



# SECURITY COUNCIL REPORT UPDATE REPORT



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## UGANDA

### Expected Council Action

The Council expects a briefing from the Ugandan Ministers of Foreign Affairs and Defence on Wednesday 19 April, and another briefing from Under Secretary-General for Humanitarian Affairs Jan Egeland on Thursday 20 April. A Secretariat briefing specifically on the Lord's Resistance Army (LRA) is expected in the coming days.

Immediate Council action is unlikely, however, because the Council also expects recommendations from the Secretary-General on irregular armed groups and civilian protection in the Great Lakes region, particularly the LRA. This was due by 24 April, but there are indications that it will be delayed. A report on foreign armed groups in the Democratic Republic of the Congo (DRC) per resolution 1649 is also expected in the coming weeks.

In addition to this much enhanced focus in the Council on Northern Uganda, behind the scenes work has progressed quickly on a proposed Joint Monitoring Committee (JMC) on Northern Uganda, to be set up by Kampala with input from the Core Group countries and others. In the light of those developments, pressure for putting Uganda as such on the Council's agenda seems likely to ease, but the focus on the LRA will continue, and perhaps possibly increase leading to renewed discussions among members on the kinds of measures the Council could adopt on the LRA issue.

### Options

Should the progress with the JMC not prove substantive, the option of taking up Northern Uganda formally in the Council's agenda will continue to be in the minds of some Council members. Meanwhile, their concerns may be met through ongoing Secretariat briefings on the humanitarian situation including the work of the JMC.

Other options include:

- Explicitly mandating the UN Mission in Sudan (UNMIS) to engage the LRA, as well as the UN Mission in the Congo (MONUC) and UNMIS to cooperate with national contingents to execute the ICC arrest warrants. This option is likely to face concerns within DPKO about overstressing both missions and the costs of increasing their mandate. However, resolution 1663 urged UNMIS to "make full use of its current mandate and capabilities" vis-à-vis the LRA;
- Appointing a Panel of Experts on the LRA and supporting the appointment of a Special Envoy. Uganda has recently shown support for a regional Envoy, rather than a country-specific one.

## Key Facts

The conflict in Northern Uganda has attracted renewed interest in the Council, largely due to pressure from civil society and UN member states outside the Council such as Canada. The trend is also a result of the recognition, which has grown steadily especially since the Council's Great Lakes meeting in January, of the LRA threat to the region, strengthened with the killing of eight MONUC peacekeepers by the LRA in January.

Uganda has experienced multiple rebellions associated with the struggle between northern and southern groups. The beginning of southern control in 1986 marked the emergence of northern armed resistance, particularly from the Acholi people.

The LRA under Joseph Kony became the effective focus of the armed resistance from about 1987. Tactics include abducting children to serve as fighters and sex slaves, looting and terrorising the civilian population to discredit the government. The movement's lack of coherent political objectives has meant that the conflict became self-perpetuating and peace initiatives have found it difficult to engage the LRA in an effective way.

The conflict imposed a very heavy toll on the civilian population. Their situation has also been affected by government policy of relocating a very large proportion of the population in Northern Uganda into IDP camps, and the use of local militias to fight the LRA.

Under Secretary-General Egeland briefed the Council in December 2005, urging members to address the situation. He also outlined a number of options, including the appointment of a Panel of Experts on the LRA.

Concern in the international community has focussed on two distinct dimensions:

- The LRA threat to regional security, particularly against the civilian population and to those providing humanitarian assistance in the DRC, Sudan and Northern Uganda, and to ongoing peace processes in the region; and
- The serious humanitarian problems in Northern Uganda itself.

The LRA issue has as a result attracted growing media attention and political support for Council action. Uganda has been keen to support international involvement in the LRA aspect, to the point of being at times highly critical of MONUC and Kinshasa's inability to contain the LRA presence in the DRC.

This issue was discussed during a Council debate on the Great Lakes in January, and, as a result, resolution 1653 was adopted requesting recommendations from the Secretary-General on support to regional governments, including how UN missions can assist with the protection of civilians.

