LRA delegation also had some capable individuals, there was competition that brought infighting amongst them and at times with other stakeholders.

#### How would you characterize the role of international community?

The international community supported the process both financially and politically. The challenge here was that they were not all agreed as to the best way to conclude the process. Specifically the US favoured a military solution and was initially not keen to support dialogue.

#### Were you convinced that the LRA wanted a peace deal? What made them change their mind?

The LRA wanted peace, except that they were yet to come to terms with the reality of the situation. Kony said that he

did not want to be tried by the International Criminal Court (ICC) and that unless warrants were removed he would not sign. The level of mistrust was very high and the process did not manage to allay those fears. The subsequent government military offensive (Operation Lightning Thunder) only helped to widen this gap.

### The issues

#### Were the right issues addressed in Juba?

The issues discussed in Juba were broadly right, except that they failed to tackle the specific interests of the LRA leadership. These were assumed to be catered for generally in the agreements, and yet the LRA leadership never felt that way. More critical engagement of the LRA was needed rather than relying on proxies (ie the LRA delegation).

#### What is your view on justice as a tool for peace and how do victims see the traditional approach?

Our position is that traditional justice is not a substitute for formal justice, but rather it is complementary and contributes to the whole justice framework. These should not be competing but complementing each other.

### Civil society's role

#### What was your role as a civil society leader in the build-up to and during the talks?

My role initially involved meeting key individuals and policymakers on the need to keep the option for dialogue open as the most feasible and sustainable way of bringing peace. I met HE Dr John Garang, then leader of the SPLM/A, at Simba Lodge Hell's Gate national park in Naivasha on 17 September 2003 and requested his help to establish a communication link with the LRA high command and also for them to consider the issue of northern Uganda, should relative peace be achieved in southern Sudan. I played a bridge-building role between the LRA and Government of Uganda to engage in peace talks. I also provided advice to both parties' delegations, updated the community and the public and appealed to them to support the peace process.

*Rwot David Acana II was invested in the newly-created position of Acholi Paramount Chief in January 2005 in Gulu. In this position, he heads Ker Kwaro Acholi, a focal point of conflict resolution at the family, clan, interclan, inter-ethnic levels and responsible for traditional conflict management mechanisms. Mr Acana, with other civil society leaders, has condemned the military approach in northern Uganda and urged donors to continue their support for a negotiated solution.*

### **What do civil society leaders such as yourself bring to peace negotiations?**

We bring analytical appreciation of the challenges of peacemaking. We can play the role of trusted emissaries and bridge-builders for both parties. We call for tolerance and patience and our presence provides legitimacy and carries the voices of the community. Even if not elected, civil society figures wield formidable legitimacy in the eyes of the communities they represent since they are most often impartial in their work and so have the communities' trust.

### **What effect did the presence of civil society leaders at Juba and Ri-Kwangba have on the formal mediation process?**

The presence of civil society leaders gave the process credibility and brought community voices to the peace process. Despite challenges during two years of negotiations, they kept the process alive and the parties talking. Even in instances when the LRA withdrew, civil society always worked hard to get the parties back to the negotiation table.

But the perception that too many actors were trying to establish communication and sending conflicting messages is true. Sometimes this was very disruptive for the peace process since these groups at times had different interests which would slow down the pace of negotiations before things could be put right. In some cases there is a trade off in peace negotiations between inclusiveness and efficiency. While you want all shades of opinion represented in peace processes, it might be challenging given the complexities of balancing various groups' interests. It is important to have creative approaches to inclusiveness.

### **What was your greatest achievement and biggest failure at the talks?**

Our greatest achievement was that the conflict stopped in northern Uganda and our people began returning home – although the problem was exported to the Democratic Republic of Congo (DRC) and Southern Sudan. Our biggest failure was not stopping the continuation of the war after the failure to sign the peace agreement in November 2008.

## **Beyond Juba**

### **What effect have the Juba talks had on the LRA conflict and peace dynamics?**

Even though a peace deal was not signed, the process showed that peace talks are possible with the LRA, and that civil society are important interlocutors for peace.

### **What actions would you like to see to bridge the current impasse?**

It is important that civil society, the LRA and the Ugandan government are brought together so that they can all agree on the direction that the peace process should take before

commencing any concrete steps. The concerns of the LRA senior leadership need to be addressed particularly.

### **What role should civil society play from now?**

Civil society organizations should explore ways of ensuring that dialogue remains on the minds of the parties and assist them to re-visit some of the contentious issues, so that the agreements are acceptable to both parties and subsequently signed. In the meantime it is important to engage Uganda's political leadership to prioritize the implementation of Agenda 1 and 2 by demonstrating the gains this will have for the future stability of the region.

### **Are negotiations the right way to end the conflict?**

Negotiations are the right way to end the conflict because they can tackle the underlying problems that cause the conflict to continue, which will bring a final end to it.

# Interview: Jan Egeland

## The United Nations and Juba

### What did you achieve at the Juba talks?

One achievement of the UN Office for the Coordination of Humanitarian Affairs (UNOCHA) at Juba was to bring northern Uganda to the international arena, from being a forgotten and neglected conflict to one that got attention and resources and even a peace effort. Secondly, we were able to help facilitate and sustain a cessation of hostilities.

