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PAMBAZUKA NEWS

Uganda: U.S. Legislation Authorises Military Action Against the LRA

BY SAMAR AL-BULUSHI, 25 MARCH 2010

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ANALYSIS

Despite harsh condemnation from US legislators in response to Uganda's draft bill criminalising homosexuality, the Senate passed a bill in mid-March that will prop up Uganda's government by authorising military action in the highly volatile region of Central Africa.

Introduced last May, the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act aims to 'support stabilisation and lasting peace' in Northern Uganda - the site of conflict between the Ugandan government and the rebel group Lords Resistance Army (LRA) since 1986. The bill calls for an assessment of options through which the United States, working with regional governments, 'could help develop and support multilateral efforts to eliminate the threat posed by the Lord's Resistance Army'.^[1]

While the bill allocates funding towards humanitarian aid and post-conflict justice and reconciliation processes, the primary focus in Congress is on a military strategy to 'apprehend or otherwise remove' LRA leaders. And despite the bill's requirement that the government of Uganda commit to 'transparent and accountable' reconstruction efforts, it makes no similar demands of a military operation, thereby giving a green light to extrajudicial executions. With recent reports of US military drones flying over Mogadishu to help the transitional government in Somalia to track the Shabaab resistance, we can expect a similar 'multilateral' approach to eliminating the LRA.

The bill emerged in response to aggressive calls, not from the Ugandan people, but from a handful of US-based organisations. Much like the Save Darfur Coalition has done with Sudan, groups like the Enough Project, Invisible Children, and Resolve Uganda have developed an influential voice in Washington that speaks on behalf of Africans thousands of miles away, calling for the US to facilitate 'peace' in conflict zones through military intervention.

The emergence of these organisations roughly coincided with the little-noticed birth of AFRICOM, the US military command for Africa. Announcing the creation of the command in February 2007, President Bush stated that AFRICOM 'will enhance our efforts to help bring peace and security to the people of Africa and promote our common goals of development, health, education, democracy and economic growth in Africa.'^[2] While Africans have expressed grave concern over the political and economic interests behind a US military presence on the continent^[3], the US advocacy groups campaigning to end conflict in Africa have been among AFRICOM's most ardent supporters.

In a statement released just before Obama took office, Resolve Uganda and the Enough Project made an explicit call for a military operation to eliminate the LRA: 'The United States military has strong ties to the Ugandan military and has assets based nearby at the U.S. military base in Djibouti. The incoming Obama administration should provide greater intelligence and logistical support and should consider direct support to, and collaboration with, Ugandan forces on the ground in direct action against the LRA.'^[4] In response to their advocacy efforts, Senator Russ Feingold stated in March 2009 that the effort to stop the LRA is 'exactly the kind of thing in which AFRICOM should be engaged.'^[5]

Yet, in an effort to appeal to a wide audience, the bill's supporters are deliberately vague about how exactly 'peace' will come about. Visitors to Invisible Children's website can give US\$5 to 'rescue the child soldiers' and can sign a petition calling on President Obama to lead an 'international effort' to arrest LRA leader, Joseph Kony, and implement the LRA bill. No information is provided on the content of the bill, nor is any reference made to military action.

Resolve Uganda says that US policymakers should develop a 'comprehensive strategy for working with international partners' to 'permanently end the LRA insurgency'. One has to dig much deeper on their website to find reference of a military operation. On the third page of a memo to civil society partners, it states: 'The bill makes it clear that the Obama Administration should consider supporting viable military actions to protect civilians from LRA violence and prevent rebel leaders from carrying out further attacks... for any strategy to end LRA atrocities to be deemed "viable" as required by the bill, Obama Administration officials will have to explore alternative options beyond supporting offensives led by weak regional militaries.'^[6] Enter AFRICOM with its 'assets' in Djibouti to lead an offensive with US-trained Ugandan special forces.^[7]

On its website, the Enough Project references the arrest warrants issued by the International Criminal Court (ICC) for the top LRA leaders, but the bill makes no mention of the ICC and none of the groups have explicitly called for the warrants to be executed. And yet the ICC's prosecutor, Luis Moreno Ocampo (along with the Ugandan minister of defence), attended and addressed participants in a lobby day organised by Resolve, Enough, and Invisible Children in June 2009 to raise support for the bill.

