

Voices

Sharing victim-centered views on
justice and reconciliation in Uganda

A publication of
Justice and
Reconciliation
Project
Issue 2, September 2012

Story-telling, Gender Justice and Reparations

What reparation really
means for women at the
grass-roots level

Special Feature

*“Everything
changed in an
instant.”*

An extra-ordinary story of
despair, survival and hope

Opinion

*Do ad hoc repara-
tions set a good
example?*

An analysis of Uganda's
past reparative initiatives

FEATURE

Reparations and the road to reconciliation

The language victims of conflict are speaking

Voices

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Contents

Special Features

- Reparations and the Law** An introduction to the concept of reparation, its forms and its role in Uganda **6**
- No One Responded To My Plea** A mother whose plea for help has gone unanswered tells her story to LINO OWOR OGORA **8**
- When Killers Are Rewarded** Veronica Eyotaru narrates her experience during the infamous Ombaci Massacre to JRP's OLIVE EDERU **12**
- Wars** A poem composed by members of the WOMEN'S ADVOCACY NETWORK **14**
- Ododo Wa** NANCY APIYO explores the views gathered from women during storytelling sessions **15**
- Reparations Through the Lens of Children** SYLVIA OPINIA examines the importance of youth centred reparative programmes **22**
- The Road to Reconciliation and the Reparation of War Victims** ISAAC OKWIR ODIYA reports on the challenges to community reconciliation identified through JRP's Community Theatre Project **25**
- Remembering the Mukura Massacre of 1989** ORYEM NYEKO **29**
- The Day Everything Changed** Sam Buti recounts to LINO OWOR OGORA the day that lead to his quest for reparations **34**

Voices: Sharing victim-centered views on justice and reconciliation in Uganda

A publication of the Justice and Reconciliation Project (JRP)

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The Justice and Reconciliation Project (JRP) has played a key role in transitional justice (TJ) in Uganda since 2005 through seeking to understand and explain the interests, needs, concerns and views of communities affected by conflict. JRP promotes locally-sensitive and sustainable peace in Africa's Great Lakes region by focusing on the active involvement of grassroots communities in local-level transitional justice.

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Opinion

- 19 What the ICC Decision on Reparations Means for Gender Justice OLIVE EDERU
- 28 Reparations, Not Handouts SYLVIA OPINIA
- 32 Land as a Post-War Social Asset EVELYNN ANGEYO
- 33 An Unlikely Friendship: The Impact of Sharing ORYEM NYEKO
- 32 My Acholi Lesson MICHAEL ROBINSON

News and Updates

- 4 Letter from the Programme Coordinator BONIFACE OJOK
- 5 Editorial ORYEM NYEKO
- 10 Gender Justice Activities KASIVA MULLI
- 11 WAN Launch in Pictures
- 21 Community Mobilisation Upcoming Events SYLVIA OPINIA
- 24 The Right to Know Campaign PAMELA ALAROKER
- 27 Goats for Reconciliation SYLVIA OPINIA
- 35 New and Upcoming Publications LINO OWOR OGORA

Letter from the PC

BONIFACE OIOK



Dear Readers

WELCOME to the second edition of *Voices Magazine*. The aim of this magazine is to serve as an avenue for the victims we at the Justice and Reconciliation Project often engage with to narrate the diverse forms of experiences they underwent during the conflict. It is also an opportunity to communicate to those who need to pay attention and take action on their ordeals. In this edition, the focus is on reparation for victims of conflict.

The government of Uganda through the Justice Law and Order Sector (JLOS) has taken significant steps to ensure that transitional justice concerns affecting the country are brought to the attention of government through the Transitional Justice Working Group. Of recent, under the International Crimes Division of the High Court (ICD), particular attention has been paid to how to hold perpetrators accountable for their actions. However, as much as such efforts are vital, less attention has been paid to the Uganda Government's efforts by way of reparations for the victims.

Clearly, both prosecutorial and the reparative efforts can be considered elements of justice, but the latter has not received sufficient systematic attention apart from the often sporadic political gestures and empty promises made to victims of conflict, such as those at Barlonyo, Mukura, and most recently Atiak, following political campaigns and political speeches.

“Reparations occupy a special place in the move towards sustainable peace and development, especially in restoring the eroded confidence in government.”

It is worth emphasizing that from the standpoint of victims, reparations occupy a special place in the move towards sustainable peace and development, especially in restoring the eroded confidence in government due to failures prior to and during the Northern Uganda conflict.

As you will read in this edition, for some victims reparations could offer the most tangible manifestation of the efforts of the state to remedy the harms they have suffered. Criminal justice, even if it were completely successful both in terms of the number of perpe-

trators accused (far from being the case in any transition) and in terms of results (which are always affected by the availability of evidence, and by the persistent weaknesses of judicial systems, among other factors) is, in the end, a struggle against perpetrators rather than an effort on behalf of victims (see Pablo De Greiff, 'Repairing the Past: Compensation for Victims of Human Rights Violations' pp 1-3). Any transitional justice process for Uganda therefore runs a risk of being considered by victims as an

empty gesture - cheap and without any relevant meaning to victims. As expressed by one youth during a focus group discussion: "We youths are fed on the same stories every other time. We are told government is doing a lot to arrest Kony and yet we are tired of waiting, tired of promises and tired of anything that does not bring us food on the table. We can never forget what we went through unless we are compensated for time lost because our parents are long gone."

The efforts to establish a truth telling body as recently embarked



Editorial

ORYEM NYEKO

on by JLOS is welcomed, because it promotes a sense of closure and recognition of those who suffered, but in the absence of tangible benefits victims will always feel a sense of injustice because of their suffering. While looking back at the atrocities committed in West Nile for instance, in the article 'When Killers are Rewarded', Veronica recalls her narrow escape from the hands of her tormentors, and yet to date is yet to come to terms seeing her tormentors walk free while benefiting from a USD 4.2 million donor project. This, among other articles you will read in this issue, raises some perplexing concerns as to how to ensure reparation complements other transitional justice processes without hurting the victims – while at the same time addressing the demobilisation and re-integration concerns of perceived perpetrators.