I see it as a real achievement. Many people are not able to look at trends; they look at the difficulties of today and then decide that everything was badly done. I was there in 2003 when people were massacred every day and the number of displaced was two million and growing. In northern Uganda today you see communities being rebuilt, people returning. And there have been comparatively few killings in northern Uganda since 2006.

I wish the talks had been more effective in bringing a final end to LRA military activities and in reintegrating them, and that the breakdown of the talks could have been avoided, which has created havoc in vulnerable communities in eastern Congo and Southern Sudan. That is horrific. But all in all, the situation is indisputably better today than it was before the peace efforts started.

### How should we assess the success of a peace process like Juba that does not deliver a final settlement?

I have been involved in more than a dozen peace processes. If we look at situations like Colombia, efforts have been



**Jan Egeland, former UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, speaks on the progress towards ending the conflict in northern Uganda and in the Democratic Republic of Congo, at UN Headquarters, New York, September 2006**

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ultimately unsuccessful and you end up with a situation as bad or worse as it was before. So to end up with a sustained cessation of hostilities and then with a situation where millions of people's lives are permanently improved like in northern Uganda is not a bad result. In real life the alternatives are not between perfect war and perfect peace. They are between imperfect war and imperfect peace.

### In November 2006 you met with LRA leader Joseph Kony. What did you discuss with him?

My mandate was to try to prevent suffering. When I met Kony I was very clear first that I would not discuss the International Criminal Court (ICC), and second that a return to terror would be horrible, not only for the civilian people, but also for the LRA themselves. I tried to make the alternative to continued war and terror as attractive as possible.

### What do you think needs to happen to advance peace now?

Twenty years of LRA terror should have taught us that there is no pure military solution. That was tried repeatedly in the years before the Juba peace effort.

The peace effort needs to be a parallel process incorporating three strands. First, protecting civilians through security arrangements. Second, trying to capture those who execute terror. And third, trying to renew efforts for a durable settlement, which means reaching out to those in the LRA that you want to reintegrate. Those who should go to jail should go to jail.

### Are there lessons that you have learned from Juba that can inform other processes?

A weakness in the process in northern Uganda was the inability in 2005-06 of the political department of the UN and those who know peace mediation on a professional basis to deploy forcefully to the region to advance the diplomatic efforts. There were no resources from their side. That is why by default my own organization UNOCHA was asked to go in. UNOCHA is not supposed to deal with peace processes, but rather to coordinate humanitarian responses. But nobody else was able to organize meaningful international support to the

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Southern Sudanese peace effort, so we did it. Otherwise the whole thing would have fallen apart very early.

The UN has to be more proactive on the political front. There needs to be more proactive help for security arrangements, as well as political settlements and responses. That was too weak in northern Uganda, as it was early on in Darfur and in many other conflicts where humanitarian action has been the main response.

In northern Uganda the UN Department of Political Affairs (UNDPA) encouraged UNOCHA to lead because their one desk officer did not have time to do it. UNOCHA has a standby arrangement; it is operational. UNDPA did not have that at that time. The new mediation support unit and the standby team for mediation support in UNDPA was a response to the very visible impediment to UNDPA engagement in northern Uganda and in Darfur.

Darfur was in 2003-04 a small conflict that was clearly getting more serious. Early on the only thing we really did was to respond with more humanitarian relief. We should have been proactive in mobilizing diplomatic and political resources of the UN and its member states to put maximum pressure on the government and on the rebel forces to reach a negotiated solution to the conflict.

In Uganda it was exactly the same. It is mind-boggling that the UN, its member states and the whole donor community could be sitting in Kampala for 18 years and not look over their shoulders to see that massacres of the worst kind were taking place. Proactiveness means doing something: in this case, finding political and security solutions, especially when the government so clearly shows that it is not able to put an end to it.

### **What are the implications of the UN ending the mandate of the Special Envoy to the LRA-affected areas?**

If I was [Joaquim Alberto] Chissano I would feel very disappointed and offended by the LRA and their so-called representatives. But I do not think this means that there is no future for a political track in northern Uganda. I discussed with Kony and his then second-in-command, Vincent Otti, the cessation of hostilities. It should be possible still to meet with the remaining LRA rank and file and convince them that they will die out there if they do not reintegrate. If we only come after them with force, however, they can displace tens of thousands in the Democratic Republic of Congo, Southern Sudan and to Central African Republic. It is very difficult to contain them in that area.

# Negotiating in the shadow of justice

## Barney Afako

Even before negotiators for the Ugandan government and the Lord's Resistance Army (LRA) began to gather in Juba for peace talks in June 2006, negotiations were already destined to be controversial. The previous year the International Criminal Court (ICC) had issued arrest warrants for leaders of the LRA, including Joseph Kony, for crimes committed in northern Uganda.

Uganda, the ICC's first referral, had yielded the Court's first arrest warrants. In the atmosphere of uncertainty that followed President Salva Kiir's announcement that his Government of Southern Sudan would mediate between the Ugandan parties, it took Southern Sudan's firm leadership to bring the parties, and later international observers and financial backers, to Juba for the negotiations.

