

Civil Society and Conflict Resolution: The Role of the Acholi Religious Leaders Peace Initiative (ARLPI) in the Northern Uganda Conflict

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1. Introduction

The conflict in northern Uganda, which has seen the rebel group, the Lords Resistance Army (LRA) waging war against the government of the National Resistance Movement/Army (NRM/A) led by President Yoweri Museveni, will enter its twentieth year in August this year. The insurgency has pitted the LRA of reclusive Joseph Kony against the national army, the National Resistance Army (NRA)-later renamed the Uganda Peoples Defence Forces (UPDF), supported by a myriad of local militias. For a long time, the government has tried the military option to end the conflict but to no avail. As an alternative, the various religious leaders in northern Uganda in mid-1990's came together and formed the ARLPI-an inter faith group, bringing together Catholics, Anglicans, Orthodox and Islamists, to find peaceful ways of ending the conflict. The ARLPI main aim has been to make contact and initiate talks with the LRA, with a view to ending the rebellion. So far, the group has been able to convince some of the rebel leaders and their followers to abandon the rebellion. The work of the group has attracted the attention of the government and the international community, with the former as a result, co-opting some members of the group to its delegation that one time was trying to get in touch with Kony to negotiate. The aim of this paper is to review the work that has so far been done by the ARLPI in the context of its aims. Whilst the group has been instrumental in keeping the peaceful method option to ending the conflict alive, its work has sometimes been undermined by the Uganda government's insistence that Kony can only be defeated militarily.

2. Roots of the Conflict

There are multifarious explanations as to the root causes of the various rebellions in northern Uganda. The conflict has been variously explained among others, in terms of it being a struggle between the government and the LRA; that it is a struggle between the predominantly Acholi LRA and the wider Acholi population, who have borne the brunt of violence that includes indiscriminate killings and the abduction of children to become fighters, auxiliaries and sex slaves; that it is fuelled by animosity between Uganda and Sudan, who support rebellions on each other's territory; and that it is a continuation of the North-South conflict that has marked Uganda politics and society since independence.¹

The North-South divide is explained in terms of the economic imbalance that was perpetrated by the colonialists. The North was seen as mainly a reservoir of labour

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¹ International Crisis Group (ICG), *Northern Uganda: Understanding and Solving the Conflict: ICG Africa Report No. 77*, (Nairobi/Brussels, 14 April 2004).

mainly to be recruited in the army. At the same time, the British deliberately reserved the introduction of industry and cash crops to the South, for which the North became a reservoir of cheap [manual] labour.² Post-independence Uganda armies were continuously heavily recruited from the North, with the South enjoying relative economic prosperity. Suffice it to note that whilst the northerners in general (and Acholi in particular) were seen as a martial tribe fit for the military because of their strong physical, tall and athletic attributes, the southerners were deemed fit for clerical and office jobs.³ Thus for many, the LRA rebellion is merely a continuation of the ethnic competition that has typified Uganda politics.

The immediate cause of the rebellion against the Museveni government that started in 1986 however, can be found in the way the NRA soldiers behaved when they reached the northern region of Uganda. Heike Behrend has explained that:

Soon afterwards, the 35th battalion of the NRA was sent to Kitgum. This included remnants of Uganda National Liberation Army (UNLA) who had surrendered, and ex-Federal Democratic Movement (FEDEMO) troops who being mainly Baganda, had been formed to fight Obote. They took the opportunity to loot, rape and murder. To escape this, some of the Acholi ex-soldiers took up their weapons again and went into the bush to join the newly founded Uganda Peoples Defence Army (UPDA).⁴

So, while it can be argued that the underlying cause of the LRA insurgency is an attempt by the defeated northern forces to regain power, the immediate cause of the rebellion was the unbecoming and un-disciplined behaviour of the 35th battalion of the NRA who were deployed in north of the country.⁵

3. The Lord's Resistance Army (LRA)

As Museveni's NRA was seizing power in Kampala in January 1986, the bulk of the UNLA, predominantly made up of people from Lango and Acholi districts of Uganda, retreated northwards. When the NRA reached these areas, the defeated UNLA attempted to stage a come-back. Between 1988 and 1990, the NRA had already been able to defeat the following rebel groups: the UPDA; the Holy Spirit Movement I and II; and, the Uganda Peoples Army (UPA). However, from the ashes of the UPDA, HSM I and II, rose the LRA.

