

## Pursuing Justice for Women and Children in Northern Uganda

Initiatives to end violence often focus on ‘silencing the gun’ and bringing home largely male combatants. As a result, girls and women who were captured, raped, and forced into marriage and childbearing by armed groups remain largely unacknowledged and ignored. In this statement, we focus on the unique justice and reconciliation issues facing young mothers and their children in northern Uganda who have returned from captivity. We offer specific recommendations to ensure their holistic well-being and successful reintegration into society.

It is estimated that over 60,000 people have been abducted by the Lord’s Resistance Army (LRA).<sup>1</sup> A significant proportion of those abducted are female, with more than half actively participating in the rebellion as combatants, forced wives and porters. Yet, the extent of their involuntary involvement in the conflict is typically dismissed or underestimated when they are simply branded as ‘wives’ of LRA commanders or ‘sex slaves.’ This misconception can have detrimental implications on reintegration upon their return.

In design and implementation, Demobilization, Disarmament and Reintegration (DDR) programmes often ignore the specific needs of returned girls and women. In northern Uganda, as with other post-conflict situations, women’s marginalization in DDR is compounded by the social and cultural stigmatization inflicted on the young mothers by their communities.

The Justice and Reconciliation Project (JRP), host to the Life History Project (LHP), has conducted in-depth research with young mothers and their children for a period of more than two years. The project employs iterative methods—including storytelling/*wang-oo*,<sup>2</sup> life, body and place mapping, drama and photography—to better understand justice and reconciliation needs of these returned women and their children.

This ‘Observation from the Field’ explores the unique challenges facing these women and provides directed, constructive recommendations for transitional justice mechanisms to better address their needs.

### CHALLENGES UPON RETURN

**Stigma:** *‘It has been written on our backs. We are called rebels, killers, wives of murderers.’*<sup>3</sup> Once returned from the bush, young mothers and their children are often judged as perpetrators and ‘bush-wives,’ and stigmatized in ways that distances them from their own communities. Some have been accused of having *cen*<sup>4</sup> and mental problems. They report that this sense of judgment has negative effects on their well-being.

**Economic insecurity and access to land:** Historically, young women are economically marginalised in African societies, and it is worse for those who experienced

abduction. As a result, formerly-abducted women suffer cultural exclusion and are often not permitted to inherit property or land. In Acholi society, fertile land offers an invaluable livelihood, and women denied land are often incapable of providing food or income for their children or themselves. Some are even denied access to their own parents’ land and have nowhere to re-settle as communities return home from internally displaced persons (IDP) camps.

This marginalization can lead to exploitative new relationships with men, increasing vulnerability. By custom, it is the responsibility of a father’s clan to ensure that education and economic and social needs of children are met. Traditionally, land is likewise patrilineal. Without any support or recognition from the paternal clan towards their children, women who bore children in captivity fear for the future. *‘I want to be shown the piece of land to return to with my children.’*<sup>5</sup>

**Identity of children born in captivity:** Children need to have a sense of belonging, and in Acholi society a child’s spiritual and material well-being is the responsibility of the paternal clan. Yet, for some children who were born in captivity, their mothers do not know the identity of the child’s paternal clan. Even for those who do know, they are often reluctant to reunite with the child’s paternal clan because of the linkage to the ‘husband’ from the bush. As one mother remarked, *‘I hate to see him [the child’s father] because he reminds me of what I went through.’*<sup>6</sup> This lack of belonging to a paternal clan can have a significant psychological impact on children born in captivity and their mothers.

**Lack of accountability and acknowledgement:** Some women see their former male captives and tormentors on a daily basis because they have both returned to the same communities. Oftentimes, the men have never apologized for past abuses. This lack of acknowledgement of wrongdoing is extremely painful in the present. Some women reported that they feel like they re-live their bush experiences when they see their former commanders who fail to acknowledge past abuses.