Perhaps the most significant overt political support to the process came from the United Nations. The intervention of Jan Egeland, then Under-Secretary-General for Humanitarian Affairs, was crucial in this regard. He capped this by making a high-profile visit to Juba in November 2006 to meet with Joseph Kony on the border between Sudan and the Democratic Republic of Congo (DRC). Later, through the appointment of the UN Secretary-General's Special Envoy for LRA-Affected Areas, Joaquim Chissano, the UN's role and endorsement of the peace process was strengthened. Mr Chissano brought lessons from his experience of ending the brutal civil war in Mozambique through negotiations.

Although the UN was motivated by humanitarian and broader political concerns, its involvement in the Juba process helped to silence any lingering doubts about the legality of the process. With the initial hesitations overcome, more international actors came to support and participate in the talks. Over the next two years Juba then witnessed the acute dilemmas confronting those who seek to balance the demands of peace and justice in the new era of the ICC.

## The spectre of the ICC

From the outset, the ICC and the Rome Statute were planted firmly at the heart of the talks. Although other parties adjusted their positions, the LRA, with the most to lose, remained implacably opposed to ICC trials. Against this clear stance the only issue left to discuss was what form national justice processes needed to take.

But not everyone welcomed the prospect of Uganda re-asserting its right to conduct national trials for ICC suspects.

Despite the Rome Statute's principle of complementarity – which requires the ICC to yield to national proceedings – some supporters of international justice opposed the talks, seeing in them a subversion of the ICC.

Uganda had made the first self-referral to the ICC. The prestige and credibility of the Court was therefore closely linked to the fate of the LRA docket. Talk of national proceedings induced nervousness. Although the Prosecutor was initially careful not to make public pronouncements on the Juba talks, his scepticism about the prospects for an accord became more audible as the process unfolded without a final agreement.

## Shaping national justice options

At the beginning of the talks the mediation had persuaded the parties to deal with 'Accountability and Reconciliation' as the third of five agenda items. This placement of the issue allowed for a gentle build-up towards the negotiations on justice. More crucially it ensured that criminal justice was located in a more appropriate context amongst the political, historical, social and economic justice issues that also needed to be addressed.

Initially the Ugandan government had preferred to focus on the disarmament and reintegration of the LRA. Using the ICC issue as a bargaining chip, it promised to address the ICC issue only upon the LRA's signature and implementation of the agreement.

For the LRA the prospect of its leaders being paraded before an international court represented a particularly acute form of political humiliation. Behind the ICC's intervention LRA leaders saw only the hand of the Ugandan government. Pointing to the charges made exclusively against members of the LRA, its leaders detected collusion between the ICC and the government's political agenda.

Despite the gaps between the parties' initial positions and the legal complications and uncertainties on the question of justice, the Chief Mediator Dr Riek Machar guided the negotiators to focus on producing agreements that would stand a chance of resolving the ICC issue – the key sticking point. Only a legally sound text that was consistent with the Rome Statute and which balanced justice with reconciliation could rally the kind of support and momentum needed to secure the full implementation of any agreement reached in Juba.

*Barney Afako is a Ugandan lawyer and expert on transitional justice. He was lead legal advisor to the Chief Mediator at the Juba talks. He has worked in the fields of human rights and criminal justice in eastern and southern Africa and the United Kingdom, providing legal advice on peace and governance issues for civil society, government and intergovernmental agencies. He is also a part-time immigration judge in the UK.*



On the other hand, an agreement that was patently unable to address the justice question and which would be seen as shielding perpetrators would be roundly rejected, and was unlikely to lead to the disarmament of the LRA.

To encourage wider national ownership of the agreements and to allow the parties to clarify their own positions in the light of the realities within Uganda, the mediation required the negotiating parties to undertake consultations within Uganda following the initial agreement.

## Elements of the agreement

An agreement was required that would provide sufficient detail on the proposed justice measures. This would not only facilitate implementation, but would give as clear an indication as possible to the LRA leaders of what to expect from justice. A comprehensive agreement would equally serve to reassure international stakeholders about the credibility of the justice proposals.

Two main agreements emerged: the first, signed in June 2007, set out the principles of accountability and reconciliation; it was followed by an annexure of mechanisms in February the next year. These texts confirmed that justice and reconciliation were complementary and would be implemented within Uganda, and that accountability would embrace both formal and traditional justice mechanisms.

The LRA's insistence upon the need to examine the root causes of all violations committed during the conflict regardless of the identity of the perpetrators was adopted. This idea of a truth commission found wide support within Uganda, as the government discovered during its consultations. LRA negotiators also pressed for and secured a commitment to provide individual and collective reparations for conflict losses, another popular idea.

Mindful of the need to deal with the arrest warrants the parties agreed to a special division of the High Court of Uganda which would try the most serious crimes, including those that had been charged by the ICC. The court would be supported by dedicated investigative, prosecutorial and registry functions. In accordance with the principles of the agreement it would apply alternative sentences and its judges would recognize an individual's acts of reconciliation, as well as cooperation with justice processes. However, most alleged perpetrators would be subjected to other community-based accountability mechanisms, including conditional amnesties.