The LRA was started by Kony, after the defeat of Alice Lakwena's HSM II in 1988. Kony is a nephew of Alice Lakwena, who herself is a daughter of Severino Lukoya,

² *Ibid.*

³ McLeod Baker Ochola II, *Personal Role in the Negotiations Between Government of Uganda and the LRA in Northern Uganda* available online at <http://latrobe.edu.au/african/ARLimageFile/ocholaaddress.html> (accessed on 1 February 2006).

⁴ Heike Behrend, 'Is Alice Lakwena a Witch? The Holy Spirit Movement and its Fight against Evil in the North,' in Holger Bernt Hansen and Michael Twaddle, *Changing Uganda: the Dilemmas of Structural Adjustment and Revolutionary Change*, (London: James Currey, 1991) at 165.

⁵ For example, it is reported that these forces massacred 40 civilians in former Head of State Tito Okello's village of Namokora, Kitgum district. Many Acholi and others believe that the NRA chose not to use its disciplined forces in the North, sending instead the most brutal and unruly elements of the 35th battalion, in a deliberate strategy of revenge and subjugation. See ICG, *supra* note 1 at 3.

once the leader of the HSM I. Kony proclaimed himself, a messianic prophet⁶, and stated that he aimed at overthrowing the Museveni government and ruling Uganda according to the Biblical Ten Commandments. From the start, Kony's programme was "a mixture of political entrepreneurship, personal frustration and war-lordism."⁷ The LRA found a fertile ground to operate from Southern Sudan because the area has been wracked by war since the Sudanese Peoples Liberation Army (SPLA) has been fighting the Khartoum government since May 1983. The Sudanese government allied with the LRA, as the government of Uganda openly supported the SPLA. As a result, Kony was able to get bases and the much needed supplies of weapons to continue fighting the Uganda army.

In March 2002, the UPDF launched "Operation Iron Fist"⁸, aimed at routing the LRA from its bases in Southern Sudan. This operation followed an agreement between the governments of Uganda and Sudan, allowing the former to send her troops onto the territory of the latter, in order to deal with the LRA insurgents. The results of the operation have been mixed. Whilst the government and the UPDF have claimed success by the fact that Kony no longer has permanent bases in the areas of Southern Sudan near the Uganda border where he can launch attacks onto the territory of Uganda, civil society groups have noted that "the operation was the biggest mistake of the government as it has doubled the numbers of the displaced and [has made the] security [situation] worse than ever."⁹

Operation Iron Fist among others resulted in the expansion of the LRA's operational area from Gulu, Pader and Kitgum districts to the districts of Lira, Apac, Katakwi and Soroti. This, according to the United Nations Office for Humanitarian Affairs (OCHA), resulted in the number of the internally displaced persons (IDPs) [... to raise] from 800.000 to at least 1.2 million,¹⁰ a figure that was revised upwards to 1.9 million in 2005.¹¹ The massive displacement in terms of percentage is as follows: Acholi (92%); Langi (30%) and Itesot (33%).¹² The IDPs who are largely composed of malnourished children, live in squalid make-shift camps called "protected villages". These camps are devoid of food or clean water, and sanitation and medicine are nonexistent.¹³ The concentration of people in IDPs camps gives the LRA a chance to attack, kill and abduct many people.

The LRA has been notorious for wantonly and systematically abducting people, particularly children. These abductions are aimed at accomplishing a number of things. The abducted boys and girls are forcibly recruited into the LRA ranks.¹⁴ But

⁶ United Nations Integrated Regional Information Networks (IRIN), 'Uganda: The 18 year old that refuses to go away', 28 January 2004 at <http://allafrica.com/stories/printable/200401280410.html>.

⁷ Ruddy Doom and Koen Vlassenroot, 'Kony's Message: A New *Koiné*? The Lord's Resistance Army in Northern Uganda', 98 *African Affairs* (1999) at 22.

⁸ The protocol authorizing the operation has been renewed periodically.

⁹ *The Sunday Monitor*, 27 April 2003 at 8.

¹⁰ Human Rights Watch, *Abducted and Abused: Renewed Conflict in Northern Uganda*, Report vol. 15, no. 12 (A), July 2003 at <http://www.hrw.org/reports/2003/uganda0703>.

¹¹ Human Rights Watch, *Uprooted and Forgotten: Impunity and Human rights Abuses in Northern Uganda*, vol. 17, no. 12(A), September 2005 at 13.