Why would the head of an ostensibly independent legal body participate in a political event dedicated to passing legislation that makes no commitment to upholding his arrest warrants and that leaves the door open to extrajudicial assassinations? For all its talk of the rule of law, the US government has never exactly been a friend of the



A woman who fled a previous attack (file photo): The Lord's Resistance Army reportedly killed hundreds of civilians during a four-day rampage in eastern DRC. (Photo Courtesy Richard Pitsova/IRIN)

ICC. Under the Bush Administration, the US aggressively sought out bilateral immunity agreements with governments worldwide to ensure that Americans would not be subject to the court's jurisdiction (and threatened aid cuts to those who did not comply). Uganda and the Democratic Republic of Congo (DRC) signed reciprocal immunity agreements with the US in 2003, thereby guaranteeing that the US would similarly shield Ugandan and Congolese citizens from accountability under international law. In light of the failure of any of these governments to hold members of their own armed forces responsible for gross human rights violations, there is an equally small chance of accountability under domestic law. The bill's supporters fail to mention any of this.

The groups are also misleading about the level of support for the bill. Resolve Uganda refers to a coalition of organisations that includes groups in the Democratic Republic of Congo, Sudan, and Uganda.[8] This 'coalition' is composed primarily of American and Southern Sudanese organisations; it includes just two Ugandan and one Congolese group (most Congolese are wary of any Ugandan-led operation because of the Ugandan Army's history of violence and exploitation in eastern Congo[9]).

In the US, a number of groups with greater historical ties to the region raised alarm bells about the bill's military component. In June 2009, the Africa Faith and Justice Network (AFJN) submitted a petition to Congress against military involvement. It stated that 'allowing AFRICOM to assist in an attack against the LRA is a recipe for disaster', citing 'a strong outcry from many religious groups and communities in northern Uganda, including several AFJN members' who are against a military operation.[10] In response to these concerns, minor changes were made to the bill, such as a stipulation that military action would only be pursued 'if there continue to be no viable efforts to achieve a genuine negotiated solution.'[11] But without further clarification on who determines what constitutes 'viable efforts' or a 'genuine' solution, it appears that the US government will retain the authority to pursue a military strategy. An AFJN staff member, has in fact, privately confirmed that the focus of discussions in Congress remains a military operation.[12]

Outside of Resolve Uganda's website, where their names are listed, none of the African groups are vocalising any continued support for the bill. In Acholiland, the heart of the conflict in northern Uganda, where the ethnic Acholi people have suffered attacks from both the LRA and the government's army, the Acholi Religious Leaders Peace Initiative expressed strong concerns about the military component of the bill and called for a peaceful resolution to the conflict. 'We applaud the commitment of the bill [in the US Congress] to bring about stability and development in the region', said the leaders in June 2009. 'However, we as the Acholi religious leaders whose primary concern is the preservation of human life, advocate for dialogue and other non-violent strategies to be employed so that long term sustainable peace may be realised.'

James Otto of Human Rights Focus, a local NGO based in northern Uganda, says that lobbying by groups like Resolve is helping prop up a government that has long favoured a military solution. Emphasising his organisation's long-standing insistence on dialogue, he also expressed concern about the children who were forcibly abducted by the LRA getting caught in the crossfire of a military operation. 'I don't know what kind of charity organization would support violence,' he said. Referring to the funding in the bill allocated towards humanitarian and justice efforts, Otto said that no amount of money could replace the lives lost in a military offensive.

Ugandan opposition to a military solution stems from their experience of numerous counter-insurgency efforts that have not only failed to bring peace, but have led to the displacement and death of thousands of civilians. In 1996 the Ugandan army rounded up and forcibly relocated civilians in the north into what it called 'protected camps', claiming that this approach would make it easier to shield them from LRA attacks.