In the end, decades of armed conflict in the northern Uganda has left victims without the acknowledgement of their suffering and without the means to deal with the consequences. As views published in this edition suggest, reparation when accompanied by other transitional justice mechanisms, will fill a special space for victims of conflict in Uganda.

I wish to thank JRP staff and all the contributors to this edition. Please enjoy your reading until we meet again in the next edition."

THE FRENCH WRITER, Anatole France once said, "All changes, even the most longed for, have their melancholy." It is this paradox – that change can be both necessary and painful – that speaks to the human condition that so often wants to express itself.

It has been only three months since the release of the inaugural issue of Voices Magazine but many things have changed within the transitional justice framework of Uganda. The legal implication of amnesty in the Ugandan context appears to be undergoing a subtle evolution as the Supreme Court considers the issue of amnesty.

In the same vein, perceptions on the relevance, content and structure of reparations programmes continue to evolve – the International Criminal Court, for example, recently made a significant pronouncement on the issue of reparations in its decision on the former Congolese war lord Thomas Lubanga Dyilo ("What the ICC Decision on Reparations Means for Gender Justice", page 19).

For the reason that it is currently at the centre of transitional justice debates in Uganda and in other post-conflict societies, the topic 'reparations' was chosen as the theme of the second issue of Voices,

Many are not too sure of the true significance of reparations – what does it mean for Uganda and other societies in a state of transition? Is it something people want? Does it

mean the same thing for everyone? With the objective of sharing victim centred views we at JRP sought the actual position. In doing so and through our interaction with victims of the conflict we have found that, to use a borrowed phrase, reparations are the 'language victims are speaking'.

Some individuals have formed collectives to fight for compensation for the damage they have suffered to their bodies ("The Day Everything Changed", page 30), women have expressed their unique perspective on what they think reparations should involve ("Ododo Wa", page 15) and as surprising as it may be, a humble animal – the goat – may be one of the answers to the challenge of reconciling Northern Uganda ("Goats for Reconciliation", page 27).

But how should reparations be administered, and is the Government of Uganda setting an appropriate precedent with the ones it has given out? ("Reparations, Not Handouts", page 28).

With that said, JRP too has experienced the contradiction that is change. Over the last few months, sad good byes were said to members of the JRP family, while a set of new faces – myself included – were warmly welcomed. As we look to the future, we have to concede to the inevitability of change. It is a part of life, but what its impact will be on our lives, and the future of the country remains to be seen."

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Reparations and the Law

The term 'reparation' usually refers to the measures a state must take after it violates a rule of international law. Reparation can also apply more generally to remedying all wrongs, whether committed by a state and its agents or by private parties. Reparation for genocide and crimes against humanity will usually require remedial action by both individual perpetrators and the state involved because such acts are illegal under national and international law.

The aim of reparation is, where possible, to restore the situation that would have existed had there been no wrongful act. This means to wipe out all of the consequences of the act and to try to re-establish the situation that in all probability would have existed if the act had not been committed.

One widely accepted purpose of reparation is remedial justice, that is, to undo the wrong done to an injured party. Reparation is thus designed to put the injured party in the same position as if no wrongful act had occurred, without respect to the cost or consequences it may have for the wrong doer. Reparation may also serve to punish and deter wrongdoing or aim at reconciliation and inducing positive behavior.

Types of Reparation

Generally accepted forms of reparations include restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition. Since they are the most commonly accepted forms of reparation, we shall examine restitution and compensation in this article.

Restitution is intended to restore the victim to the situation that existed before the violations occurred and may include restoration to liberty, legal rights, social status, family life and citizenship, return to the place of residence, restoration of employment, and return of property. When restitution cannot be provided, compensation and/or satisfaction must substitute to remedy the harm that has

been done.

Clearly, for survivors of international crimes such as genocide and crimes against humanity, large amounts of money may be necessary to place victims in the same position of relative satisfaction that they occupied before certain events took place. *Compensation* is, however, often inadequate as the primary form of reparation. The more serious the harm, the more compensation as a remedy becomes a problem. This is because criminal conduct harms not only the victim, it also undermines the rule of law and violates societal norms. For this reason, compensation is inevitably a second best response when prosecution and restitution prove impossible to achieve. Compensation supplies the means for whatever part of the former life and projects remains possible and allow for new projects. In cases where the perpetrator is made to pay, compensation also reflects a moral judgment of wrong doing on the actions of the perpetrator.

Compensation should be provided for any economically assessable damage resulting from the wrongful acts. Widely acceptable compensable losses include physical or mental harm and the pain, suffering and emotional distress such harm causes; lost opportunities such as education; material damages and loss of earnings, including the loss of earning potential; harm to reputation or dignity; and costs required for legal or experts assistance, medical services as well as psychological and social services.

These reparations may be delivered materially or symbolically and individually or collectively.

The Legal Basis of Reparation and Obligations Under International Law

Human rights law and humanitarian law both impose a duty on states to take reasonable measures, or in legal terminology to 'exercise due diligence', to prevent violations of human rights by private persons. If the state fails to fulfill this duty it will

be responsible for providing reparations. In an early international court case, the Permanent Court of International Justice called the obligation to make reparations for an unlawful act ‘ a general principle of international law’ and part of ‘a general conception of law’ (*Factory at Chorzow [Germany v Poland]*, 1928 P.C.I.J [ser. A], no. 17 at 29 [September 13]).

Human rights treaties and declarations adopted by the United Nations have also guaranteed individual victims the right to a remedy, that is, access to justice and reparations in national proceedings. The Universal Declaration of Human Rights, Article 8, proclaims that “[e]very one has a right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or laws.” This guarantee would, of course, include remedies for criminal acts that violate guaranteed rights.

The International Covenant on Civil and Political Rights contains a similar guarantee in its Article 2(3). The UN Human Rights Committee Overseeing Compliance with the Covenant has stated that when, for example, acts of torture occur a government has a duty to “conduct an inquiry into the circumstances of [the victim’s] torture, to punish those found guilty of torture and to take steps to ensure that similar violations do not occur in the future.” The Committee also has called for investigation and prosecution in cases involving arbitrary executions and disappearances. All these acts constitute types of reparations for the wrong done.