¹² Maelcord Baker Ochola II, *Hope in the Storm: experience of ARPI in Conflict Resolution of Northern Uganda Armed Conflict*, paper presented at the Swedish Seminal on Northern Uganda organised by the Mission Church of Uppsala, 15 April 2004 at 1.

¹³ *Ibid.*

¹⁴ According to reports, over 85% of the LRA forces are made up of children. As part of initiation into the rebel movement, abducted children are forced into committing inhuman acts, including ritual killing

the girls are also married to the IRA rank and file. In addition, the IRA uses the children as human shields, porters and labourers. According to estimates, 20,000 children have been abducted since the start of the conflict.¹⁵ These children are forced to fight, kill civilians and abduct other children.

4. Civil Society, Conflict and Track Two Diplomacy

According to Anheier and List, civil society is “the sum of institutions, organisations and individuals located between the family, the state and the market in which, people associate voluntarily to advance common interests.”¹⁶ It is a buffer zone that is strong enough to keep the state in check, thereby preventing it from becoming too powerful and dominant. Together with the state and the market, civil society is one of the spheres that interface in the making of democratic societies.

The end of the Cold War saw an increase in intra-state conflicts, which correspondingly, made civil society organisations (CSOs)¹⁷ to start engaging in the area of conflict prevention, management and resolution (CPMR). CSOs emerged from the 20th Century as key players in the effort to prevent, mitigate and resolve conflicts in Africa.¹⁸ According to Shaw, this resulted largely due to a “regime vacuum” in Africa, whereby national regimes have become less and less effective in peace-building and peace keeping.¹⁹ Consequently, African civil society has taken it upon itself to address violent conflict, and international development donors and agencies have increasingly turned toward CSOs for peace-building.

The importance of CSOs in CPMR was underscored by the Carnegie Commission on Preventing Deadly Conflicts in 1997 when it noted that “NGOs, an institutional expression of civil society, are important to the political health of virtually all countries, and their current and potential contributions to the prevention of deadly conflict, especially mass violence within states, is rapidly becoming one of the hallmarks of post-Cold war era.”²⁰ Intra-state conflicts undermine the states in which they occur, and the conventional international strategies and mechanisms to resolve interstate conflicts i.e. diplomatic efforts for mediation and reconciliation are ineffective.²¹ It has therefore been opined that they “can be handled more readily by unofficial interventions,”²² of CSOs. It has also been observed that:

and mutilations. In order to evade capture, thousands of children have become “night dwellers”, walking large numbers of kilometres to regroup in centres run by non-governmental organizations, on the streets, on shop verandas, on church grounds, and in local factories, heading back to their villages at dawn.

¹⁵ *Supra* note 11 at 22.

¹⁶ Helmut K. Anheier and Regina A. List, *A Dictionary of Civil Society, Philanthropy and the Non-Profit Sector (1st edn.)*, (London: Routledge, 2005) at 54.

¹⁷ Note that I am using ARLPI as an example of a CSO. ARLPI can also be an example of a Faith Based Organisation (FBO); Grass root Organisation (GRO); Community Based Organisation (CBO), all of which fall under the genre of CSOs.

¹⁸ UN Office of the Special Adviser on Africa (OSAA), *Assessing the Role of Civil Society in the Prevention of Armed Conflict in Africa*, November 2004 at 1.

¹⁹ Cited in *ibid.* at 3.

²⁰ Cited in *ibid.* at 3.

²¹ *Ibid.* at 3.

²² Sagaren Naidoo, ‘The Role of Track Two Diplomacy in the Democratic Republic of Congo (DRC),’ 1 *African Journal on Conflict Resolution* (2000) at 89.