Resolution 1663 subsequently specified that the report should contain recommendations on the LRA and be due by 24 April. While the report is still being drafted, observers note that there is no support within the Secretariat for a direct MONUC or UNMIS role against the LRA, given limited resources and the existing commitments of both missions with the peace processes in Sudan and the DRC.

By contrast, however, Kampala resists Council involvement in the second dimension -- the humanitarian situation. It opposes the appointment of a Special Envoy to Northern Uganda, arguing that the issue is purely internal.

Instead, the representative of Uganda, at the Great Lakes debate, signalled support for the

establishment of a mechanism to monitor the humanitarian situation and the return of IDPs, perhaps as an alternative to the issue being put on the Council's agenda.

A number of meetings on the JMC concept took place in Geneva on 20 March and in Kampala on 30 March. They involved Under Secretary-General Egeland, the Core Group (comprised of the US, the UK, Norway and the Netherlands), Canada, South Africa, civil society and the Ugandan government. From those meetings, a draft six-month action plan emerged and is expected to be adopted in the coming weeks.

The plan identifies key areas for intervention, proposed action and focal points in the Ugandan government. The key areas include peacebuilding/reconciliation, protection of civilians and IDP returns. The JMC would comprise the government, the Core Group, South Africa, the World Bank, the UN Humanitarian Coordinator and two representatives of civil society, and it would be tasked to identify, discuss and monitor key issues, provide advice to the government, establish benchmarks and mobilise resources for the implementation of the action plan.

### **Key Issues**

The key issue before the Council is how to address the conflict. Progress with the JMC means that the issue of explicitly including Northern Uganda in the Council's agenda has receded. By contrast, the LRA dimensions of the situation remain very active indeed.

It seems that pressure to put Northern Uganda on the agenda still remains, but will depend very much on the effectiveness of the proposed JMC mechanism and the practical implementation of the World Summit Outcome and Council resolutions on children and civilians in armed conflict.

Another issue is the role of UNMIS and MONUC vis-à-vis the LRA, as well as the enforcement of arrest warrants issued by the International Criminal Court (ICC) against top LRA commanders.

### **Council Dynamics**

There is no division inside the Council on the need to deal with the LRA issue, but the question is how. Council members are particularly concerned with the regional nature of the threat posed by the LRA, particularly to the peace processes both in Sudan and in the DRC, as well as in Uganda, though there is no clear support for MONUC engaging in forcible disarmament.

But the second dimension, i.e. the humanitarian situation, has caused controversy. The inclusion of Northern Uganda in the Council's agenda on those grounds has the sympathy of some Council members, particularly Western ones.

Within the Core Group, the Council and the Secretariat, there is a degree of appreciation for Kampala's efforts to offer a new initiative. But there is awareness that the action plan may not be sufficiently robust and may not work, and that it remains to be seen just how committed to solving the conflict and its root causes Kampala will be. Observers note that, given the benchmark-oriented nature of the six-month action plan, room for pressure is still kept on Kampala, with the related possibility that the discussions on putting the issue on the agenda resurface in the future.

But direct Council involvement on those grounds has faced reluctance from other Council members, China in particular. Those members argue that the issue is purely internal. But LRA activity in Sudan and the DRC, coupled with the lack of improvement in the humanitarian situation and the increasing awareness of the interconnected nature of the issues, have tended to undermine that position.

Common ground seems to have been found in agreeing to increase cooperation with Uganda via the JMC. The requests for recommendations from the Secretary-General keep the wider issues alive.

It seems likely therefore that the Council will focus on the regional aspect of the situation, leaving humanitarian/civilian protection issues to the JMC initiative for the time being.

### **Underlying Problems**

The LRA presence in the DRC prompted Ugandan threats of intervention in late 2005. The crisis was defused by talks within the Tripartite Plus One Commission as well as action by MONUC and Congolese armed forces. The Commission later asked that MONUC engaged in forcibly disarming irregulars. Other Ugandan rebels, such as the Allied Democratic Forces/National Army for the Liberation of Uganda (ADF/NALU), are also in the DRC.