During the conflict in northern Uganda sections of the affected communities had become disillusioned with the lack of military success against the rebels and began to advocate for an alternative which they thought might break the military impasse. They found the formula in a return to traditional justice.

In 2006 many of these community leaders were invited to Juba as observers to the talks. In reality they were also co-mediators making visits to the LRA leaders in the DRC. Their influence was reflected in the agreement's commitment to traditional justice mechanisms.

Through this comprehensive and integrated package of measures the parties sought to establish the domestic processes which would take over the conduct of the LRA cases, while also promoting reconciliation and restorative justice values. This dual approach was reflected, amongst other things, in the emphasis placed on reconciliation, the needs of victims and the rehabilitation of offenders.

## Assessment

The justice measures in the Juba agreements did not emerge in a vacuum but in the context of peacemaking. Any justice proposals therefore needed to be seen to contribute to

stability. However, Juba could not provide a definitive answer to the arrest warrants immediately, as that issue was ultimately for the ICC judges alone to determine. And the judges could not do so until actual criminal justice measures had been taken with respect to each individual sought by the ICC.

This in-built delay and uncertainty was bound to be troubling for the LRA. Because the LRA leaders, fearful of the arrest warrants, remained away from the Juba table, opportunities for direct engagement were limited. Whether their day-to-day presence would have transformed the outcome is debatable. Certainly more consistent engagement might have promoted greater trust with the LRA leadership but, equally, such close and intense contact could as easily have skewed the dynamics the often delicate and protracted talks to the detriment of a successful negotiation.

Events took a decidedly sinister turn during the latter part of 2007 when tensions within the LRA mounted and reportedly led to Kony ordering the execution of his influential second-in-command Vincent Otti. After this the LRA delegation was almost entirely replaced and encounters with the LRA leadership virtually dried up. On the rare subsequent occasions that there was contact with Joseph Kony justice was not on the agenda.

Despite these disruptions the negotiations moved rapidly, with the remaining LRA negotiators making the best of the situation. Donors' patience with the process was running out. The LRA delegation managed to arrange a visit to the seat of the ICC in The Hague where they met with representatives of the registry but not the Prosecutor, returning to Juba with a more sober assessment of the fate of the arrest warrants.

Back in Juba with the key mechanisms of justice agreed, LRA negotiators now focused their attention on securing a commitment that Uganda would seek from the UN Security Council a deferral of the LRA cases for 12 months under Article 16 of the Rome Statute. Although it had first resisted this provision, the government delegation now saw that this would insulate it against conflict with the Court over non-compliance with its duty to arrest and surrender individuals to the ICC. The government ensured that the approach to the Council would be made only upon the establishment of the justice institutions in Uganda and, crucially, after the LRA had taken steps to assemble its forces for in readiness for disarmament.

Joseph Kony failed to sign the Juba agreement and instead asked for clarifications about the relationship between the traditional justice and the proposed special division of the Uganda High Court, established in Kampala to deal with war crimes. However, he did not avail himself of the opportunity to discuss these matters with emissaries or his delegation.

In spite of the LRA's failure to sign the settlement the government declared that it would press on with the implementation of all agreements. With considerable external input, the war crimes division began to prepare legislation to facilitate national prosecutions and other accountability processes.

Whilst laudable, these unilateral moves on the question of justice might, without the benefit of the oversight mechanisms envisaged by the agreement, risk losing the nuances that were designed to make the agreements palatable to the LRA and to affected communities.

## Some lessons from Juba

Juba showed that the dilemmas posed by the tensions between justice and peacemaking are real and are sharply accentuated when an international court or tribunal intervenes in a situation. Mediators cannot wish away the legal and political complexity of these circumstances, nor can they be ambivalent about the merits of dialogue. They must be prepared to take a firm lead, prioritizing a careful search for a workable settlement. In order to fashion viable solutions such negotiations need the support of sound and dispassionate legal advice on international as well as national legal aspects. In Juba, it took the collective efforts of the team of lawyers from the mediation and the two delegations to disentangle the issues.

On the other hand, legal expertise is of itself insufficient to deliver an agreement and should not dominate the dialogue, as this might marginalize key actors. Negotiations in which justice poses a threat to any of the parties require consistent efforts invested in explaining the options and processes to the party that stands to lose the most. This process should not be rushed.

An inclusive negotiation process in which a range of local, national, regional and international stakeholders participates, either as observers or through other interactions with the key parties, will enhance the chances of the final agreement being respected by all sides. For an agreement involving competing notions of justice, the support of a visible constituency for the process is politically critical and consolidates the credibility of the outcome.

By requiring the parties to undertake additional national consultations on the justice issues the mediation hoped to harness wider national input and support.

Such a broader conversation is particularly important because in negotiations that involve balancing the competing interests of peacemaking and justice-seeking, the affected communities are key stakeholders who bear the brunt and risks of war and flawed peacemaking. Giving them genuine opportunities to engage on the issues provides added legitimacy to the negotiation process.