Under the Rome Statute of the International Criminal Court, victims who have suffered harm as a result of genocide, crimes against humanity and war crimes have the right to apply for reparations. The Rome Statute also makes provision for victims of these crimes to participate in the court process when their personal interests are affected. Article 75 specifies that the Court shall establish principles relating to reparations to, or in respect of, victims, including restitution, compensation and rehabilitation.

The Procedure for Claiming Reparations

The issue of reparations for genocide and crimes against humanity is complex because the acts usually involve simultaneous breaches of national and international law by individuals and states. Reparations may be owed by both the state and the individuals responsible, and claims may be made by survivors at either the national or international level.

Once local remedies have been concluded, individuals who do not obtain redress may be able to bring claims directly against their own governments

or another state in a human rights tribunal. Each human rights treaty usually specifies the rights that are protected and the types of reparations that the tribunal can award the individual whose rights have been violated.

Uganda and Reparation

In Uganda, provisions for reparations are contained in Agenda Item 3 on Accountability and Reconciliation of the Juba Peace Agreement, provisions that, once effectively enforced, would address issues on reparation..

Section 9.1 of the Agenda Item provides that reparation may include a range of measures such as rehabilitation, restitution, compensation, guarantees of non-recurrence and other symbolic measures such as apologies, memorials and commemorations. Priority is to be given to members of the vulnerable group. From sections 11 and 12, one could deduce that the vulnerable groups are women, girls and children.

Section 6.4 provides that alternative penalties and sanctions shall “require perpetrators to make reparations to victims.” This mandatory requirement can only be effective if the perpetrator is in position to fulfil the requirement. This creates an obligation on the Government to make the required reparation.

For the Government to effectively meet the requirements for reparation under the Juba Agreement, there is therefore a need for, inter alia:

- » A clear policy on reparation and supporting guidelines and later legislation regulating it. The legislation needs to be flexible and the provide opportunity for wide interpretation of reparation on a case by case and individual basis.
- » Provision for victim participation and legal representation in formal and non-formal justice mechanisms.
- » Provision for gender adviser to guide the proceedings in formal and non-formal justice mechanisms.
- » Adoption of international standards, especially as provided under Uganda’s International Criminal Court Act, 2010.
- » Involvement of women in the development of the accountability mechanisms and in decision making.
- » Establish a long term and reliable source of funding such as a Trust Fund for victims.
- » Public hearings and dissemination of report to the public.▪

No One Responded To My Plea

An elderly victims' cry for reparations

LINO OWOR OGORA



“My children, whom I would be looking to now for help, were abducted and killed by the LRA.”

MEGO CARLA AKIDI is 59 years old and is one of the many victims of the war in Northern Uganda who are still longing for reparations from the government in various forms. For people like her, all that is needed is assistance to take care of their surviving children, who can only hope for a bright future through the completion of their education.

Carla lost three sons as a result of abductions and killings perpetrated by the LRA. She was happily married and living in Paimol with her husband Mzee Aboda Yakobo prior to the conflict, but they were later displaced into an Internally Displaced Persons (IDP) camp at the height of the conflict. They were later to live through several years of terror and fear as they struggled to keep alive amidst the violence being perpetrated by the LRA.

Carla's first three children, all boys, were abducted by the LRA to serve as rebel soldiers. Her first son, Otim Largo, was abducted in 1993 while he was aged only 20 years. A few months later, her second son, Labongo Samuel was also abducted. Some years later, her third child, Olweny Richard was also abducted by the LRA, and Carla was now left only small children. All of the abductions occurred during raids that the LRA

conducted while the family lived in the IDP camps.

Carla never saw her children again and only later heard that they were dead. Richard was reportedly killed in a gun battle in Aswa. Otim Largo was brutally murdered by an LRA commander after refusing to kill a fellow abductee. He was beaten heavily, and slowly tortured to death by breaking several bones in his body. Odong Samuel reportedly starved to death in Sudan as a result of the LRA's lack of provisions.

While Carla was left with her three other children, two girls and one boy, she was disillusioned by the loss of her first three children. She feels that if the older children had been alive, they would have succeeded in life and supported her in her old age. Carla now has to work hard to support the younger children with her main source of income being agriculture.

Her eldest daughter, Arach Grace, is in senior four in secondary school. Her son, Omol Justin also recently joined secondary school, while her youngest daughter, Ayoo Martha is still in primary school, but needs to join the boarding section, which is expensive.

Carla has been forced to struggle single-handedly to meet their needs because her husband Yakobo is old and frail. Yakobo's health deteriorated as a result of an injury suffered during an LRA attack on the Paimol IDP Camp during the conflict. He can neither engage in agriculture nor pursue any other meaningful trade to earn income for his family. In addition, her husband lost his cattle during the conflict and was left with no substantial means of livelihood.

Carla has been asking and longing for some form of reparations for several years now. In her own words, "some action should be taken to help elderly people who lost their children." Carla says that the closest she came to hoping for assistance was when 'some whites' and a Catholic Nun called Sister Veronica came and talked to her and took her photograph, but she never heard from them again.

"What pains me is that if my children had not

been abducted and killed by the LRA, they would probably be supporting me and my husband, and I would not have to live the life of a beggar that I am living now. My children were bright, and I am sure they would have been successful in life. What I want is to be supported as a victim of conflict to pay school fees for my remaining children so that they can help me in future."

Mego Carla Akidi

"Things are so hard for me that I find it difficult to tell my story anymore, but rather to suffer in silence."

The above comment by Mego Carla Akidi is a typical statement that one will hear from many survivors in Northern Uganda. It is close to four years now since active combat in Northern Uganda ended and a reparations program, well designed and crafted by the government, would go a long way in alleviating the situations of individuals like Carla who often prioritise compensation for the lost property (especially cattle), educational support for their children, livelihoods, and health services in the quest for reparations.