In 2002 the government launched a counter-insurgency attack dubbed 'Operation Iron Fist', which failed to crush the LRA. In the process, the government again ordered civilians to move to the camps, threatening military action against those who did not comply. By June 2003, it was estimated that over one million civilians were in internally displaced camps. Over-congestion, malnutrition and lack of water made these camps literal death traps - at the height of the crisis in 2005, Uganda's Ministry of Health reported that up to 1,000 people were dying per week from preventable diseases.[13] Human rights groups have documented accounts of Uganda People's Defense Forces' (UPDF) involvement in rape and murder of civilians found outside the camps.[14] Between the forced displacement, UPDF abuses and failure to protect civilians from LRA attacks, some have accused the Ugandan government of a calculated attempt to destroy the Acholi people.[15]

Following the breakdown of peace talks in late 2008, the National Security Council authorised AFRICOM to support a military operation (one of the first publicly-acknowledged AFRICOM operations) against the LRA, which was believed to be in the Congo at the time. AFRICOM provided training and US\$1 million in financial support for 'Operation Lightning Thunder' - a joint endeavour of the Ugandan, Congolese and South Sudan forces in Congolese territory launched in December 2008 to 'eliminate the threat posed by the Lord's Resistance Army (LRA)'. According to the United Nations, the offensive 'never consulted with partners on the ground on the requirements of civilian protection.'[16] Stretching over a three-month period, it failed in its mission and the LRA scattered and retaliated against the Congolese population; over 1,000 people were killed and up to 200,000 displaced.[17]

Despite the severe civilian casualties and the Ugandan government's poor human rights record, Resolve Uganda, the Enough Project and Invisible Children have since been lobbying Congress for a renewed military operation to help the Ugandan government 'finish the job.'[18] 'Given the close U.S. relationship with key actors in 'Operation Lightning Thunder'-in particular Ugandan President Yoweri Museveni and Southern Sudanese President Salva Kiir--the United States is uniquely placed to support better targeted military efforts', wrote Enough and Resolve Uganda in a joint policy brief in January 2009.[19]

Beyond the rhetoric, what do we actually know about what this kind of military operation would entail? The latest reports indicate that the LRA is scattered across eastern DRC, the Central African Republic and southern and western Sudan. As the LRA operates in small groups moving between each of these countries, the potential for a protracted military campaign affecting thousands of civilians is high. In January 2009, the Canadian-based Heritage Oil Corporation announced what could be the largest onshore oil discovery in Sub-Saharan Africa on the Uganda/Congo border - the terrain where the proposed military operation would occur.[20] Disputes have already surfaced between the two governments at the border, and are likely to escalate with a heavier military presence to track the LRA.

And while the US lobby groups characterise LRA leader, Joseph Kony, as the spoiler who refused to sign a final peace deal, they fail to acknowledge that the Ugandan government itself has not yet signed the agreement. President Museveni has consistently thwarted peace efforts (1985, 1994, 2003) when he sensed that they did not serve his interests, which centre primarily on maintaining power. He has used his close ties to Washington to build and maintain a favourable image, hiring the DC lobby firm The Whitaker Group (TWG) to do his bidding. Between November 2006 and June 2007, Museveni paid the firm US\$75,000 to publicise the government's commitment to peace.[21] Jendayi E. Frazer, former US Assistant Secretary of State for African Affairs under Bush, now works for TWG under a US\$1 million contract with the Ugandan Ministry of Finance.[22] In an August 2009 Wall Street Journal editorial entitled 'Four Ways to Help Africa', she called on President Obama to 'galvanize U.S. efforts to end the militia violence of Rwandan and Ugandan rebel groups still operating in the Congo.'[23] As a paid consultant for the Ugandan government, Ms Frazer is clearly suggesting Museveni's preference for a military solution.

Indeed, the protracted conflict with the LRA has not only helped the Ugandan government justify exorbitant defence spending levels, but has also created a constituency within the military that benefits from its continuation.[24] The 'global war on terror' provided a convenient basis to expand military spending. After 9/11 President Bush designated the LRA as a terrorist organisation and Museveni followed suit with his own draconian anti-terrorism law in 2002. In 2003 the US awarded Uganda US\$200 million to beef up its counter-terror work[25] and the defence department has since trained the Ugandan military for counter-terrorism operations.[26] This level of support has enabled Museveni to crack down on opposition in the name of fighting terror, with the president labelling those who question the government's policies and actions as 'LRA collaborators'.

