



2008

JUSTICE & RECONCILIATION PROJECT

Annual Report | Gulu District NGO Forum

Foreword

Over the past year, the Justice and Reconciliation Project (JRP) has been grateful for the opportunity to work with a number individuals affected by the war in northern Uganda, including people living in internally-displaced persons camps, youth, women and ex-combatants. JRP would like to express its appreciation to those dedicated individuals who have pursued their own stake in justice by persevering through the Juba Peace Talks, in particular the dilemma of accountability and reconciliation, not forgetting the continued persistence by war affected communities in their efforts to employ local coping mechanisms to promote peace, harmony and social coexistence.

We wish to thank all the women, men, youth, and especially the former child soldiers and combatants who took time to participate in consultations and in-depth interviews, sharing their experiences, their strategies for coping with day to day life and their perspectives on realizing local level justice in the aftermath of the conflict in northern Uganda.

We would also like to thank all of the team and staff at Gulu District NGO Forum and its member organisations for their meticulous work with JRP in various capacities and the Liu Institute for Global Issues for continued assistance in research.

Much appreciation goes to various institutions and individuals who supported and made our work possible, particularly our generous donors in 2008, The Royal Embassy of the Netherlands and GuluWalk.

Dr. Erin Baines, Research Director.

Mr. Michael Otim, Gulu District NGO Forum Coordinator.

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Photo of cultural dancers in Padibe, by Andrea McKinlay

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The Justice & Reconciliation Project

The Justice and Reconciliation Project works with marginalized and war-affected communities to strengthen locally-owned approaches to the reintegration of ex-combatants, justice and reconciliation in northern Uganda. It conducts innovative action-oriented research with war affected youth and their communities in an effort to strengthen locally owned approaches and to improve policy and programme responses at local and national levels.

To date, JRP has highlighted how local mechanisms such as truth-telling and ‘traditional’ ceremonies and rituals for conflict resolution are employed and adapted by war affected communities to address war crimes and assist people in coping with the devastating impact of twenty years of conflict.

Through consultations and dialogues, JRP engages communities and other stakeholders in assessing how these local processes might become part of a proposed national transitional justice strategy.

The need for a locally relevant approach was acknowledged in the Agreement on Accountability and Reconciliation and its annexure signed by the parties to the Juba peace talks on 29th June 2007, in which it was required that the parties would undertake wide consultations on the most appropriate mechanism for its implementation. JRP applauds this reflection of the concerns of victims and engagement of civil society and other stakeholders on the key principles of accountability and reconciliation.

Research

With or Without Peace: Disarmament Demobilisation and Reintegration in northern Uganda

In collaboration with Quaker Peace and Social Witness (QPSW), JRP worked with ex-Lord's Resistance Army (LRA) fighters to critically analyze the process of disarmament, demobilisation and reintegration (DDR) in northern Uganda. In-depth discussions revealed several important insights into the challenges currently faced by returning combatants and how a peaceful and successful DDR process could be carried out.

LRA rebels do not undergo a uniform 'bush' experience. Before laying down their arms and returning to civilian life, these individuals occupy differing roles and ranks, yet Amnesty certificates fail to differentiate between a senior commander and a ten-year-old boy, kidnapped and forcefully indoctrinated.

Young mothers return to their communities with children born of rape, often only to be rejected by their families and receive inadequate or culturally-inappropriate counselling. Of the individuals with whom we spoke, many acknowledged the need for more nuanced and complex official reintegration strategies.

Respondents frequently complained of the injustices meted out by proponents of the 'culture of forgiveness,' citing government-sponsored preferential treatment given to demobilized senior commanders in contrast to the stigma

and poverty faced by returning child mothers, foot soldiers, and other formerly-abducted persons. Our informants emphasized their willingness and special ability to assist in the confidence-building and reintegration of ex-combatants. They expressed universal discouragement with the public tones of animosity struck by the negotiating parties in Juba. Nearly all respondents implied that true peace cannot be achieved without nation-wide reconciliation.