The sad fact is that many like Carla do not ask for much. Carla wants nothing for herself, but rather support for her remaining children to pursue their education. She also wants support to conduct last funeral rights for her children who were killed because of the LRA. But up till now the Government has been slow in responding to her needs and in drafting a reparations policy to forge a way forward. In addition, many lack a forum or channel through which they can be heard.

Carla for example said, "I talked to some parliamentarians and asked them if they could help me. None of them responded to my plea. Things are so hard for me that I find it difficult to tell my story anymore, but rather to suffer in silence."

Stories like that of Carla's, and the many victims of the conflict like her, are an indication that an effective reparation programme in Northern Uganda is long overdue."

Lino Owor Ogora is the Team Leader for the Community Documentation Department at JRP.

Gender Justice

Activities from May to July

KASIVA MULLI

JRP's Gender Justice unit carried out various activities during the past few months. On 25th May 2012, the Women's Advocacy Network (WAN) was officially launched and introduced to various stakeholders including the Resident District Commissioner of Gulu District, the Local Council V Chairman and members of civil society. The WAN which brings together a group of 200 war affected women who used the launch as a platform to advocate for justice, acknowledgment and accountability for the violations they underwent during the war as well as to inform the stakeholders present of the current challenges they continue to face which include stigmatisation, financial struggles, and the challenges involved in raising children born in captivity.

In June, the WAN representatives travelled to Lango and Teso regions for an exchange and learning visit. The objective of this visit was to learn from the experiences of similar groups in other regions, expand the networks of women advocates in Northern Uganda and to join efforts in monitoring the implementation of their various issues by stakeholders. This is the first of many visits to come and we hope that such visits will encourage different women advocacy groups in Northern Uganda to build solidarity based on their shared victimhood and survival.

In July, the Gender Justice unit held the 'Greater North Grassroots Women's conference. This conference brought together women from the Acholi, Lango, Teso and West Nile regions to discuss issues affecting women survivors of armed

conflict. The aim was to encourage dialogue and to build consensus on issues relevant to war affected women so that concrete recommendations to deal with gender based violations can be presented to stakeholders, policy makers, civil society organisations and other relevant parties.

Between the 30th of June and 14th of July 2012, under the Ododo wa (our stories) program, the Gender Justice unit visited six women groups for the story telling sessions. The groups - Rwot Lakica, Tam Pi Anyim, DiCwinyi, Rubanga Aye Ngeyo, Can Rwede Pe and Kica pa Rwot - create a familiar environment where women can share their experiences of how they were affected by the war as well as provide each other with peer support. For some women it is still difficult to share these experiences. They are given all the time they need until they are ready and want to share their stories. We hope to soon document the impact story telling has had in their lives (read more about story-telling on page 15).

In July, the Gender Justice unit held a mid-term review to evaluate the activities implemented as well as plan for the next months to come before the end of the year. The department also welcomed a new Legal Officer and a new Team Leader. We have been working on establishing the legal support program where among other things we will monitor the legal processes going on in relation to the war in Northern Uganda, traditional mediation processes as well as provide legal counseling to war affected women."

Kasiva Mulli is the Team Leader for the Gender Justice Department.



Gender Justice

Updates from the Field

WAN Launch in Pictures



Left: Ketty Anyeko speaks during the launch of the Women's Advocacy Network. Top L-R: JRP Board Chairman Michael Otim being interviewed; A representative from the Association of Women Lawyers in Uganda (FIDA) speaks; Former intern Zaira Petruf with the UPDF Public Relations Officer.

Above: Rt. Rev. Bishop Macleord Baker Ochola officially launches the Women's Advocacy Network. Left: A display of jewelry made members of the Network.

When Killers Are Rewarded



Veronica Eyotaru at Comboni Catholic Mission Animation Center, Gulu during the Greater North Grassroots Women's Conference, July, 2012.

In July 2012, the Gender Justice Department at JRP organised the Greater North Grassroots Women's Conference for women survivors of armed conflict. The aim of the conference was to identify concrete advocacy issues that affect women in order to formulate solutions and make policy recommendations. The discussions at the conference were largely geared towards reparations for the women victims who suffered during armed conflicts. The conference allowed JRP's OLIVE EDERU to talk to Veronica Eyotaru, a survivor of the infamous Ombaci Massacre, about her experience and thoughts on reparations in Uganda.

AS I APPROACH VERONICA, she smiles warmly and we exchange pleasantries. When I ask her about the "Ombaci Massacre", however, she seems to be taken aback - her face falls and her mood darkens a little. To her the adage "time heals" does not make any sense as time has never healed her physical and emotional wounds. As she looks back to the day when she narrowly survived the infamous massacre in Ombaci Catholic Mission in Arua District in the West Nile region, she wonders if she and other survivors will ever be acknowledged or remembered.

In the recent past the Government of Uganda with donor support established a project for the repatriation, rehabilitation, resettlement and reintegration of reporters in Uganda costing about USD 4.2 million. The aim of the project was to assist the approximately 15, 300 ex-combatants in their reintegration into civilian life and to strengthen the capacity of the Amnesty Commission. Within the resettlement package, ex-combatants were offered counseling and referral services, cash, economic and educational opportunities as well as other support programs.

Despite the project boasting of having assisted in the distribution of 14, 816 resettlement packages to former rebels and their collaborators, the project has faced criticism because at its conception no thought was given to the victims that bore the real effects of the conflict. While the project was being implemented, some victims felt totally forgotten and that they deserved such above services even more.

Veronica shared her experience, frustration and recommendations.

The Massacre

The year was 1981, Idi Amin had been overthrown and his remnant soldiers had regrouped and gone to the “bush” as guerrillas to begin fighting the ruling government from the West Nile region. Since the guerrillas did not have enough weaponry, except for a few guns, bows, arrows and spears, they were overpowered by the Government soldiers who met them at Bondo (about 30km from Arua Town) and were driven northwards through Arua Town. Tensions were very high and the whole town smelt of war as many people escaped to the neighbouring Congo and Sudan.