CSOs are particularly well suited for conflict prevention as they have deep knowledge of regional and local issues, cultures, and relationships, and an ability to function in adverse circumstances even, or perhaps especially, where governments cannot. Their close proximity to conflict situations ... allows them to respond in a timely manner, which is especially important for conflict resolution.²³

The involvement of the CSOs in the field of CPMR, is what to some, is known as Track Two diplomacy. First used by Joseph Montville in 1981, in his search for a term that encompassed the unofficial efforts made outside governments which brought about diplomatic resolution of conflicts, “track two” or “citizen” diplomacy refers to “private citizens discussing issues that are generally reserved for official (state) negotiations.”²⁴ Track two diplomacy transcends the narrow power-based approaches of traditional diplomacy by replacing the nation state as the primary referent of conflict, with all interest groups. Instead of only having favourable discussions based on strategic interests with just heads of state-a fundamental characteristic of track one missions, track two diplomacy seeks to include all parties to the conflict.²⁵

The concept of track two diplomacy stems from the belief that war can be avoided if contacts between people are initiated to build linkages of friendship and understanding. The contacts result in conflict transformation whereby those engaged in conflict are encouraged to engage in constructive dialogue. The overwhelming view of civil society, has been that the conflict in northern Uganda should be brought to an end through peaceful means-rather dialogue. In this regard, they have been a constant irritant to those who think the military solution should be the only response of the government to the conflict. At every opportunity, they have called on the government to engage in talks with the LRA. Of course sometimes, the opponents of this call have called all the proponents of peace talks with the LRA as Kony apologists. Nevertheless, this charge has not distracted the groups’ call for dialogue.

Since the start of the LRA insurgency, the government of Uganda has always maintained that this is an internal matter, which has to be solved by Uganda.²⁶ the government has strenuously argued that the LRA rebels are fighting the constitutionally elected government of Uganda and hence have to be dealt with under the domestic law. In fact President Museveni calls the LRA “bandits” and “terrorists”. CSOs that work in the conflict area have only been encouraged to provide humanitarian assistance to the internally displaced peoples (IDPs). The government has always discouraged them to make contact with the LRA. However, as the situation in the conflict area has worsened, particularly in regard to the living conditions in the IDPs camps, new calls have been made to end the conflict, even if by peaceful means. The government has bought these calls, albeit reluctantly. In 2004, it set up a negotiating team, comprised of government officials and some elements of the civil society to explore possibilities of talking with the LRA. Whilst the team continues to exist, no meaningful breakthrough with the LRA has been achieved.

5. The Acholi Religious Leaders Peace Initiative (ARLPI)

²³ *Supra* note 18 at 3.

²⁴ *Supra* note 16 at 87.

²⁵ *Ibid.*

²⁶ In accordance with Article 2(7) of the UN Charter.

The Carnegie Commission observed in 1997 that:

religious leaders and institutions are well-suited for promoting peace for a variety of reasons; a clear message that resonates with their followers; a long standing and pervasive presence on the ground; a well developed infrastructure that often includes a sophisticated communications network connecting local, national and international offices; a legitimacy for speaking out on crisis issues; and a traditional orientation to peace and goodwill.²⁷

The ARPLI is an inter-faith collaborative framework of leaders of the Catholic Church, Anglican Church of Uganda, Orthodox Church and Moslems in the districts of Gulu and Kirigum in Northern Uganda. It has been noted that this partnership of religious leaders “pools together moral authority, status and an extensive organisational anchor of churches, parishes and mosques.”²⁸ When the Museveni government came to power in 1986, it viewed religion as one of the factors dividing Ugandans. According to Carlos Rodriguez, a missionary priest working in northern Uganda, “both the Catholic and Anglican Church of Uganda were regarded with some suspicion by NRM leaders whose secular ideology viewed these religious institutions as divisive and as potential opponents.”²⁹ As a result, when the northern conflict started, the leaders of the two churches were branded as rebel collaborators and were thus subjected to harassment and threats.³⁰ Nevertheless, they soldiered on.

During the early years of the war, the religious leaders focused on providing moral and practical support to their parishioners in the conflict zone. Church institutions became centres of support for thousands seeking shelter from violence, and overtime, a greater consensus emerged amongst church leaders on the need to be proactive in bearing witness about the conflict, and engaging directly in peace building.³¹ From the various initiatives of making contact and talking peace with the rebels, a consensus emerged, finally crystallizing in the establishment of the ARLPI, to promote peace and reconciliation in the conflict zone.

The ARLPI was formally inaugurated in February 1998 to proactively pursue peaceful means to resolve the conflict in northern Uganda. It has pursued these efforts through community based mediation services of: advocacy, peaceful resolution through negotiation, community mobilization and awareness creation.³² The main objectives of the ARLPI include to: unite and mobilize the people especially of Acholi region for peace and development; promote peace and advocate for social justice and human rights in the conflict area; to build capacity in conflict analysis and resolution; promote peaceful co-existence and good neighbourliness for different communities in Uganda; and undertake any other activities which may contribute to the creation and promotion of love, harmony, forgiveness, reconciliation, healing and peace.³³

²⁷ Cited in *supra* note 18 at 8.