In the unfortunate case that warfare resumes in northern Uganda, some former LRA combatants stated that they will have little choice but to re-join the ranks of the LRA in order to avoid being killed by the rebels. These actions would be taken purely as strategies for self-preservation, and not out of allegiance to the LRA. Over the next year, JRP will work with ex-combatants exploring some of these challenges and bringing them to the attention of important stakeholders. The project will organise advocacy workshops with civil society involving victims and policy makers on DDR themes.

Photo: LRA mid level commanders receive amnesty packages, photo by JRP



*Sharing the Burden of the Past:
Peer support and self help among former LRA army youth.*

Photos: peer support group in Padibe practice a drama on demobilization and reintegration by Lara Rosenoff.



During the course of our work with formerly abducted persons or former LRA, we became aware of a significant web of relationships developing among these people after their return from captivity. Following in-depth discussions with ex-combatants now living in the communities, several ex-combatants expressed an interest in the ongoing debates on accountability and reconciliation and a desire to assess the role they could and did play in the process of grass-roots level reintegration and reconciliation.

Peer support groups range in size from 8 members to 250. Some groups were made up exclusively of former LRA while others opted to admit other war-affected youth. Former LRA peer groups positively affect:

- economic reintegration, including provision of livelihoods and microfinance
- social inclusion and re-integration
- community reconciliation
- psychosocial support
- cultural education and re-connection



The informal self-help groups we investigated are achieving these successes despite having access to almost no resources. Many groups are confronting enormous challenges, including a lack of access to material support and connection to wider social organizations and assistance. Support to this nascent group of civil society could be delivered to build confidence in the self-help models developed and in the leadership they demonstrate. Networking, certain types of training and small material inputs in kind would help maximise their effectiveness.

Complicating victims and perpetrators: Reflections on Dominic Ongwen

The Lord's Resistance Army (LRA) is infamous for the mass abduction of over 30,000 children and youth. Children abducted by the LRA are brutally initiated to prevent escape and encourage obedience. Common indoctrination practices include forcing children to commit horrendous crimes against civilians including rape, mutilation and murder. Because they are underage and because they are forced, they are not responsible for their actions. However, modest estimations suggest that up to 80 percent of LRA were once abducted children. Some have risen through the ranks over the course of the twenty year history of the war to assume high level command positions.

This report examines the case of Dominic Ongwen who was abducted around the age of ten years old on his way to school. Since that time, he has risen from the position of houseboy to join the ranks of the inner circle of the LRA. He is, by most eyewitness accounts, a vicious killer. Yet even those who accuse him of such also claim that Ongwen has acted this way simply to survive; that once inside the LRA, children and adults have few choices but to follow orders. The report puts Ongwen's case as a vexing justice concern: he is, at once, a victim and a perpetrator.

What justice is appropriate for Ongwen and for his victims? These are questions Ugandans must begin to address, for Ongwen is not the first former child soldier turned rebel commander. While his fate may be sealed by ICC arrest warrants, elders today actively discuss the alternative forms of justice that might be appropriate for LRA commanders. Neither explicitly rejoins the question of someone like Ongwen.

Drawing upon in-depth interviews with over 50 persons who knew Ongwen this report attempts to provide some contextual insight into the LRA and Ongwen's life in the spirit of generating debate about the future of justice and peace in Uganda. His case raises an important set of questions about how international and local actors confront atrocities committed by child soldiers who have since grown from the bush, the answers to which will reverberate in the wider pursuit of peace and justice in Uganda.

Photo: Dominic Ongwen in Garamba, 2008, by JRP.



Massacre in Mucwini

Documenting, life histories, case studies and important events in the history of the conflict provide crucial feedback to actors wishing to pursue justice and accountability for war victims, while the victims themselves wish to know what happened and why it happened to them. JRP believes that these aims are best achieved by allowing victims to recount their own experiences, adding their own voice to the historical record of these atrocities.