Arua Town had become a war zone. Hundreds of civilians from surrounding villages as well as the town took refuge at Ombaci Catholic Mission about four kilometres from Arua Town in the belief that it would be a safe haven. Then the Government soldiers arrived! The day was Wednesday, June, the 24th, 1981, the time was 10:00 am. I had also taken refuge at the Mission with my sister Ezuru Anna for two days. It was quite a calm day compared to the previous ones, but something in me sensed trouble. So my sister and I decided to leave the mission to pick a few things from home which was two kilometres from the Mission and cross over to Zaire (now the Democratic Republic of Congo). As we reached home, the Government soldiers had taken firm control of the town and were shooting towards our village so we chose not to cross over into to Congo and ran back to the Mission instead.

I took cover in one of the dormitories of Ombaci College within the Mission, but when I realised it was not safe, I entered the Italian quarters believing that the soldiers would have respect for the white missionary fathers and not venture into their living space. How wrong I was. I proceeded to join about 30 people who had also taken refuge in a garage in the Italian quarters.

Soon the soldiers were all over the Mission armed with guns, long knives, logs and small hoes as the violence intensified. They began shooting, stabbing, cutting and clobbering people left right and center. They would enter every room and clear (kill) every living person be it a child or an adult and only the lucky ones survived. “*Sasa fungua RPG, fungua machine gun!*” (loosely translated to mean “Now open RPG, open machine gun!”) they would shout and then they would fire endlessly on people. “*Leta pesa!*” (“Give us your money!”) they would order people, but as the people rose up to hand over their money, they were

shot instantly. They were shooting as if they were spraying nursery beds with water.

At this time, I was still in the garage peeping through the vent and my whole body shook violently as I waited for death because I knew the soldiers were coming for us. I sat next to a man who held his grandson tightly and when I saw a soldier striding towards us I then knew my end had surely come. Aiming his gun at us he shot

“I sat next to a man who held his grandson tightly and when I saw a soldier striding towards us I then knew my end had surely come.”

at the man twice and he fell on me. One of the bullets hit me on my right cheek and I blacked out.

I was later rescued by Red Cross workers when I screamed out of pain as bodies were being loaded on a truck (about 2000 people had been killed). I came to my senses in Angal Hospital which was when I realised I had been shot thrice: on my right cheek, the back of my head and my left thigh. I spent nine months at the Hospital where I was operated on my cheek and my left thigh to remove the bullets. 31 years down the road I still have some fragments from those bullets in my body.

The scars

Although I survived death that time, the effects have lived with me until now and I still suffer the aftermath of that incident. I cannot walk for over half a kilometre. I cannot engage in hard work and because of the injury to my head I cannot carry luggage. I also have to hire labour which is quite expensive. When I hear the sound of loud bangs, I usually faint and I get sudden fits which I attribute to that single day’s experience.

The frustration

When I saw that the Government, through the Amnesty Commission, was supporting and aiding ex-combatants in West Nile in a bid to cause them to put down their arms I was greatly angered. These are the very people who perpetrated the violence directly or indirectly. I wondered how the killer could be supported at the expense of the survivors or the killed.

...

Such is the frustration of victims of massacres like Ombaci, as far as reparation is concerned. To them, the various schemes of Government’s support to ex-combatants or rebels amount to impunity, since the real persons who suffered innocently have remained largely unacknowledged.

Considering the views of many of the victims we have encountered, the Gender Justice Team at JRP

Continued on page 18

Wars

*Wars, Wars, Wars.
Oh! Wars are terrible,
Wars made us grow up without our parents.
We grew up orphans.*

*Wars, Wars, Wars.
Wars have made our home die out.
It became a deserted homestead.
We grew up in camps.
The pride and culture of Acholi is spoilt and has
disappeared.*

*Wars are bad, wars are bad.
It made me give birth when I was still very
young.
I knew men before the time I should have.*

*Wars, wars, wars.
Wars made me grow up eating wild plants like
adyebo,
Moving long distances,
Day and night,
Crossing rivers,
Forests and mountains,
It made it hard to differentiate us from birds and
wild animals.*

*Every morning you began the journey.
Night comes,
Gunshots are heard,
We were hurt and killed from gunshots.
Oh! Oh! Oh!
Bones have remained in the bush.
Oh! Oh! Wars.*

This poem was written by the Women's Advocacy Network's Di Cwiny Group in memory of all the children who died in captivity and never lived to come back home.▪

Ododo Wa: Our Stories

Storytelling, Gender and Reparations

JRP's Gender Justice department uses the unique mechanism of storytelling to help women talk about the crimes violated against them during and after war. Storytelling is a culturally familiar tool which gives women the space to talk and to express themselves freely. NANCY APIYO relates the special perspective women have on reparations garnered from such sessions.

IT WAS COMMON in the past to find families around the *wang-oo* (fireplace) telling stories, discussing family issues or teaching children. So this is not new to the women, the only difference being that we do it during day. Women have been silent because it is hard to talk about sexual violence

be considered in discussions about the concept, design and implementation of reparations. Clearly everyone suffers during conflict, but specific violence happens to people because of their gender. Even when women are subjected to the same violence as men, the pre-existing social, economic and cultural meaning of a person being a man or woman means that harms to women and men does not have the same effect.

“When we were still in the camp, soldiers kidnapped beautiful girls to be their wives. That’s how I was carried by the man who raped and impregnated me.”

A woman talks during one storytelling session.

and also fear. That is why we had to find a method that can encourage them to speak.

Reparations were the topic of discussion during the last story telling session with the women. The concept of gender mainstreaming has to

It is therefore important to give women a platform to talk so that their voice is included throughout the process of attaining reparations. This is why we designed this storytelling session around reparations.

The majority of the women who took part in the discussions were ab-



ducted and stayed for long periods of time with the rebel groups. We had to fully explain what reparation is to the women, the various kinds of reparations and the fact that it is their right to have reparation before giving them the chance to talk. We asked them questions like: What do you understand by the term reparation? What kind of reparation is relevant to you? What should government do to restore your lives? Is reparation important? If so, why?

One of the women defined reparations as “acknowledging that something wrong has been done to somebody and [that] the perpetrator is ready and willing to pay it back in order to please the offended party and restore relations.”