²⁸ *Ibid.* at 8.

²⁹ Carlos Rodriguez, ‘Acholi Civil Society Initiatives,’ in *ACCORD (Issue 11)-Protracted Conflict, Elusive Peace-Initiatives to End the Violence in Northern Uganda*, Okello Lucima (ed.), (London: Conciliation Resources, 2002) at 58.

³⁰ *Ibid.*

³¹ *Ibid.*

³² *Supra* note 12 at 4.

³³ *Ibid.*

6. Appraising ARLPI work

At its first conference (called Seating Down for Peace Conference), the ARLPI argued that “the insurgency cannot be won by the gun.” It thus called on the LRA and the government to engage in dialogue, the government to amnesty the rebels and the rebels to reconcile with their community through the Acholi traditional practice of *Mato oput* (a ceremony of clan and family-centred reconciliation that incorporates the acknowledgement of wrongdoing, the offering of compensation by the offender and then culminates in the sharing of a symbolic drink).

a) Dialogue

The ARLPI has been instrumental in urging the government of Uganda to initiate talk with the LRA. Many times the group members have been denounced as rebel collaborators and apologists by government functionaries. Nevertheless, the persistent calls have yielded fruit as the President in November 2004, announced a limited unilateral ceasefire in parts of Northern Uganda to allow peace talks to begin.³⁴ Subsequently, he established a Presidential Peace Team (PPT) under the Chairmanship of the Minister of Internal Affairs to begin peace talks with the LRA. The team, which included members of the ARLPI, nearly clinched a peace deal with the rebels at the end of 2004. Their efforts were scuttled when the rebels failed to respond to the government’s draft peace agreement. Nevertheless, the members of the ARLPI have continued their efforts to make contact with the LRA leadership. In early 2005, a number of top LRA commanders came out of the bush including, Chief Spokesman and Peace Negotiator Sam Kolo, and Operations Commander Onen Kamdulu, a surrender partly attributed to the ARLPI efforts.

b) Advocacy

In its advocacy efforts, the ARLPI has persistently called an end to violence, and the dismantling of the IDPs camps. In this regard, it has sought to raise international awareness of the situation by lobbying foreign governments and International Non-Governmental Organisations (INGOs). Its most effective advocacy effort was the passing of the national Amnesty Act in 2000, which grants amnesty from prosecution to all former rebels who wilfully come back. Amnesty, the ARLPI has argued is rooted in the cultural values of the Acholi people and thus compatible with their traditional dispute resolution mechanisms. Rationalising the need for amnesty, one ARLPI member is reported to have posited:

[I] am very proud of amnesty. Some people say you can’t give in to Kony. But when you look at the Acholi people, they believe in *mato oput*, which is a reconciliation ceremony here. In Acholi culture, there is no death sentence, because they know that the death sentence increases violence. They practice that in their culture, so why not this?³⁵

³⁴ The government extended the ceasefire up to 22 February 2005, to give the rebels a chance to assemble in the ceasefire area and wait for the rebel leaders and the government team to sign the Peace Talks Memorandum. The New Vision, 19 February 2005. See story, “Museveni extends LRA ceasefire to February 22.”

³⁵ Refugee Law Project (RLP), *Behind the Violence: Causes, Consequences and the Search for Solutions to the War in Northern Uganda, Working Paper No. 11*, February 2004 at 45.

By mid-2004, over five thousand former LRA rebels had applied for amnesty,³⁶ this notwithstanding the fact that Kony himself reportedly condemned it and threatened abductees and followers with violent reprisals if they tried to accept it.³⁷ The implementation amnesty has however been made difficult by the government declaring the LRA, a terrorist organisation under the Anti-Terrorism Act (2002), thus any person dealing with the group commits a criminal offence. As a result, efforts by the ARLPI to make contact and explain the amnesty provisions to the LRA combatants have been made very difficult.

c) The ARLPI and the International Criminal Court (ICC)