This report set about recalling the massacre of 24th July 2002 based on eyewitness testimony and records kept by local officials following the massacre of 56 people. Several victims of the massacre were consulted through in-depth focus group and individual interviews. Each incident recalled by the victims was mapped to trace the patterns of abuse and develop a complete story of the massacre.



It then considers the breadth of insights the events following the massacre contain for those striving for peace, development and justice in the region, with recommendations. This report looked into a contested claim of retaliation and revenge involving the LRA following a prolonged land dispute among two clans. This led to increased tensions between the clans, particularly around land claims and begs closer analysis by peace builders as similar tensions elsewhere are likely to arise.

The massacre and the events that followed offer three important lessons for transitional justice. First, it illustrates how the local victim population copes with the aftermath of gross atrocity and lack of any form of accountability and formal acknowledgement from perpetrators. Secondly, it suggests the need to revisit the potential role of traditional justice mechanisms to resolve local conflicts. Finally, it highlights how the war has exacerbated underlying tensions around land ownership.

JRP views this as a unique opportunity to explore the possibilities of applying traditional justice in the current transitional justice arena. In the coming year, the project will continue to document crucial events that could inform various levels of discussions on justice and accountability. As acknowledged in the Juba agreements, acknowledgement of harm done is a foundation for long-term peace. JRP insists that genuine acknowledgement cannot be done without the voices of the victims.

Photo: Grieving parents of three sons murdered in massacre, by Lara Rosenoff.

CAPACITY BUILDING

JRP recognises that all those involved in transitional justice face complex and daunting challenges. While recognizing that each conflict is unique and requires its own specific tools and responses, JRP believes that experience sharing and exposure can serve as key resources for contemporary interventions. Access to information, lessons learned and expertise on how similar challenges have been addressed elsewhere in the world can stimulate new thinking, encourage networking and information sharing, and generate fresh approaches to seemingly intractable situations. It is against this backdrop that the research team participates in and organises workshops, seminars and conferences for the purposes of increasing their own capacities to engage in Transitional Justice and its attendant requirements through information exchange, research, skills sharing and long term learning. We are very grateful to the invaluable contribution of our partners in making these events possible. From May 2008 to Dec 2008, JRP engaged in the following programmes:

'Integrating gender and Traditional justice', Gulu Town, 5th Mar 2008 organized by Conciliation Resources.

'Gender Justice'; Gulu Town, 14th March 2008, organised by The Association of Uganda Women Lawyers-FIDA

'Alumni network leadership summit' New York from 24th – 26th June 2008, organized by ICTJ.

'Training on reparations'; Gulu, 7th-8th July, 2008 organized by United Nations Office of the High Commissioner for Human Rights in collaboration with Uganda Human Rights Commission , attended by JRP research officer.

"African Cultural Traditions in Transitional Justice', Johannesburg, South Africa, 11th – 13th August 2008 panel discussion organised by Institute for Justice and Reconciliation (IJR).

Transitional Justice and Development in Africa, Capetown, South Africa, Sep 15th – 19th 2008, organised by International Center for Transitional Justice (ICTJ) and JICA

Reflective workshop on Accountability and Reconciliation, Agenda Item III: The role of religious and traditional leaders in northern Uganda – Gulu, 10th to 12th September 2008 organised by Acholi Religious Leaders Peace Initiative (ARLPI), Ker Kal Kwaro Acholi (KKA) and Gulu District NGO Forum.

Transitional Justice in Africa fellowship Programme, Capetown, South Africa from 6th October to 15th November, organized by the Institute for Justice and Reconciliation (IJR) and attended by Research Officer Owor Lino Ogora.

Transitional Justice Fellowship programme, Capetown, South Africa between October and November 2008, organised by ICTJ and attended by Project Coordinator Otim Michael.

Sustainable peace in northern Uganda: The role of faith based organisations, Gulu town 30th Oct 2008 organised by Joint Christian Council and World Council of churches Acholi Inn-Gulu.

