

## The Lord's Resistance Army and the Responsibility to Protect

### Key Messages

- The Lord's Resistance Army (LRA) has committed crimes against humanity across central Africa for more than two decades posing a grave threat to the lives of hundreds of thousands of people.
- Regional governments, with the assistance of the international community, have a responsibility to protect populations from this threat and to take action to prevent and halt the crimes committed by the LRA
- Recent international efforts to confront the threat posed by the LRA, including African Union and UN Security Council engagement as well as the deployment of military advisors by the United States, are a positive development.
- Engagement must be sustained until the threat is removed. This requires improved efforts to protect civilians, capture senior LRA commanders, and entice low and mid-level fighters to leave the group through disarmament, demobilization, repatriation, resettlement and reintegration programs (DDRRR).

### Introduction

This brief seeks to clarify how the Responsibility to Protect (R2P) applies to the threat posed by the Lord's Resistance Army (LRA) and examines the measures that should be taken by regional governments, the African Union (AU), donor governments and the UN Security Council in order to protect populations under threat.

Since 2008 the LRA, a non-state armed group operating across a wide region of central Africa, has been responsible for the deaths of more than 2,300 people. In the first eight months of 2011 alone the LRA launched an estimated 240 attacks in the Central African Republic (CAR), the Democratic Republic of the Congo (DRC) and South Sudan, killing 130 people and abducting 327 more. The LRA has terrorized communities through these attacks and their brutal tactics, which include the deliberate maiming of civilians and forcing child abductees to kill their families. Hundreds of thousands of people have fled their homes in fear of the LRA, leaving an estimated 440,000 people displaced.

The crimes perpetrated by the LRA rise to the level of crimes against humanity, one of the four crimes United Nations (UN) member states committed themselves to protect populations from when they adopted the Responsibility to Protect in 2005. Since the LRA formed two decades ago, regional governments, with assistance from the UN and its member states, have taken steps aimed at ending the threat posed by the group. However, such steps have been insufficient and populations continue to be at risk with LRA attacks taking place on an almost daily basis.

### Background

Started by Joseph Kony in Northern Uganda in 1987, the LRA lacks any clearly understood political ideology or objectives. Although the group began as part of the Acholi insurgency against the Ugandan government and claimed biblical inspiration, Kony's strategy of abducting children and forcing them to fight for the LRA, along with his practice of cutting off the lips, ears and hands of villagers, ensured that he had little popular support. In the beginning the LRA operated exclusively in Northern Uganda. However, in 1994 it is believed that the government of Sudan began providing the LRA with support and a base for their operations. In exchange the LRA launched attacks in South Sudan aimed at destabilizing the region and weakening the Sudan People's Liberation Army (SPLA), which was engaged in a civil war with the Khartoum government. By 2005 the LRA had expanded into northeastern DRC and then into CAR soon thereafter. No LRA attacks have been reported in Uganda since 2006.

In 2007 the Ugandan government, with the support of the international community, entered into negotiations with the LRA in an attempt to end the group's brutal insurgency. However, Kony never participated in the talks. When representatives of both sides reached a final agreement in April 2008 Kony refused to sign the agreement. Instead his forces began a new round of attacks on civilians in DRC and CAR, abducting hundreds of children to replenish the ranks of the LRA.

As a result of the failure of peace talks, in December 2008 the Ugandan military, with support from the United States as well as the consent of the government of the DRC and the SPLA in South Sudan, launched Operation Lightning Thunder with the aim of capturing LRA commanders and

ending militarily the threat posed by the group. The operation was a failure, with no senior LRA commanders captured. The offensive also sparked a wave of retaliatory LRA attacks resulting in the death of upwards of 850 civilians in the DRC and South Sudan in the weeks that followed. The operation did, however, result in the fracturing and scattering of LRA units throughout a wide swathe of territory across the DRC, CAR and South Sudan. Despite its splintering, the LRA remains capable of posing a serious threat to civilians in the region. Isolated LRA cells continue to perpetrate atrocities even while maintaining only sporadic communication with the group's senior leadership.

### **Applying the Responsibility to Protect**

In committing to uphold R2P the governments of the DRC, CAR and South Sudan accepted the primary responsibility to protect their populations from crimes against humanity, war crimes, genocide and ethnic cleansing. This responsibility includes preventing these crimes before they are perpetrated and halting them should they occur.

In 2005, responding to a referral from the Ugandan government, the International Criminal Court (ICC) issued arrest warrants for Kony and four of his top commanders for crimes against humanity and war crimes. The warrants noted that the LRA "has established a pattern of brutalization of civilians by acts including murder, abduction, sexual enslavement, mutilation, as well as mass burnings of houses and looting of camp settlements; that abducted civilians, including children, are said to have been forcibly recruited as fighters, porters and sex slaves." These crimes continue today.

