



SECURITY COUNCIL REPORT UPDATE REPORT



9 November 2007 No. 2

UGANDA/LRA

Expected Council Action

Joaquim Chissano, Special Envoy of the Secretary-General for the Lord's Resistance Army (LRA)-affected areas, will brief the Council on Tuesday, 13 November. The briefing, which is being held at Chissano's initiative, is expected to focus on recent developments in the peace talks between the Ugandan government and the LRA. Chissano will likely urge the Council to maintain its commitment to his efforts and the peace talks more generally.

The Council may adopt a presidential statement affirming its continued support for Chissano's efforts.

Key Recent Developments

In January, the LRA ceased participating in peace talks in Juba in southern Sudan, citing attacks by Ugandan armed forces and a statement by Sudanese President Omar al-Bashir that he would "get rid of the LRA from Sudan."

In mid-March, the LRA agreed to reengage in peace talks, so long as their security concerns were met. This followed a meeting on 11 March between the Ugandan government and LRA leader Joseph Kony. Addressing a key rebel demand, it was agreed that mediators from other African countries—including Kenya, Mozambique, Tanzania and South Africa—would be brought in to help facilitate peace negotiations.

On 22 March, Chissano (who had been appointed by the Secretary-General in November 2006) briefed the Council on the status of the talks. Following his briefing, the Council adopted a presidential statement (S/PRST/2007/6) in which it:

- stressed support for a negotiated settlement to the conflict;
- reiterated that those responsible for violations of human rights and international law be brought to justice;
- welcomed the engagement of the Special Envoy in the peace talks;
- urged the LRA to release all women, children and other non-combatants;
- welcomed the 11 March meeting between the LRA and the Ugandan government in northeast DRC that led to a renewal of the talks; and
- called for renewal of the cessation of hostilities agreement which was originally signed in August 2006 and expired in February 2007.

Peace talks made halting progress over the following six months, but appear to have gained more momentum in recent weeks.

While a new ceasefire agreement was signed in mid-April, the LRA leadership continued to argue that the International Criminal Court (ICC) indictments against Kony and other rebel leaders should be lifted as a precondition for the peace process to move forward.

In late June, the LRA and the Ugandan government agreed to a deal on justice and accountability issues that called for addressing war crimes through local legal procedures, including through national courts and a traditional justice mechanism known as *Mato-Oput*, comprising mostly truth-telling and compensation. The Ugandan government maintained that it would be appropriate to address the issue of ICC warrants after the accused had been tried through indigenous legal processes. LRA commander Vincent Otti maintained that a final peace agreement could only be signed once the ICC indictments had been lifted.

In early November, an LRA delegation made a trip to Kampala to meet with Ugandan government officials. In their first return to Kampala since the start of their rebellion over twenty years ago, the rebels revealed that they might be flexible regarding their position on lifting of ICC indictments.

On 7 November, media reports indicated that Vincent Otti, who had not been heard from in weeks, might have been assassinated in a power struggle with Kony. Other reports on 9 November suggested that Otti was still alive, but had been detained by the LRA following a dispute with Kony.

At time of writing, it appeared that internal consultations were ongoing within each of the parties (the LRA and the Ugandan government) on principles of accountability aspects of the overall peace talks. Additionally, LRA officials had begun consulting with communities in northern Uganda to gauge their opinions on whether indicted LRA leaders should face ICC prosecution or be tried within the framework of local justice procedures.

Underlying Problems

Underlying problems include the following.

- It is still unclear how justice and accountability issues, including the ICC indictments, will be handled before a final peace agreement is signed.
- There is a need to address disarmament, demobilisation and reintegration of LRA soldiers.
- Internally displaced persons continue to live in very difficult conditions throughout camps in northern Uganda. Addressing their humanitarian needs, facilitating their return home, and in the long-term, supporting economic development in their communities remain critical concerns.

Key Issue

A key issue is whether it is timely for the Council to reassert a firm commitment to the peace talks. The efforts of Chissano, the government of south Sudan, and mediating countries have helped to sustain the process. But a related issue is whether increased support of the UN and the rest of the international community is now necessary not only for making progress toward a comprehensive agreement, but also in signalling a willingness to address the wider economic and social issues.

Council Dynamics

Council members have supported the peace process and Chissano's efforts. There seems to be consensus on avoiding impunity for the horrific crimes committed by the LRA. Some Council members may be inclined to include in a statement a renewed push for implementation of ICC warrants against LRA leaders. Others seem to prefer a more general call for justice and accountability, as in the November 2006 (S/PRST/2006/45) and March 2007 (S/PRST/2007/6) presidential statements on this matter without discussing specifics.

UN Documents

Selected Security Council Resolutions
<ul style="list-style-type: none">• S/RES/1663 (24 March 2006) and 1653 (27 January 2006) requested a report on the LRA.
Selected Security Council Presidential Statements
<ul style="list-style-type: none">• S/PRST/2007/6 (22 March 2007) welcomed the efforts of Special Envoy Joaquim Chissano and emphasised support for a negotiated settlement to the conflict.• S/PRST/2006/45 (16 November 2006) welcomed the efforts to solve the conflict in northern Uganda and indicated the Council's intention to monitor developments closely.
Selected Meeting Records
<ul style="list-style-type: none">• S/PV.5415 (19 April 2006) was a briefing by the Ugandan government on the LRA.
Selected Secretary-General's Report
<ul style="list-style-type: none">• S/2006/478 (29 June 2006) was the LRA report.
Other
<ul style="list-style-type: none">• S/2006/930 (1 December 2006) was a Secretary-General's letter informing the Council of Chissano's appointment and mandate.• S/2006/861 (3 November 2006) and 944 (6 December 2006) contained the Cessation of Hostilities Agreement and its addendum.

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