Exchange visit programme, Freetown, Sierra Leone, from Oct 26 to 1st Nov, organised by the Justice and Peace Council (GANAL), of the Catholic Archdiocese of Gulu in partnership with Conciliation Resources (CR) –London.

Local Impact

Empowering Communities

Conducting research with communities living under the extreme stresses of congestion, poverty and disease is challenging work. Various creative analytical tools need to be employed with a sense of respect for victims' dignity and acknowledgment of their prolonged suffering. JRP operates under the principle of 'never do harm' to the communities with which it is involved. It is on this basis that a team of six focal persons and several community volunteers are deployed in refugee camps to live side by side with the communities, identifying their justice and reconciliation concerns while working with them in dialogues and focus group discussions to identify justice needs, make referrals to relevant stakeholders and engage local leaders.



The project provides communities with the tools to do their own reflective research and documentation. These tools are used by community members to document daily traditional coping mechanisms to better understand local transitional justice mechanisms.

In 2008, JRP organized four workshops at the grassroots level. The first training in January in Gulu town brought together community focal persons and volunteers at Crete mini conference centre for one week to share community research techniques and advance action oriented research methods to be employed over the course of the year. Follow-up workshops were conducted in Pajule in April, Kitgum Matidi in May and in Gulu town in September.

Community Dialogues and Debates

Over the year, community project focal persons conducted several discussions at the community level. Through open dialogues with the population in internally displaced people's camps, victims are able to express their views and inform existing policies on matters that affect them. Together with local leaders, community members are able to share their own knowledge and experiences on local level transitional justice mechanisms. Results of the dialogues are analyzed by JRP researchers and shared with justice stakeholders during seminars and meetings. The following themes were discussed across different locations in Acholi land:

- February, Reconciliation, healing and memory – Padibe, Kitgum
- February, Formerly abducted persons as victims and/or perpetrators – Padibe, Kitgum
- January, Challenges of reconciliation, healing and memory – Amuru, Gulu
- May, Significance of local mechanisms in Grassroots Reconciliation – Padibe, Kitgum
- June, Responsibility for atrocities committed during the conflict – Padibe, Kitgum
- September, Ways of peacefully resolving post conflict challenges of return – Padibe, Kitgum
- September, Challenges of return – Pajule, Pader
- August, Compensation in northern Uganda's conflict – Anaka, Gulu
- December, How can memorials lead to healing and reconciliation in northern Uganda? – Anaka, Gulu

Case Studies and Individual Support

Patrick was abducted at the age of 15.

"While in the bush, I was beaten with the machete. They forced me to carry heavy loads. They also forced me to kill people and commanded that if I refused to obey, they would also kill me. I did all this against my will."

Patrick was alone after his escape, and isolated in the community. His only living relative, his father, died while he was in captivity. Then one day a member of the Justice and Reconciliation Project approached Patrick and encouraged him to join one of their cultural groups.

"When I joined the JRP cultural group, I was taken to their office and counseled. Today, I feel like a great weight has been lifted off me. I no longer have any fear that I had in the past."

"Through JRP, I have been able to contribute to my community. We stage songs, drama and dances and I have been able to communicate through them messages of justice and reconciliation."



Working and living with the communities on a day by day basis, JRP, through the community focal persons and volunteers, has been in a position to identify and document crucial case studies. The community focal persons have been able to document day-to-day conflicts and how they have been resolved using local reconciliation mechanisms. Several case studies involving ex-combatants have been compiled across Acholiland and brought to the attention of relevant stakeholders. These case studies also serve as a testimony to the capacity of war-affected communities to cope with the challenges of return, reintegration, justice and reconciliation at the local level. Over the coming year, the project seeks to advance some of the recommendations that arise out of the case studies to inform discussions on a broader transitional justice strategy. Often this work has a direct impact on individuals, as the story of Patrick illustrates above.