**Amnesty:** Some formerly-abducted women who were granted amnesty by the Government of Uganda (GoU) claim that they were not fully explained its meaning. Only later did they understand that the certificate represents a

1. Pham, Phuong, Vinck, Patrick, & Stover, Eric. (2007). *Abducted: The Lord’s Resistance Army and Forced Conscription in Northern Uganda*. UC Berkeley: Human Rights Center.  
2. An Acholi tradition where extended families would gather in the evening around a central fireplace to hear stories and proverbs from elders.  
3. Statement by a formerly-abducted mother in northern Uganda.  
4. Ghostly vengeance hastened by ill treatment of the dying or dead; involves the entrance of an angry spirit into the physical body of a person or persons and requires appeasement, often through a sacrifice or compensation/reconciliation in the case of wrongful death.  
5-6. Statements by formerly-abducted mothers in northern Uganda.

pardon or forgiveness by the GoU. Some women argue that this is in itself an injustice because the Government should have protected them and prevented the atrocities done to them. Furthermore, they feel that the LRA commanders who received 'blanket amnesties' appear to enjoy better material support from the GoU than they [the women] do as victims. As reported by a young mother, 'Those who abducted us, raped us, forced us to give birth to children are the ones who have abandoned their children, yet they are being supported by government as we struggle to bring up the children.'<sup>7</sup>

## RATIONALE FOR JUSTICE FOR WOMEN AND CHILDREN

Although the Juba Peace Talks outlined a broad agenda on accountability and reconciliation and focused on assisting former combatants under DDR, little is being done in designing a justice framework that caters for the special needs of returned young mothers and their children in northern Uganda. To compound this, there is very little space available for these women to talk about experiences from their own perspectives and provide their input on future transitional justice mechanisms.

We argue that, while there is relative peace, this is the moment to consider the profound inequalities and injustices facing these women in Uganda. Often stigmatised by their own communities, they struggle to earn a living to support themselves and their children in the face of continued silence. In light of this, we feel that any future transitional justice processes should consider the specific justice and reconciliation concerns of returned women.

## RECOMMENDATIONS

In order for justice for these women and their children to be pursued, we ask for immediate attention by the following actors: the GoU, including the War Crimes Division (WCD) and the Justice, Law and Order Sector (JLOS); the international community, including the International Criminal Court (ICC) and the United Nations (UN); civil society organisations (CSOs) and human rights groups; cultural institutions; the communities in which these women and their children live; and the general public at large.

In particular, these issues should be considered when designing a transitional justice framework for Uganda:

- 1. Courts, both domestic and international, should re-evaluate definitions of crimes committed against women and expand definitions of sexual violence to explicitly include forced marriage and forced pregnancy.**

In particular, the WCD should acknowledge forced pregnancy and forced marriage as crimes committed by both the LRA and UPDF and indict accordingly. The ICC should review outstanding indictments for top LRA commanders and consider including the abovementioned crimes in the warrants.

- 2. Any judicial procedure should encourage victim participation, while ensuring protection and sensitivity to the unique needs of returned women and their children.**

In order for justice to be delivered, these women must have a voice in any judicial procedures. However, the courts must be designed to ensure safety and sensitivity for the traumatic experiences undergone by women, in particular crimes involving sexual violence.

- 3. When requested by the mothers, ex-LRA commanders should be encouraged to provide for their children.**

After returning from the bush, it is often the mothers who bear sole responsibility for children born in captivity. This has grave social and economic implications that could be alleviated if the men were encouraged to take equal responsibility for the children.

*[Note: Some women prefer to not have any contact with the ex-commanders and do not wish for them to have any connection to their children upon return.]*

- 4. The GoU, in conjunction with international actors, should establish a special reparations fund for women who survived abduction.**

This fund could be used to meet the educational needs of children born in captivity and to provide for economic empowerment of the women through income generating activities and other programmes.

- 5. Non-judicial systems, such as the cultural institutions, must be strengthened.**

For instance, the Acholi cultural institution Ker Kwaro Acholi (KKA) should be strengthened and supported so they can best address the needs of communities in Acholiland. If supported, the young mothers believe that KKA could assist them in tracing the identity of their children and facilitating truth-telling and reconciliation between communities and returnees.

*'The cultural institution should assist us in finding the clans of our children so that there are no incidences of incest in the future.'*<sup>8</sup>

- 6. At the local level, leaders and CSOs must reinforce the importance of not stigmatizing these women and their children.**

Many organisations did commendable work in sensitizing local communities against stigma. However, communities still need to be encouraged and reminded to accept these women and their children into society.

- 7. The LRA, GoU, community leaders and the international community should offer an official apology to women, men and children who were abducted.**

In one way or another, all of these actors are responsible for the atrocities committed against these women because they failed to protect and prevent them. A tremendous amount of healing could be achieved if international and domestic actors were to publicly acknowledge their shortcomings and apologize for being unable, and arguably at times unwilling, to prevent the atrocities.

7. Statement by a formerly-abducted mother in northern Uganda.

8. Statement by a formerly-abducted mother in a discussion about children born in captivity.