# Chronology

*A more detailed chronology prior to 2002 is available in Accord 11 (2002): Protracted conflict, elusive peace: Initiatives to end the violence in northern Uganda, www.c-r.org*

## 1986 – 88

Joseph Kony starts his group of resistance fighters from the remnants of earlier rebel groups, later to be named the Lord's Resistance Army (LRA).

## 1989 – 92

Fighting between the LRA and Ugandan Armed Forces intensifies, with government forces accused of serious human rights abuses. The government begins to move civilians in the affected areas into displacement camps.

## 1993 – 94

First attempt at finding a negotiated solution, led by the Ugandan Minister for the North, Betty Bigombe. It ultimately fails and fighting worsens.

The LRA moves its bases into Sudan's Eastern Equatoria region at the invitation of the Government of Sudan in Khartoum. Khartoum begins to support the LRA with provisions and weapons.

## 1995 – 96

LRA violence against civilians intensifies and abductions become more commonplace. The LRA announces a ceasefire to allow people to vote in the 1996 national elections.

## 1997 – 98

A diaspora-led attempt to negotiate a settlement fails, and fighting again intensifies.

## 1999 – 2000

The LRA is forced into Sudan for much of 1999, allowing some civilians to leave the camps. The Ugandan government passes an amnesty law, which is followed by renewed efforts to find a negotiated solution, led by the Carter Center. But insecurity persists in northern Uganda, with 400,000 civilians now living in camps.

## 2001

The Carter Center process leads to the re-establishment of diplomatic ties between Uganda and Sudan. The period around the 2001 Ugandan election is relatively peaceful, and a temporary ceasefire in June allows contact between commanders from the LRA and the Ugandan army.

## 2002

**February** – The LRA launches renewed attacks.

**March** – Sudan and Uganda sign an agreement aimed at containing the LRA. Ugandan forces launch an offensive against the LRA in Southern Sudan, named Operation Iron Fist. LRA fighters move back into northern Uganda and step up attacks on civilians, displacing hundreds of thousands of people.

**August** – Ugandan President Yoweri Museveni offers a temporary ceasefire to allow negotiations to commence but sets conditions that are rejected by the LRA. No talks take place and hostilities resume.

**October** – The Ugandan government orders a large number of civilians to move back into camps for Internally Displaced Persons (IDPs). LRA operations continue, with allegations of renewed support for the LRA by the Sudanese government.

## 2003

**March** – Kony announces a unilateral ceasefire, agreed a few days later by President Museveni who appoints a team to lead negotiations. Talks do not take place and the ceasefire is revoked by the Ugandan government in April.

**September** – A 'Framework Agreement' is signed between the government of Sudan and the Sudan People's Liberation Movement/Army (SPLM/A), which implies continued support for the LRA from Khartoum. In response, the LRA re-organizes its command structure, acquires substantial new weaponry and extends its area of

operations inside Uganda, notably eastwards into Teso and Lango.

**November** – UN Under-Secretary-General for Humanitarian Affairs, Jan Egeland, visits northern Uganda and describes the situation as 'the biggest forgotten, neglected humanitarian emergency in the world today'. More than a million civilians are now in IDP camps.

**December** – President Museveni refers the situation in northern Uganda to the International Criminal Court (ICC).

## 2004

**January** – The ICC Prosecutor officially opens investigations into events in northern Uganda.

**February** – LRA rebels slaughter more than 300 people at a camp for displaced people in Lira District, north eastern Uganda.

**March** – Operation Iron Fist II is launched, as the Uganda People's Defence Forces (UPDF) re-double their efforts to take on the LRA in Southern Sudan.

**November** – An initiative launched in early 2004 by former mediator Betty Bigombe begins to gain momentum, with both the LRA and the Ugandan government seemingly open to negotiations. President Museveni declares a ceasefire which enables LRA fighters to re-group.

**December** – Face-to-face talks are held between the government and the LRA. Hopes are high for an agreement, as Bigombe flies to a remote location on the Sudanese border to meet senior LRA commanders, including LRA deputy leader Vincent Otti. The Ugandan government sets a deadline of 31 December for Kony to sign a peace deal.

## 2005

**January** – Fighting resumes on 1 January between the LRA and Ugandan forces. But talks mediated by Bigombe continue, with senior LRA figures Sam Kolo and Otti participating. A Comprehensive Peace Agreement (CPA) is signed between the SPLM/A and the Sudanese government, establishing a semi-autonomous Government of Southern Sudan (GoSS).

**February** – President Museveni declares a further temporary ceasefire and talks continue, despite ongoing hostilities. LRA chief negotiator Sam Kolo surrenders to the Ugandan government, leading to a breakdown in communications.

**July** – The ICC issues five sealed warrants, its first ever, in relation to its investigations in northern Uganda.

**September** – A group of LRA combatants moves into the Democratic Republic of Congo (DRC) for the first time, establishing bases in Garamba National Park in Orientale Province. DRC President Joseph Kabila sets a deadline for LRA forces to leave. President Museveni threatens that Ugandan forces will enter the DRC in pursuit unless the LRA are removed.

**October** – The ICC unseals arrest warrants for five LRA commanders, including Kony. Bigombe warns that the warrants will make a negotiated peace difficult, and her initiative comes to an end.