Photo: Community Based documentation of an Acholi ritual to promote healing, Padibe, by JRP.

Policy Impact

Following the conclusion of the Final Peace Agreement (FPA) in Juba between the Lord's Resistance Army (LRA) and the Government of Uganda (GoU) LRA leader Joseph Kony was supposed to sign the final agreement on 10th April 2008. However, he did not sign as expected and instead sought clarification on the protocol of accountability and reconciliation as well as the disarmament, demobilization and re-integration agreements. In particular, the LRA leader Joseph Kony wanted to know more about the Acholi traditional justice system of "Mato Oput", its linkage to the proposed special division of the High Court and other formal institutions in the agreements.



and reconciliation': Clarifying the procedural steps required for implementation of accountability and reconciliation agreements, May 6th and 7th 2008, Juba, Southern Sudan.

The peace talks recognized that traditional justice should play an important role in the aftermath of the conflict. Despite this agreement in principle, it should be noted that the mechanics of the use of these traditional practices must be further clarified and, above all, concerns about the capacities of the traditional structures responsible for implementing them remain.

Since the peace talks began in 2006 in Juba, there has been a transition from war to peace creating an environment conducive to the beginning of the return of internally-displaced persons to their ancestral homelands. This development, while positive, has lead to the emergence of new tensions that will need to be addressed, especially around land, unresolved past grievances, and a lack of acknowledgment of wrong doing by perpetrators. As a result, JRP has dedicated the coming years of its research and advocacy efforts towards, reconciliation, healing and memory to address some of these concerns on the ground.

Photo: Rwo David Onen Acana II speaks with General Joseph Kony, Garamba, photo by JRP.

It was on the basis of this that His Highness Rwo David Onen Acana II, the Acholi Cultural leader with the assistance of the Justice and Reconciliation Project (JRP) was tasked with leading a consultative process that would bring together like-minded actors to deliberate in an attempt to address the LRA leaders' concerns. Two workshops were organized by JRP, reports are found on the project website:

'A meeting of cultural and religious leaders in northern Uganda': Developing a framework upon which traditional justice can be applied, April 18th 2008, Juba, Southern Sudan.

'Workshop on accountability

ADVOCACY AND NETWORKING

As a response to the growing demands on transitional justice, and the increasing pressure on civil society to engage in discourses on transitional justice, JRP together with Refugee Law Project (RLP) with the technical support of ICTJ founded a transitional working group for northern Uganda.

The Northern Ugandan Transitional Justice Working group is a civil society led network established to coordinate and advocate for Transitional Justice (TJ) strategies and interventions responsive to the needs of communities affected by the northern Ugandan conflict.

The working group's mandate is to promote TJ mechanisms that strengthen peace; lead to improvements in the areas of human rights, the rule of law and democratic practices; contribute to individual healing; foster reconciliation at the societal level; and deter human rights abuses and violence, both in Uganda and in other countries.

Over the coming year, the network will work positively with other Transitional Justice actors including the Government of Uganda Justice Law and Order Sector (JLOS), traditional and religious institutions and grassroots community initiatives.

MEDIA IMPACT

LRA's Massacre in Mucwini asks Hard Land Questions. Lino Owor Ogora and Erin K. Baines. The Sunday Monitor, Part I and II, 7th and 14th December, 2008.

The Making of a Monster. Stephahnie Nolen and Erin Baines, The Globe and Mail, October 25 2008.

Africa's Unjust Deserts. Stephanie Nolen. The Globe and Mail. 14 June 2008.

Former LRA Fighters to Rejoin Rebels. Jimmy Kwo. The Daily Monitor, 28 May 2008.

Rebel army resumes campaign of abducting child fighters in Africa. Stephanie Nolen. The Globe and Mail. 25 April 2008.

More than peace needed in north - report. Evelyn Lirri, The Monitor, 4 February 2008

Joseph Kony's Killing Fields in Northern Uganda. Frank Nyakairu, The Monitor, 20 January 2008



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