It is also common for women to ask for basic needs as a form of reparation or ask for reparation for those close to her and not herself. That can be because they do not know that it is their right to have reparations or because they feel marginalised in society and not valued or simply because they are mothers, which makes them think that others are more important than them.

It is common for a woman to talk about what happened to her husband or children and not to her yet she suffers most during conflict both directly and indirectly. This makes it hard for their issues to be considered. For that reason we used a body mapping exercise to guide the women through the discussion so that they are able to reflect on themselves and not some one else.

They put marks on a drawing of a body maps to indicate where they were physically, psycho-

logically, mentally, spiritually or socially hurt during the conflict. Later on they discuss what they have marked and relating it to reparations.

One of the women put a mark on the body they have drawn and says: “The point you see marked on my knee is an effect of war. I



A body map.

got injured by a bullet and it is still buried there. The mark you see on my chest shows the sorrow and heartache that I have because a lot of my time was wasted during the war.”

The majority of the women have similar responses to the questions, most likely because of the similarity in the kind of violence they experienced. They talk about crimes that were violated against them such as being forced into marriage to older men. They talk about how they gave birth to children who they are taking care of now at home without support of the men, their families or the government. They talk about sexual crimes that were violated against them. They narrated stories of giving birth on battle field.

Some of the women developed complications as a result of being forced into giving birth at an early age.

They narrated stories of how the men forced them into sex when they were not yet ready. How they were beaten every time the men called them to the house to have sex with them or how they were threatened to be killed if they refused. Many of them were young and still virgins. Many of the women gave birth at the age of fifteen and below.

One of the women lamented of how labour is more painful in a battlefield.

“I was in captivity when people were sent to the camps. For those abducted, it was not nice to be a woman. When I think of what happened to us during the war, I find life is useless. First of all we were abducted as very young girls and forcefully given to men who are our grandfather’s age mates. If you refused, you were killed. You became pregnant whether you wanted or not. We delivered in very uncomfortable conditions. Sometimes you delivered on the run with no water to clean up yourself and flies come over covering you up because of the bleeding.”

Another narrates how she gave birth during a convoy: “We reached a certain road on the third day, labour pain intensified and my water broke and I started pushing and delivered there. They dug a hole and buried the placenta as I carried my baby.”

Many still have pain because of giving birth at a tender age under terrible conditions. Others have contracted HIV after being given to men whose HIV status was not known.

They narrate stories of how they had to cook for the rebels, carry their luggage, be wives and

mothers to the children they gave birth to. As female combatants they had the extra burden of taking care of the kids they were forced to have. As one of the participants in the story telling narrated: "During battles it was hard for us to run with the kids especially when they were many. Men did not mind about children."

Despite returning home, many of the women are still traumatised as mothers because of the loss of their children, and what they went through. One of the women is distraught about one of her children who got lost during an attack. Her body was not found and she does not know the fate of the child. She still has dreams of this child.

It is not easy to talk about such experiences and some of the women break down as they talk. In one of the sessions we are seated under a mango tree one chilly afternoon as we listen to them. They encourage each other in their groups and give each other support. Sometimes there is silence as they recall the past. Others decide to just keep quiet while others decide to talk. The women narrate war stories like old women narrating stories of the ogre to kids and not stories of sexual violence, physical torture and so much evil. Stories you would not wish to be true or to happen to your loved ones.

We listen intently as one of the women continues to say: "We gave birth to very many children. I now have six children because I started giving birth when I was still very young. Whenever there was fighting it was the women to carry the children. When one of them got shot, you left him there and continued running for your life. Newborn babies were tied on their mothers' necks to make carrying them easy and if the mother was shot then the baby remained with her. Some-

times it was the babysitters carrying them who got shot. The babies remained with them and starved to death."

On top of what the women went through as women, girls and mothers because of their gender they also experienced the same trauma as of being forced to kill as the men and boys who were abducted. One of them narrates "sometimes you are trained as a soldier and taken to the frontline. Worst of all, whenever someone is caught escaping you were forced to kill them against your will. When such a thing has happened to you, it keeps on haunting you when you come back home."

Despite the silence of the guns, women continue to suffer. Some of

"Whenever someone is caught escaping you were forced to kill them against your will. When such a thing has happened to you, it keeps on haunting you when you come back home."

the women have returned to stay with the men they were forced to stay with in the bush because they think the only way to take care of the children they were forced to have is by staying with their fathers. These men continue to violate the rights of the women. One man mistreated his wife for a long time until she finally opened up to her friend through one of the storytelling sessions. She said she got confidence and courage to report the man to the authorities after sharing her story with the rest. She felt empowered and that her dignity was restored when she shared her story with the rest. Her friends managed to get her a place to work. She then left the man and is taking care of her children alone.

When we asked the women how they think their lives should be restored they responded that they feel the homes of the children they gave birth to in the bush

should be traced and unity created among them with the men's families. They think it is important for the children to know their paternal homes. They also say they want the government to reform laws on land so that children born in captivity need to have access to their family land. As one of the story tellers says: "For me what I ask the government to do is to put laws that deals with land wrangles because I have returned with children whom they say do not own land. This idea of saying that they do not own land should be stopped."

They also want their children's school fees to be paid. They say it breaks their heart to see their children not going to school and that their children may not have a

bright future.

They also talk about the need for reparations for the physical ailments they now suffer from because of the conflict. Some women continue to live in pain because of bullets lodged in their bodies that have to be removed. A woman says, "I still have a bullet on my head that is why I have marked it and I feel a lot of pain. I always tie [a cloth over] my head because of the pain I feel. I only untie it at night because it does not want me to stay in a hot place most especially when I am cooking."

They also want monetary compensation for the time they wasted in the bush. As one of the storytellers suggests, "If at all the government can, it should pay for our time that was wasted that led to our being illiterate. I should be compensated with money that will change my life."

The women also feel that it is

important for them to know the truth about the war. Some are back and do not even know the reason why they were abducted or why there was a war in Northern Uganda or even who is responsible for years of suffering. They also want acknowledgement from the government about what happened to them and they want apology from the commanders who abducted them and mistreated them in the bush.