**December** – First indications that the GoSS might be prepared to act as a mediator in new talks.

## 2006

**January** – A botched reconnaissance mission against LRA positions in Garamba National Park by Guatemalan forces serving with the UN Mission in the DRC (MONUC) results in the death of eight peacekeepers, killed in 'friendly fire'.

**April** – A first meeting is held between Vincent Otti and GoSS Vice President Riek Machar.

**May** – Joseph Kony and Riek Machar meet. Machar is filmed handing Joseph

Kony USD\$20,000, which leads to much controversy when the footage is leaked.

**June** – After a third visit by Riek Machar to the LRA in the bush, Kony appoints a delegation to represent the LRA/M in peace talks. The Ugandan government is approached by GoSS with the suggestion to enter negotiations in Juba.

**July** – Peace talks between the government and the LRA begin in Southern Sudan, mediated by Riek Machar. The LRA/M delegation is led by Martin Ojul, despite many efforts to get Vincent Otti to join the delegation. The Ugandan government delegation is led by Internal Affairs Minister Ruhakana Ruguna. A large delegation of civil society leaders and politicians from both Sudan and Uganda, as well as family members of LRA fighters, travels to Ri-Kwangba in Sudan for several days of meetings with the LRA. Joseph Kony apologises to Acholi in Uganda and Sudan for atrocities committed.

**12 August** – One of the five LRA commanders wanted by the ICC, Raska Lukwia, is killed in combat with Ugandan forces.

**26 August** – The Ugandan government and the LRA/M sign a 'Cessation of Hostilities Agreement', which comes into force on 29 August. Under the terms of the agreement, LRA combatants are to assemble in two designated safe areas in Southern Sudan (Owiny Ki-Bul and Ri-Kwangba), while Ugandan forces allow them safe passage.

**September** – Talks on substantive issues of reconciliation, justice and 'comprehensive solutions' to the problems of northern Uganda continue amid accusations of breaches of the Cessation of Hostilities agreement.

**October** – A Cessation of Hostilities Monitoring Team, made up of representatives of the Ugandan government, the LRA and the GoSS travel to assembly areas to investigate accusations. President Museveni attends the Juba talks in person. Attacks in northern Uganda diminish.

**November** – The First addendum to the Cessation of Hostilities Agreement is

signed, extending the ceasefire to give the LRA more time to move to assembly areas where food and support is provided by relief agency Caritas. Despite this, LRA forces fail to assemble. Continuing talks in Juba are slowed by the need to allow LRA delegates to travel to Garamba to consult with the LRA's leaders.

**December** – Former President of Mozambique Joaquim Chissano is appointed by the UN Secretary-General as the Special Envoy to Areas Affected by the LRA. Fighting is reported between the LRA and Ugandan forces outside the 'safe zones'. Talks at Juba recommence on 14 December and a second addendum to the Cessation of Hostilities Agreement is signed on 16 December, again extending the deadline for assembly.

## 2007

**January** – No talks take place at Juba, with the LRA delegation demanding a change of venue and expressing dissatisfaction with the mediation of Riek Machar. LRA leaders refuse to meet with Chissano.

**February** – Talks remain stalled. Rumours circulate that elements of the LRA have moved towards the Central African Republic (CAR). LRA forces are now largely concentrated in DRC and Southern Sudan.

**March** – Chissano is able to meet with Kony and announces that talks will restart in mid-April.

**April** – A third addendum is signed, extending the deadline for LRA assembly to August 2007. Substantive talks restart on 26 April.

**May** – Agreement is reached on 'Comprehensive Solutions' to the problems in northern Uganda. The LRA delegation travels back to Garamba for discussions on the next agenda item, accountability and reconciliation. Talks resume on 31 May.

**June** – The parties sign an agreement on the general principles of accountability and reconciliation on 29 June, agreeing to combine national justice with traditional mechanisms.

**September** – President Museveni and President Kagame of the DRC sign an agreement setting a 90-day deadline for the departure of LRA forces from the DRC, after which military action will be taken. The LRA and Ugandan government continue consultations with stakeholders.

**October** – Senior LRA commander Opiyo Makasi surrenders to Congolese forces in the DRC following Kony's arrest of his deputy, Vincent Otti. Otti is subsequently reported to have been killed. The Ugandan government officially launches the Peace, Recovery and Development Plan (PRDP) for northern Uganda.

**November** – An LRA negotiating team arrives in Uganda to begin consultations on the detail of the accountability and reconciliation agreement. It meets with President Museveni on 3 November and asks that he request the ICC to suspend arrest warrants. The Cessation of Hostilities Agreement is extended for a fourth time. Otti's death is confirmed, launching a period of diminished communication with the LRA leadership.

## 2008

**January** – Talks resume at Juba on 30 January. The LRA delegation is changed by Kony, with David Matsanga replacing Martin Ojul as lead negotiator. A fifth extension of the Cessation of Hostilities is agreed.