As American military adventures in Iraq and Afghanistan should remind us, neither peace nor justice can be brought about through force. The LRA is a symptom of deeper national problems that are best addressed by Ugandans themselves, and that - without the diversion of renewed conflict - are likely to gain more attention in the lead up to the 2011 presidential elections in Uganda. While the US advocacy groups might have us believe otherwise, Ugandans are not helpless victims awaiting rescue. They are actively mobilising for change on a vast array of issues, from LGBT rights to corruption, electoral reform, political representation, land, poverty, HIV/AIDS and violence. Many of them point to the ways in which the country's anti-homosexuality bill - the product of external ideological influences - has focused attention on questions of morality and diverted energy away from broader questions of civil liberties and representation.[27] Propping up a militaristic regime risks not only exacerbating the conflict, but also deflecting attention away from crucial discussions and demands for internal reform.

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NOTES:

- [1] See 'Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009.'
- [2] The White House Office of the Press secretary, 'President Bush Creates a Department of Defense Unified Combatant Command for Africa', 6 February 2007.
- [3] See 'African Voices on AFRICOM'.
- [4] Resolve Uganda and Enough Project, 'No Excuses: The End of the Lord's Resistance Army is in Sight', Policy Brief, January 16, 2009.
- [5] See the Congressional Record.
- [6] See democracyinaction.org
- [7] See Human Rights Watch report on US training of Ugandan forces.
- [8] Resolve Uganda website, '32 Groups Applaud Introduction of Landmark Legislation to Protect Civilians from LRA'.
- [9] See, for example, United Nations, 'Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo', 12 April 2001. In 2005, the International Court of Justice (ICJ) found that Uganda was liable for massive human rights abuse in Eastern Congo. Although the ICJ instructed the Ugandan government to provide the Democratic Republic of Congo US\$10 billion in compensation, it has yet to comply.
- [10] Africa Faith and Justice Network website.
- [11] Resolve Uganda
- [12] Phone interview 17 February 2010.
- [13] See Republic of Uganda Ministry of Health, 'Health and mortality survey among internally displaced persons in Gulu, Kitgum and Pader districts, northern Uganda'.
- [14] See for example, Human Rights Focus (HURIFO), 'Hidden War, Forgotten People: War in Acholiland and its Ramifications for Peace and Security in Uganda,' October 2003. See also Human Rights Watch, 'Abducted and Abused' July 2003.
- [15] Ibid, p.152. See also Olara Otunnu, 'The Secret Genocide', Foreign Policy, July/August 2006.
- [16] [url=See East]http://www.theeastafrican.co.ke/news/-/2558/835156/-/px0jepz/-/East African[url].
- [17] See Ronald Atkinson, 'Revisiting Operation Lightning Thunder', The Independent, 9 June 2009.
- [18] See 'Finishing the Fight against the LRA,' Enough Strategy Paper, May 12, 2009.
- [19] See [url=See Resolve]http://www.resolveuganda.org/janurary2009policybrief[/url]Resolve Uganda[url].
- [20] Times Online
- [21] See 'Country Paid Over \$75,000 for a 'Good Image' Letter to U.S. Congress' All Africa, February 2008.
- [22] Africa News Online.
- [23] See Samuel Olara, 'Blood Money: Jendayi Frazer's Apologia for Dictators', Black Star News; and zimbio.com .
- [24] See HURIFO, 'Hidden War, Forgotten People,' p.8
- [25] New Vision, Monday, 7 July 2003.
- [26] See Kevin J Kelley, 'Uganda: Big U.S. Military Exercise for Northern Region', East African, 12 October 2009.
- [27] See Solome Nakaweesi-Kimbugwe and Frank Mugisha, 'Bahati's bill: A convenient distraction for Uganda's government', Pambazuka News, 16 October 2009.

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