According to observers, the LRA's survival has to a great extent depended on Khartoum. This is perceived to be in retaliation for President Museveni's past links to southern Sudanese rebels. But Khartoum's support has become increasingly difficult with the Sudanese peace process, the deployment of UNMIS in 2005 and the military cooperation between Sudan and Uganda. Observers nonetheless argue that Khartoum still supports the LRA.

Recent LRA activity consists of reprisals for (i) operations by Ugandan armed forces; (ii) the referral of the LRA issue to the ICC in 2004; and (iii) fears of arrest and scepticism against disarmament and reintegration. The ICC issued arrest warrants against the top LRA leadership in July 2005. The unsealing of those warrants in October prompted fresh LRA attacks, but efforts are under way to increase awareness about existing amnesty and reintegration programmes for rank-and-file fighters.

Several failed peace attempts were undertaken over the years, including a US initiative in 2004. More recently, mediation attempts have been carried out under Betty Bigombe, but observers note that the process has recently fallen through for lack of funds and support, as well as difficulties of negotiating with the LRA leadership while supporting the execution of ICC arrest warrants, and the fact that there are indications that Kampala strongly believes that a military solution is still viable.

### **UN Documents**

#### **Selected Security Council Resolutions**

- S/RES/1663 (24 March 2006) specified that the 1653 report should include recommendations on dealing with the LRA and be issued by 24 April.
- S/RES/1653 (27 January 2006) requested the Secretary-General's report on UN mission's assistance with civilian protection.
- S/RES/1590 (24 March 2005) established UNMIS.
- S/RES/1565 (1 October 2004) authorised MONUC to use force against peace spoilers in the DRC.
- S/RES/1539 (22 April 2004) and 1265 (17 September 2005) express willingness to take measures to protect children and civilians in armed conflict.

#### **Selected Meeting Records**

- S/PV.5359 (27 January 2006) details the Ugandan offer.
- S/PV.5331 (19 December 2005) contains Egeland's briefing.

#### **Selected General Assembly Documents**

- A/RES/60/1 (24 October 2005) is the World Summit Outcome.

#### **Selected Reports of Council Missions**

- S/2005/716 (14 November 2005)

#### **Selected Letters**

- S/2006/29 (19 January 2006) contains Kampala's position on the situation in Northern Uganda.
- S/2006/13 (9 January 2006) is the Canadian response to Uganda.
- S/2005/785 (13 December 2005) is the Ugandan letter criticising attempts to bring the issue to the Council.
- S/2005/667 (25 October 2005) contains the Tripartite Plus One Joint Commission's recommendations to the Council.

### **Historical Background**

*February 2006* President Museveni won a new term in national elections.

*27 January 2006* The Council held a meeting on the Great Lakes and requested the 1653 report.

*23 January 2006* UN peacekeepers were killed in combat with the LRA.

*December 2005* Egeland briefed the Council.

*November 2005* Vincent Otti was reported to be willing to restart peace talks and cooperate with the ICC.

*October 2005* The ICC unsealed LRA arrest warrants. LRA increased attacks in Sudan and Northern Uganda. The DRC and Uganda discussed the LRA issue during a Tripartite Plus One Joint Commission meeting to defuse tensions. Khartoum authorised Ugandan military incursions, but Kinshasa refused.

*September 2005* LRA entered the DRC. Museveni threatened to intervene. Congolese forces acted to disarm LRA fighters.

*July 2005* The ICC issued arrest warrants for LRA leaders.

*December 2003* Museveni referred the LRA to the ICC.

*1987* The LRA insurgency began.

*1986* Museveni took power in Uganda.

### **Useful Additional Sources**

Apuuli, Kasaija Phillip, "Amnesty and International Law: The case of the Lord's Resistance Army insurgents in Northern Uganda", *African Journal on Conflict Resolution*, vol. 5, no. 2 (2005), pp. 33-62.

Crisis Group, "A Strategy for Ending Northern Uganda's Crisis", *Africa Briefing*, no. 35 (11 January 2006)

Ruadel, Héloïse and Timpson, Andrew, "Northern Uganda: from forgotten war to unforgivable crisis – the war against children", *Institute for Security Studies Situation Report* (12 December 2005).