**February** – Arrangements for a permanent ceasefire are signed on 23 February. Agreements on disarmament, demobilization, reintegration, and on implementing and monitoring protocols, are concluded on 29 February. Together with prior agreements on Comprehensive Solutions, and on Accountability and Reconciliation, these five elements make up the Final Peace Agreement (FPA). The Cessation of Hostilities is extended again, until 28 March.

**March** – The Cessation of Hostilities Agreement is again extended, to mid-April.

**April** – Kony fails to appear at a scheduled signing ceremony. Matsanga is dismissed as LRA chief negotiator. LRA attacks and abductions in the DRC and Southern Sudan become more frequent.

**June** – Despite increasing frustration on the part of the government of Uganda, the mediator continues to push for agreement. Kony tells journalists that he wishes to return to negotiations but that the ICC should drop the warrant against him.

**September** – Kony again does not arrive at a scheduled meeting, blaming the ICC warrants. LRA attacks in the DRC continue to intensify.

**November** – Machar holds a conference in Kampala on 5 November bringing together multiple stakeholders, which demands that Kony sign the FPA by 30 November. A meeting between Kony, Chissano and Machar, scheduled for 28 November, does not take place.

**December** – The Juba Process officially ends on 2 December, although the option is left open for Kony to sign the FPA at a future date. A joint military operation by Ugandan, Congolese and Southern Sudanese forces – and supported by the US military – 'Operation Lightning Thunder', is launched on 14 December with air strikes against the LRA's base in Garamba National Park. They fail to have a significant impact on the LRA and Kony escapes. The LRA responds with atrocities against civilians in the DRC and Southern Sudan, including massacres and large-scale abductions.

## 2009

Operation Lightning Thunder continues sporadically throughout the year, although its name is dropped in March. LRA/M representatives request a universal ceasefire to provide space to clarify issues with the agreements on justice and accountability and disarmament. Riek Machar voices his support for a non-military solution.

## Key texts and agreements

### Documents relating the Juba peace process 2006-08

ICC cases against LRA commanders: [www.icc-cpi.int](http://www.icc-cpi.int)

The following documents can be found at:  
<http://northernuganda.usvpp.gov/downloads.html>  
[www.beyondjuba.org/peace\\_agreements.php](http://www.beyondjuba.org/peace_agreements.php)  
[www.csopnu.net](http://www.csopnu.net)

### Juba talks agenda items

- Agenda Item I. The Cessation of Hostilities – 26 August 2006 (with extensions and addendums)
- Agenda Item II. Agreement of Comprehensive Solutions – 2 May 2007
- Agenda Item III. Agreement on Accountability and Reconciliation – 29 June 2007

- Agenda Item IV. Agreement on a Permanent Ceasefire – 23 February 2008
- Agenda Item V. Agreement on Disarmament, Demobilisation and Reintegration – February 2008

The Final Peace Agreement between The Government of the Republic of Uganda and The Lord's Resistance Army/Movement, Juba, Southern Sudan and Implementation Schedule (unsigned by LRA leadership)

Declaration of the Stakeholders' Consultation on the Juba Peace Process, Munyonyo, Kampala – 5 November 2008

# Further reading

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## Web resources

**Information on Conciliation Resources' programme work and publications in Uganda, Sudan, the DRC and CAR**  
[www.c-r.org/our-work/uganda](http://www.c-r.org/our-work/uganda)

**Acholi Religious Leaders Peace Initiative**  
[www.km-net.org.uk](http://www.km-net.org.uk)

**ACORD**  
[www.acordinternational.org/index.php/base/uganda](http://www.acordinternational.org/index.php/base/uganda)

**Amnesty International Uganda**  
[www.amnesty.org](http://www.amnesty.org)

**Beyond Juba** [www.beyondjuba.org](http://www.beyondjuba.org)

**The Carter Centre** [www.cartercenter.org](http://www.cartercenter.org)

**Civil Society Organisations for Peace in Northern Uganda**  
[www.csopnu.net](http://www.csopnu.net)

**Enough** [www.enoughproject.org](http://www.enoughproject.org)

**Government of Southern Sudan**  
[www.gossmmission.org](http://www.gossmmission.org)

**Government of Sudan** [www.sudan.gov.sd](http://www.sudan.gov.sd)

**Government of Uganda**  
[www.statehouse.go.ug](http://www.statehouse.go.ug)

**Human Rights Focus** [www.hurifo.org](http://www.hurifo.org)

**Kacoke Madit** [www.km-net.org.uk](http://www.km-net.org.uk)

**Refugee Law Project, Makerere University**  
[www.refugeelawproject.org](http://www.refugeelawproject.org)

**Resolve Uganda** [www.resolveuganda.org](http://www.resolveuganda.org)

**Survey for War-Affected Youth**  
<http://chrisblattman.com/projects/sway/>

**USAID** [www.usaid.gov](http://www.usaid.gov)

## Local news services online

**The East African** [www.theeastafrican.co.ke](http://www.theeastafrican.co.ke)

**The Monitor online** [www.monitor.co.ug](http://www.monitor.co.ug)

**New Vision online** [www.newvision.co.ug](http://www.newvision.co.ug)

**Sudan net** [www.sudan.net](http://www.sudan.net)

**Sudan Tribune** [www.sudantribune.com](http://www.sudantribune.com)

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**Paying the price: the Sierra Leone peace process**

Issue 9 | 2000

The Lomé Peace Agreement of July 1999 sought to bring an end to one of the most brutal civil wars of recent times. Accord 9 explores earlier attempts to bring the conflict to an end and in doing so seeks to draw valuable lessons for Sierra Leone's transition.