Protecting populations from the LRA has not been a high priority for the governments of the DRC, CAR and South Sudan, who are already facing multiple security challenges. These three countries must prioritize addressing the threat posed by the LRA. However, it is also clear that they are unable to end the threat without significant international support. Pursuant to R2P, where a government is unable to protect its population, UN member states must take supportive action to prevent and halt atrocities. The UN, AU and governments in the region should pursue a coordinated regional strategy to tackle the problem of the LRA and end the appalling cycle of atrocities once and for all.

### **Ongoing Risk of Mass Atrocities**

The risk of future mass atrocity crimes perpetrated by the LRA is readily apparent. The group has been attacking civilian populations without pause for more than two decades. While the number of LRA members is now greatly reduced, (down to an estimated 150 to 250 fighters) this has not prevented the group from committing an estimated 306 attacks in 2010, almost one a day. The LRA

now operates in small isolated cells that are constantly on the move through the three affected countries, operating in remote regions that lack a significant presence of police or other security personnel.

LRA attacks are committed almost exclusively against unarmed civilians. The LRA's practice of abducting children to replenish the group's ranks and, in the case of young girls, to serve as sex slaves and "wives" for LRA officers, have caused civilians to flee in fear of being attacked. This has created huge numbers of internally displaced persons (IDPs) in regions already experiencing armed conflict. An estimated 440,000 people are currently displaced across central Africa as a result of LRA activity.

There is a great deal of concern that the large numbers of IDPs fleeing LRA attacks can have a destabilizing influence in an insecure region. Additionally, even where civilians remain in their villages, fear of LRA attacks often increases tensions between local communities and national governments. Community defense groups that have sprung up to provide protection to villages vulnerable to attack, known in South Sudan as "arrow boys," increase militarization in the region and there is a risk that these groups may themselves go on to perpetrate abuses against civilians.

### **Regional and International Response**

Since the LRA's inception in the late 1980's the Ugandan government, often with assistance from the United States and other donor states, has focused its efforts on militarily defeating the group. Such attempts have succeeded only in pushing the LRA out of Uganda and into other vulnerable countries. As with Operation Lightning Thunder, military attacks on the LRA have often resulted in retaliatory punitive attacks on innocent civilians. Efforts to apprehend those LRA commanders, including Joseph Kony, for whom ICC arrest warrants have been issued, have been similarly unsuccessful.

While limited steps have been taken to protect civilians by regional governments and UN peacekeeping missions, neither the affected governments nor the international community have allocated sufficient resources to addressing the LRA threat. Only a very small percentage of troops from the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) are stationed in LRA-affected areas and very few troops from the UN Mission in the Republic of South Sudan (UNMISS) are stationed in LRA-affected areas. Similarly, few troops from the relevant national armies have been deployed to protect civilians in such areas. Even where troops are present local communities have raised concerns that they have been insufficiently attentive to the communities' needs, for example by failing to provide patrols to accompany civilians to fields outside the village.

In the past several months there has been a renewed focus on the issue of the LRA by the UN and AU. In June 2011 the AU held a regional meeting on the LRA. The “Ministers of Defense and Security of countries affected by the atrocities of the Lord’s Resistance Army” proposed the creation of a Regional Task Force (RTF) which would provide the “security element” as part of a strategy to address the LRA and would be a “mission authorized by the AU with the support of the international community.” More information on the role expected to be played by this mission is necessary. The group of ministers also proposed to create a Joint Coordination Mechanism (JCM) to “coordinate the efforts of the AU, the countries concerned as well as the support of partners.” Such a mechanism would be particularly welcome as a lack of coordination between the afflicted countries has been one of the biggest obstacles to effectively dealing with the LRA. However, the recent decisions have yet to be implemented and no concrete actions have been taken.

In May 2011 a joint UN technical assessment mission led by the Department of Political Affairs and the Department of Peacekeeping Operations visited Sudan, the DRC, CAR and Uganda. On 21 July the UN Security Council met for the first time since 2009 to consider the issue of the LRA. The Council issued a press statement endorsing the AU’s proposed plan and called upon the UN Office for Central Africa (UNOCA) to “facilitate cooperation between the United Nations and the African Union on issues related to countering the threat posed by the LRA.” The Council showed its intention to stay engaged by requesting that the Secretary General provide “a report assessing the threat posed by the LRA, regional efforts to address that threat and its impact, and United Nations efforts in that context.”

UN and AU attention are positive signs, but for this to translate into effective protection for populations at risk the proposals, reports and rhetoric must lead to action.

#### **Upholding the Responsibility to Protect**

Several measures have been identified as having the potential to prevent and halt atrocities committed by the LRA in the DRC, CAR and South Sudan. These include increased and improved efforts to protect civilians, capture Joseph Kony and other senior commanders, and entice low and mid-level LRA fighters to leave the group through disarmament, demobilization, repatriation, resettlement and reintegration programs (DDRRR).