In December 2003, the government of Uganda had referred the situation in northern Uganda to the ICC. Subsequently, in January 2004, it reached an agreement with the Office of Prosecutor of the budding ICC³⁸ to start investigating the activities of the LRA.³⁹ From the outset, the ARLPI has been opposed to the prosecution of the LRA arguing that this will vitiate all attempts to end the conflict peacefully. As an advocate of the amnesty, the ARLPI has opposed the government's continued use of military force as well as the ICC's investigation into the activities of the LRA. According to Bishop McLeod Ochola the Vice-Chairman of the ARLPI, "[the ICC probe] is ... destroy[ing] all efforts for peace. People want this war to stop. If we follow the ICC in branding the LRA criminals, it won't stop."⁴⁰

The Amnesty Commission (AC)-a statutory body set up to implement the Amnesty Act- and politicians from Northern Uganda have concurred with Ochola's arguments. Moses Saku, the AC spokesman has stated that "certainly [the ICC investigation] is going to make it difficult for the LRA to stop doing what they are doing. They have already been branded 'terrorists,' which isn't going to persuade them to come."⁴¹ Justice Peter Onega the head of the AC on the other hand, has said that "if the rebels-who mainly come from the Acholi community-are prosecuted, it would send a wrong signal to the people of the region as they are still campaigning for a blanket amnesty."⁴² To him, "given the history of Uganda ... reconciliation is the best option ... at the moment."⁴³

In order to press their case for amnesty and reconciliation, Acholi leaders including some ARLPI members, have frantically been lobbying the ICC Prosecutor to drop the investigation.⁴⁴ The government on the other hand has been sending mixed signals

³⁶ Tim Allen, *Trial Justice: The International Criminal Court (ICC) and the Lord's Resistance Army (LRA)*, (London: Zed Books, 2006) at 75.

³⁷ *Ibid.* at 74.

³⁸ See International Criminal Court (Hague Netherlands), 'President of Uganda refers situation concerning the Lord's Resistance Army to the ICC', (Press Release), 29 January 2004 at <http://allafrica.com/stories/printable/200402050214.html>.

³⁹ As per Arts. 13(a), and 14(1) ICCSt.

⁴⁰ United Nations Integrated Regional Information Networks (IRIN), 'Uganda: Peace groups and government officials worried about the ICC probe into the LRA', 30 January 2004 at <http://allafrica.com/stories/printable/200401300047.html> (Visited on 5 February 2004).

⁴¹ *The East African*, 16 February 2004.

⁴² *Ibid.*

⁴³ *Ibid.*

⁴⁴ United Nations Integrated Regional Information Networks (UNIRIN), 16 March 2005.

about the ICC investigation and the amnesty.⁴⁵ Whilst some Ministers have argued that Kony and his top commanders must be prosecuted,⁴⁶ President Museveni is reported to have said, “if [Kony] got serious about peace settlement, the government of Uganda would guarantee his safety.”⁴⁷

On 14th October 2005, the Chief Prosecutor of the ICC, Luis Moreno Ocampo unsealed the warrants of arrest for the five leaders of the LRA, which had been issued and sealed by Pre-Trial Chamber II⁴⁸ of the ICC on 8th July 2005. The five were named as: Joseph Kony, Vincent Otti, Okot Odhiambo, Dominic Ongwen⁴⁹ and Raska Lukwiya. The warrants had been sealed, “to ensure the safety or physical or psychological well being of and to prevent the disclosure of the identity or whereabouts of any victims, potential witnesses and their families.”⁵⁰ In issuing the warrants, Pre-Trial Chamber II concluded that “there [were] reasonable grounds to believe [that the five LRA leaders] ordered the commission of crimes within the jurisdiction of the court.”⁵¹

The unsealing of the warrants has elicited a lot of reaction from civil society groups and individuals that have been working to end the conflict peacefully. According to Betty Bigombe, the Chief Peace Negotiator, in issuing the warrants “the [ICC] ... rushed too much [as] ... there is now no hope of getting the LRA commanders to surrender.”⁵² Whilst Archbishop John Baptist Ondama of Gulu and also head of ARLPI, “... [the ICC indictment] directly works against efforts to end [the] war peacefully ...,”⁵³ Justice Onega of AC is of the view that, “the warrants [will] scare away willing rebels and frustrate the Commission’s efforts in negotiating with ex-rebels’ return and advocating their rights against human rights violations by the state.”⁵⁴ After the issuing of the warrants, it appeared all hopes of ending the conflict peacefully had come to an end. However, in May 2006 something extraordinary happened. It was announced that Dr Riek Machar, the Deputy President of Southern Sudan had held talks with Kony on the Sudan-DRC border.