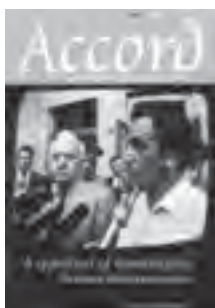


**Striking a balance: the Northern Ireland peace process**

Issue 8 | 1999

Accord 8 explores the factors that led to the negotiations resulting in the Belfast Agreement, describing the complex underlying forces and the development of an environment for peace.

2003: Supplement issue



**A question of sovereignty: the Georgia–Abkhazia peace process**

Issue 7 | 1999

The publication explores the background and issues at the heart of the Georgia–Abkhazia conflict, provides a unique insight into a political stalemate and points towards possible avenues out of deadlock.



**Compromising on Autonomy: Mindanao in Transition**

Issue 6 | 1999

The GRP-MNLF 1996 Peace Agreement was a milestone in many ways. The publication analyses features of peacemaking in Mindanao and examines the challenges of implementation.

2003: Supplement issue



**Safeguarding Peace: Cambodia's Constitutional Challenge**

Issue 5 | 1998

This publication documents issues around the signing of the 1991 Paris agreements which officially "brought to an end" Cambodia's long war and the violent collapse of the country's governing coalition in July 1997.



**Demanding Sacrifice: War and Negotiation in Sri Lanka**

Issue 4 | 1998

The Sri Lanka issue documents the cycles of ethnic/national conflict which have blighted the country since 1983. It analyses negotiations and other peace initiatives that have taken place since 1993 and outlines fundamental issues that need to be confronted in future peacemaking efforts.



**The Mozambican Peace Process in Perspective**

Issue 3 | 1998

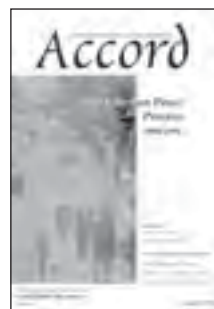
The Mozambique issue documents the diverse initiatives which drove the parties to a negotiated settlement of the conflict as well as illustrating the impact of changing regional and international dynamics on Mozambique.



**Negotiating Rights: The Guatemalan Peace Process**

Issue 2 | 1997

The signing of the peace agreement in 1996 brought an end to 36 years of civil war in Guatemala. The publication analyses issues of impunity, indigenous rights, political participation and land reform.



**The Liberian Peace Process 1990–1996**

Issue 1 | 1996

The Liberia issue documents the lengthy and fractious Liberian peace process and provides insight into why thirteen individual peace accords collapsed in half as many years.

**Future issue: the next Accord project will focus on cross-border conflict and peacemaking dynamics. (2010).**



# Initiatives to end the violence in northern Uganda

## 2002-09 and the Juba peace process

The war between Lord's Resistance Army (LRA) and the Government of Uganda (GoU) remains one of Africa's longest. After the breakdown of the Juba peace process in December 2008 the LRA insurgency has spread from northern Uganda to inflict violence on civilian populations in Central African Republic, the Democratic Republic of Congo and Southern Sudan. Military operations conducted against the LRA by the Ugandan and other governments have served to heighten civilian insecurity without resolving the conflict.

Talks in Juba provided an unprecedented opportunity to end the war. Mediated by the Government of Southern Sudan, the negotiations generated a cessation of hostilities that enabled thousands of internally displaced Ugandans to return home, offered hope to a beleaguered Acholi population and articulated the components of a peace deal.

But there were many problems with the Juba process: a dearth of genuine GoU political engagement; shortfalls in authority and legitimacy in the LRA delegation to the talks; and difficulties relating to justice. Ultimately, LRA leader Joseph Kony refused to sign the Final Peace Agreement. Although obstacles to peace remain, there is much to learn from Juba.

This supplement to Accord 11 (2002), *Protracted conflict, elusive peace: initiatives to end the violence in northern Uganda*, offers reflections on events from 2002-09. It focuses on the Juba peace process, especially issues of justice, the nature of international involvement and the impact of military offensives on the conflict's dynamics. The emerging lessons are intended to inform ways forward for peace in the region, as well as peace processes elsewhere.

*"This Accord publication provides a timely, comprehensive and insightful analysis of the Juba process. It contains critical lessons and perspectives on the LRA and should inform our efforts towards a peaceful resolution to the conflict in Northern Uganda."*

Norbert Mao, Chairman, Gulu District,  
Ugandan Local Government

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## Conciliation Resources and the Accord series

Conciliation Resources is an international non-governmental organization that supports people working to prevent violence, promote justice and transform armed conflict. CR's Accord projects aim to inform and strengthen peace processes, providing a unique resource on conflict and peacemaking.

The full text of all issues in the Accord series can be found on Conciliation Resources' website: [www.c-r.org](http://www.c-r.org)