They also want the government to apologise for not protecting them. They believe the men who committed sexual crimes against them should be prosecuted. They talk about the need for psychosocial support to help them overcome the trauma they went through and say it is important to put up centres where they can go and get counselling.

When we asked them who they think should provide reparation the majority of women said it is the government, but one of the women groups discussed the role survivors and victims have to play. They cited how they have to make good use of what the government provides in form of reparations. The communities also have to accept the past and come to terms with it so that they can create reconciliation among themselves. They believe the community has a big role to play in creating reconciliation and forgiveness if they are to live in harmony. They gave an example of stopping stigma within the communities and the accept of children born in captivity.

They also talked of the big role communities play in reviving the lost culture by teaching their children about the culture they had before the war.

They talked of people being responsible citizens as they move on with their lives, such as by reporting of crimes within the community and thereby helping to reduce the level of crime. The communities should also hand in the guns they had during the war and stop using them they said.

Ultimately, the women believe reparation is very important because it can lead to healing and reconciliation and it is a way of attaining justice.

It is important to have a transformative kind of reparation that does not just repair the lives of the women but transform them. Women have been marginalised for a long time and it is important for them to be empowered so that their lives are changed. For example this can be done by providing free education for the girl child who suffered during conflict and through the sensitisation of women about their rights so that they can be active citizens.

It is also important to empower women economically so that they are more independent, otherwise they will continue to suffer and be abused even after the conflict. Now that the war has ended, women are still suffering from domestic violence and girls are being forced into early marriages. If the country is to have an effective reparation system then it has to change the lives of women so that they are more empowered citizens and there is no chance for them to be abused again."

Nancy Apiyo is a Project Assistant with JRP's Gender Justice department.

When Killers Are Rewarded

makes the following recommendations:

» Government's focus should now be directed to establishing projects for the sole benefit of survivors of armed conflicts.

» Survivors of the various armed conflicts should be readily identified and their suffering/losses documented to facilitate their reparation.

» The Government should have a dialogue with the survivors to ascertain their specific reparation needs.

» The survivors of armed conflicts should be remembered and acknowledged.

» The establishment of victim or survivor groups should be encouraged.

» Memorial prayers should be held at massacre sites to preserve such memories for the younger generations.

» The Government should have a dialogue with the survivors to ascertain their specific reparation needs.

» The survivors of armed conflicts should be remembered and acknowledged.

» The establishment of victim or survivor groups should be encouraged.

» Memorial prayers should be held at massacre sites to preserve such memories for the younger generations."

News

What the first ICC decision on Reparations means for Gender Justice in Uganda

OLIVE EDERU

THIS YEAR, the International Criminal Court (ICC) completed a pair of firsts – its first conviction and its first ever decision on reparations for victims. The decisions were passed in the case against Thomas Lubanga Dyilo who was convicted and sentenced to 14 years imprisonment for enlisting and conscripting children under the age of 15 years and using them to participate actively in hostilities in the Ituri region of the Democratic Republic of Congo between 1999 and 2007.

On the 7th of August 2012, the ICC issued its decision on the principles for victims' reparations for harm suffered as a consequence of the crimes committed by Lubanga. The Court in its ruling stressed the importance of ordering perpetrators to pay reparations. It noted that ordering the convicted person to pay compensation, regardless of his purported indigence has symbolic value in that it represents public acknowledgement of the prejudice the victim has suffered at the hands of the perpetrator and a form of restoration of their dignity.

The historic ruling reflects a growing recognition in international law that justice must go beyond the notion of punitive justice, toward a solution which is more inclusive, encourages participation and recognises the need to provide effective remedies for victims.

As a mechanism of Transitional

Justice, reparations are of particular importance for women victims of conflict in that reparations have the potential to provide the recognition of women's rights as equal citizens (the notion of inclusivity), act as an acknowledgement of the harm suffered as well as make a concrete contribution towards victim's recovery.

It should be noted that reparations in Uganda have not been given the due regard as in other jurisdictions. What have been termed "reparations" have been either government efforts to develop war ravaged regions or efforts at re-settling ex-combatants with the sole purpose of ending rebellions. None of the ventures have reflected on victims of the conflicts and have tended to marginalise women who should be primary beneficiaries.

The Government of Uganda through the Justice and Law and Order sector has established a Transitional Justice working group (TJWG) to ensure the development of a National Transitional Policy framework on Reparations and Truth telling. It is therefore hoped that the principles pronounced by the ICC in the Lubanga case will make a significant contribution to the ongoing Transitional Justice Process on Reparations in particular by promoting a gender and ethnic inclusive approach and strengthening women's access to justice for conflict related crimes

among others. The decision itself specifically notes the need for specific attention to be paid to the needs of survivors of sexual and Gender Based Violence and that "[g]ender parity in all aspects of reparation is an important goal of the court".

In 2010, the Ugandan International Criminal Court Act of 2010 established the International Crimes Division (ICD) of the High Court of Uganda to try crimes against humanity, war crimes and genocide as defined under the Rome Statute. As much as the Act provides for victims protection before the courts as witnesses and the enforcement of orders for victim reparation made by the ICC, it does not specifically enable victims to participate in criminal proceedings or make applications for reparations in Ugandan courts as they could otherwise in cases before the ICC. The only available avenue for victims to engage in the international crimes division is by invoking the Juba Peace Agreement Clause 8 which imposes an obligation on the Ugandan government to allow victims to participate in Accountability and Reconciliation proceedings. One can only conclude that the ICC reparations decision could not have been more timely having enumerated several cogent principles that would go a long way to strengthen Ugandan Transitional Justice process and the role of the

ICD in awarding reparations to victims of conflict as enumerated hereunder. On the basis of the principles outlined in the decision, the following recommendations are made to the ICD, JLOS and other stakeholders.

The right to reparations

- » The right to reparations should be recognised as a well established basic human right
- » In the award of reparations, priority should be given to vulnerable victims such as victims of Sexual and Gender Based Violence (SGBV) and severely traumatised children.
- » Participation and/or representations of victims' views and concerns through Counsel or NGO's is key in the reparations proceedings.