7. Kony-Machar Talks: Hope for Optimism?

⁴⁵ At one time, the government was in favour of a blanket amnesty for all the LRA rebels including Kony. However, after the ICC unsealed its indictment against the LRA leaders, the government started arguing that whilst the ordinary LRA rebels could benefit from amnesty, Kony and his indicted commanders cannot be amnestied. In fact a bill was introduced in parliament seeking to exclude the indicted LRA leaders from benefiting from amnesty. The new Minister of Security, Amama Mbabazi was recently quoted as saying that there cannot be amnesty for Kony. See, ‘No amnesty for Kony, says Mbabazi,’ *The New Vision Online*, 10 June 2006.

⁴⁶ For example, then Minister of State in charge of Northern Uganda, Grace Akello is reported to have said that efforts by the Acholi [groups] to appeal to the ICC to refrain from issuing arrest warrants against LRA leaders were contrary to the government position. See *The Daily Monitor*, 19 March 2005.

⁴⁷ *The Daily Monitor Online*, 19 May 2006. See story, ‘ICC Opposes Museveni Peace Offer to Kony.’

⁴⁸ Pre-Trial Chamber II is constituted by Judge Tuiloma Neroni Slade (Presiding Judge); Judge Mauro Politi; and, Judge Fatoumata Dembele Diarra.

⁴⁹ He was killed by the Uganda army in Amuria, Soroti district on 30th September 2005, days before the warrant against him was unsealed. *The New Vision*, 6 October 2005 at 1-2.

⁵⁰ ICC, ‘Warrants of Arrest unsealed against Five LRA Commanders’, The Hague, 14 October 2005 at <http://www.icc-cpi.int/press/pressreleases/114.html>.

⁵¹ *Ibid.*

⁵² *The East African*, October 17-23, 2005 at 11.

⁵³ *The Sunday Monitor*, 9 October 2005 at 2.

⁵⁴ *The Daily Monitor*, 10 October 2005 at 3.

The Kony-Machar talks took place at Nabanga on the Sudan-DRC border on 2 May 2006 and were brokered by an organisation called Pax Christi Netherlands.⁵⁵ The LRA delegation was composed of its Commander in Chief Joseph Kony, Deputy Commander in Chief Vincent Otti and senior officers William Ochan and Ginaro Papa, among others. According to press reports, the meeting was also attended by several officials from the region.⁵⁶ From the transcript recording of the meeting which has been disseminated locally and internationally, Machar is reported to have informed Kony that the SPLA “is offering to mediate between the Uganda government and the LRA to end the war.”⁵⁷ As a goodwill gesture, he gave the LRA \$ 20,000 to buy food. Kony in reply is reported to have said, “we don’t want to fight ... we want to talk to Museveni but only that Museveni did (*sic*) not want to talk with us.”⁵⁸

Since the record of the meeting was made public, a lot of optimism has been expressed that finally the northern conflict might be coming to an end. Nevertheless, the ICC and the UPDF have not been amused. According to reports, the ICC has been irked by Museveni’s offer of guaranteeing the safety of Kony if he ends the war. The Spokeswoman of the Chief Prosecutor is reported to have averred that the governments in the region are obligated, to effect the arrest of Kony and other indicted LRA commanders.⁵⁹ Apparently, from the transcript of the record of the meeting, Machar is reported to have told the LRA leaders that the SPLA was not seeking to help the ICC to arrest them. Machar is reported to have intimated that “the ICC’s justice is European justice” and that “the South Sudan government is not the police of the world to carry out international arrest warrants.”⁶⁰ This is notwithstanding the fact that the government of national unity of Sudan has pledged to co-operate on the execution of the warrants in a memorandum of understanding with the prosecutor of ICC.⁶¹ The spokesman of the UPDF Major Felix Kulayigye reacted to Kony’s offer of peace talks by observing that:

You can’t trust Kony. He always makes these moves when he is desperate. We hope that this time he means it, but there is no ceasefire and we will continue to hunt him while we wait to see if he does what the President asked of him. He knows that if he stops fighting, he will be spared.⁶²

As at the time of writing, the world is awaiting the LRA’s next move. The International Criminal Police Organisation (INTERPOL) at the request of the ICC, has issued Red Notices for the arrest of the indicted LRA leaders.⁶³ The government of South Sudan meanwhile, has announced that peace talks between the LRA and the Uganda government will start soon in Juba Sudan.⁶⁴ Speaking in Kampala, the new Minister of Security Amama Mbabazi is reported to have said that the Uganda

⁵⁵ *The Weekly Observer Online*, 1 June 2006. See story, ‘More talk than peace in Northern Uganda.’