#### *Protection of Civilians*

Troop deployment to LRA affected areas by MONUSCO and UNMISS, as well as by the national armies of South Sudan, the DRC and CAR should be re-evaluated and potentially increased to ensure that troop strength reflects the grave threat posed by the LRA. The capacity of troops to protect civilians must be improved through a number of measures including: expanding communication with local

communities; increasing flexibility in mandate and protection strategies in order to respond to the specific needs of individual communities; increasing patrols to deter attacks; and improving coordination and information sharing among the various security forces. The JCM proposed by the AU could be extremely useful in facilitating such improved coordination between the various armed forces operating in the area and should be implemented as soon as possible. The UN must also ensure that MONUSCO and UNMISS share information and regularly communicate with one another as well as with the JCM.

It is not possible to have armed forces in all of the remote areas under threat by the LRA. It is therefore necessary to take measures to enhance the self-protection capacities of communities at risk. Expansion of radio and mobile phone communication networks to remote areas could play a significant role in civilian protection efforts. This will allow communities to share early warning information and to request assistance from security forces when necessary. Similarly, road networks and airstrips in remote, threatened areas should be improved so that security forces can quickly move to respond to emergency situations.

In places where there is little or no presence of national armies or peacekeepers, civilian self-defense groups may also be encouraged and supported. These groups can provide a useful source of early warning information. However, as noted above, there are also risks associated with these groups and their creation should not be regarded as justification for the state to abdicate its protection responsibilities.

#### *Apprehending Senior LRA Commanders*

In order to effectively end the threat posed by the LRA, Joseph Kony and other senior LRA commanders must be arrested and prosecuted for their crimes. Military efforts to capture Kony and put an end to the LRA, primarily conducted by the UPDF with assistance from the United States and other donor countries, have been underway for decades. All plans to apprehend Kony must be carried out so as to minimize the threat to civilians.

One of the key challenges to capturing Kony is the inability to pinpoint his location. Thus, information gathering and sharing among security forces in the region is critical. The JCM and UNOCA could play a key role in the sharing of information on LRA movements which could not only assist in protecting civilians, as described above, but could also prove necessary to ending the threat. Better communication with local communities, and with civilian self-defense groups, can improve the quality of information being received. Regional governments must prioritize information gathering about the LRA’s movements and the whereabouts of senior commanders. This requires investing additional resources in improving information-gathering

capacity. Similarly, resources and training must be provided to the UPDF, as well as to the Regional Task Force, if created, to ensure that they are able to respond rapidly to information received.

### ***DDRRR***

One of the best ways to reduce the LRA's ability to commit atrocities against civilians is to shrink the group's ranks by persuading mid-level commanders and rank and file fighters to desert the group. Given the splintering and dispersal of the LRA across a wide range of territory, targeted efforts have a higher likelihood of success than when the LRA was a more cohesive Uganda-based group. Efforts are already underway with MONUSCO and the UPDF working to disseminate leaflets and radio messages urging LRA members to defect. Expanding radio coverage in LRA affected areas may provide an increased ability to share messages about DDRRR programs with LRA fighters.

Despite limited resources, MONUSCO has made progress through their DDRRR efforts in the DRC. Unfortunately, similar programs have not been established in South Sudan and CAR. Efforts need to be intensified and broadened to ensure that consistent messaging is reaching the areas in all three countries where the LRA operates. It is important that an attractive, regional DDRRR program be developed. One possibility would be to expand MONUSCO's mandate and provide them with additional resources to widen their efforts and lead a cross-border program geared towards the needs and concerns of current low and mid-level fighters.

One of the primary fears of LRA combatants that must be addressed is that, should they return to their communities, they may experience retaliatory violence at the hands of those they have victimized. Individuals leaving the LRA should thus be given assistance in resettling in larger cities or other locations outside of the area in which they perpetrated crimes, should that be their preference. Fears of prosecution may also prevent fighters and, in particular, low level commanders, from leaving the group. Amnesty laws in Uganda currently provide that rank and file LRA members, not senior commanders, who leave the group and renounce rebellion will receive amnesty and will not be prosecuted. Clear information about these amnesty laws, must be included in the messaging aimed at LRA cells. Reports suggest that many former combatants leaving the LRA have been forced to join the UPDF. This must not be made a condition of granting amnesty.

Additionally, the process of assisting former abductees, especially children, to leave the group and return to their families must be streamlined and improved. Communication and coordination between the various

domestic and international forces is key so that individuals rescued in a country other than their own can be easily transported back to their homes. Additionally, these abductees have valuable information about the LRA's movements and tactics that should be obtained and utilized by the relevant security forces. However, any questioning of traumatized child victims must be done sensitively and with their rights and interests protected.

### **Conclusion**

Since its inception the LRA has caused thousands of deaths, abducted more than 25,000 children, and caused the displacement of two million people. Over the past twenty years the response to this regional menace has been woefully inadequate. Recent attention to the issue by the AU and UN, along with the US decision to deploy 100 special forces to the region in order to serve as military advisors, are positive developments but more must be done. UN member states should uphold their responsibility to protect and provide support to the governments of affected states in order to put an end to the commission of atrocities by the LRA once and for all.