⁵⁶ *The New Vision Online*, 25 May 2006. See story, ‘Army doubts Kony peace offer.’

⁵⁷ *The Daily Monitor Online*, 25 May 2006. See story, ‘I am not a terrorist, I am a freedom fighter, says Kony.’

⁵⁸ *Ibid.*

⁵⁹ *Supra* note 56.

⁶⁰ See, ‘Rotate venues,’ *The New Vision*, 10 June 2006.

⁶¹ ICG, *A Strategy for Ending Northern Uganda’s Crisis*, African Briefing No. 35, Kampala/Brussels, 11 January 2006 at 9.

⁶² *Supra* note 56.

⁶³ *Supra* note 60; ICC, *Interpol issues first ICC Red Notices*, The Hague, 1 June 2006.

⁶⁴ *The New Vision Online*, 1 June 2006. See story, ‘Kony talks set for Juba.’

government “cannot speak to Kony.”⁶⁵ Clearly this is in dissonance with what President Museveni said in his state of the nation on 8 June 2006. In his address to parliament the President said that he had agreed to the President of South Sudan Salva Kiir’s proposal to renew peace talks with Kony.⁶⁶ Whilst there is cause to be cautiously optimistic, given the history between the LRA and the government, the peace-talks initiative might turn out to be another hollow venture.

8. Conclusion

It is coming to twenty years since the conflict in northern Uganda first broke out. The Civil Society Organizations for Peace in Northern Uganda (CSOPNU), a coalition of about 40 national and international non-governmental organizations from across Uganda, working to support a just and long lasting peace in northern Uganda has estimated that the LRA conflict has cost Uganda’s national economy at least US\$1.3 billion since it started, which is approximately 3% of GDP or US\$100 million annually.⁶⁷ The human cost of the war has also been enormous. A recent comprehensive mortality survey found that 1,000 excess deaths per week occur in the IDPCs as a result of the conflict.⁶⁸

The ARLPI has been consistent in its call for dialogue to end the war in northern Uganda. In this, it has been a strong advocate of amnestying and reintegrating through traditional reconciliation mechanisms former LRA rebels into the community. However, to some, amnesty and reconciliation are recipes for impunity. As it has been observed, “traditional reconciliation approach is the tolerance of impunity. The process [of] accepting perpetrators back into the community after certain rituals ... does not take into account the views of the individual victims who might not want to forgive serious crimes, nor does it require the perpetrators to be punished or to pay compensation to the victims.”⁶⁹

In addition to calling for dialogue and engaging in advocacy, the ARLPI has also undertaken peace education for the local population; peace research, documentation and dissemination; and, training and capacity building for peace. As at the time of writing, a delegation of the LRA has arrived in the South Sudan town of Juba, ready to start peace talks with the government of Uganda under the mediation of the South Sudan government, and representatives from Italy, Norway and Switzerland.⁷⁰ From press reports however, it appears the government of Uganda is yet to name the delegation that will engage in these talks.⁷¹ For all peace loving Ugandans and the whole world, the hope is that this time the LRA and the Uganda government will finally end this debilitating conflict that has robbed so many people of their future.

⁶⁵ See, ‘No amnesty for Kony, says Mbabazi,’ *The New Vision Online*, 10 June 2006.

⁶⁶ See, ‘Government to study case for independents,’ *The New Vision Online*, 10 June 2006.

⁶⁷ Oxfam International, *Press Release*, 10 May 2005. See story, “United Nations must act to bring Peace to northern Uganda.”

⁶⁸ *Supra* note 61 at 4.

⁶⁹ *Supra* note 11 at 56.

⁷⁰ See, ‘Pulkol meets LRA in Juba,’ *The New Vision Online*, 12 June 2006.

⁷¹ The government has been sending mixed signals about the peace talks. Press reports have quoted senior government officials as saying that they will not send a delegation to the southern Sudanese capital of Juba for talks with the LRA. See, ‘Govt Will Not Talk to Kony,’ *The New Vision*, 14 June 2006.