The form of reparation

- » Restitution should as far as possible restore the victim to his or her circumstance before the crime was committed. This includes return to his or her family, education and previous employment or returning lost or stolen property.
- » Compensation should be approached on a gender inclusive basis and awards should encompass all forms of damage, loss injury including physical, psychological and economic harm moral and non-material damage.
- » Rehabilitation should be implemented on a non-discriminatory and gender-inclusive basis. It should include the provision of medical services, psychological, psychiatric and social assistance and any relevant legal and social services. Specific measures should be adopted to rehabilitate and reintegrate formerly abducted persons and formerly internally displaced persons through provision of education and sus-

tainable work opportunities. Symbolic reparations, such as commemorations and tributes, might also help avoid further victimisation.

The nature of reparation programmes

- » Reparations programmes should be gender inclusive and the voices of women at the grassroots level should be considered in designing policies.
- » Reparations programs should be geared towards addressing the underlying injustices caused by existing tradition and customs that affect or perceive women and girls negatively and at the same time bridge gaps created by existing traditions/customs and exacerbated by armed conflict.
- » Reparations programs should incorporate or reflect whenever possible aspects of local, cultural and customary practices applied in the context of the affected community where other mechanisms do not provide effective remedy and the desired reconciliation unless where these practices are discriminatory or deny victims equal access to their rights.
- » Wide consultations should be made to design suitable reparations programs for the benefit of the diverse kinds of victims. For example, in the context of Northern Uganda; formerly abducted persons, internally displaced persons and other victims who were neither abducted nor displaced in camps require reparations nonetheless.
- » Reparations programs should at all times avoid re-stigmatisation and discrimination of victims
- » Reparations programs should be able to alleviate consequences of conflicts and deter future violations.
- » Reparations programs should

aim at reconciling the perpetrators and victims by fostering sustainable peace but not stoke flames of conflict

- » Reparations should address the harm victims have suffered on an individual and collective basis.
- » Reparations should be accessible to all the victims and involve the families and communities throughout the reparations process.
- » Reparations should take into account the sexual and gender based violence that the victims may have suffered as well as the complex consequences of these crimes to enable effective access to justice for women and Girls.
- » Reparations should take into account the age of the victims along with the need to rehabilitate child victims formerly associated with armed groups
- » Reparations programs should be guided by the Convention on the Rights of the Child and ensure the development and respect for the rights of the child.
- » Reparations may be granted to direct victims (who suffered direct violations, indirect victims (families of victims who suffered directly or persons who intervened to prevent such occurrences) and or legal entities such as NGOs or hospitals.
- » State parties (the Government of Uganda) should cooperate fully in the enforcement of reparations orders and the implementation of the awards.
- » Finally, victim mapping should be conducted to establish the actual beneficiaries of the programme."

Olive Ederu is the Legal Officer at JRP's Gender Justice Department.

Community Mobilisation

Upcoming events

SYLVIA OPINIA

IN SEPTEMBER 2012, Justice and Reconciliation Project will be launching the **Transitional Justice (TJ) IQ Gauge 2012**, an annual quiz competition for young people. This is an educational programme designed to connect youth from different parts of Northern Uganda to build a critical mass around TJ. Its aim is to increase awareness among the young people about the on-going TJ debates within the country and to inspire stakeholders in the TJ policy development and implementation to learn from the young minds. JRP hopes that this will start the process of enlisting voices of the youth that is currently missing in discussions surrounding TJ in the country.

Under the theme: “Every one Counts: Voices of Young People in Transitional Justice”, the first phase of this quiz competition will focus on the Acholi sub-region but will expand to the neighbouring regions in the following year. There will be district competitions in Pader on 10th September at Pader Girls S.S; Kitgum on 11th September at the Kitgum Peace and Documentation Centre/Refugee Law

Project; Nwoya on 12th September at Pope John Paul VI S.S. in Anaka; Amuru on 13th September, at Lacor Seminary and in Gulu on 14th September at Sir Samuel Baker School.

The winners from the districts will compete for the grand prize at regional level in an event that will be held at Hotel Free Zone on **20th September 2012**.

Interactive Sessions

All competitions will also run on radio in order to engage a wider audience. There will be phone in sessions for listeners to call in and supplement some of the quiz questions. Opportunity will also be given for computer savvy youth to participate during the Listeners’ forum which will be launched on radio and internet (the JRP website, Facebook, blog and twitter accounts).*



A student from Lacor Seminary takes notes at the TJ Quiz Dialogue in early July 2012.

Transitional Justice IQ Gauge 2012 - Dates to Remember

September

- 10** **Pader**
Pader Girls Secondary School
- 11** **Kitgum**
Kitgum Peace and Documentation
Centre/Refugee Law Project
- 12** **Nwoya**
Pope John Paul VI Secondary School

Amuru **13**
Lacor Seminary

Gulu **14**
Sir Samuel Baker School

Finale Hotel Free Zone 20

Reparations Through the Lens of Children



With the debate on reparations growing steadily in the transitional justice arena in Uganda, JRP's Community Mobilisation department sought the views of young people in 20 secondary schools within Acholi sub region. With the intention of understanding reparations through the lens of youth and children, we explored the students' views on the following questions: What crimes have been committed to youth and children in northern Uganda and how these have impacted on them? What forms of reparations are ideal for children and youth and why? What are the expectations of youth and children for meaningful reparations programmes in Uganda? And how should the youth and children be involved in designing and implementing a reparations programme in Uganda?

SYLVIA OPINIA

AS THE FAMILY SAT around the evening fire on the 23rd December 2002, waiting for their supper, the Lord's Resistance Army came to Omianyima and abducted nine year old Okot Stephen. Similar to the story of Jesus who was betrayed by Judas Iscariot, Stephens' village friend Innocent, who had been abducted one year earlier at the age of eight, led the rebels to this particular home so that his friend could join him in the bush.

"My friend came and gave me a good hug as if he will remain here with me," Steven recalled almost ten years later to his classmates at Lacor Seminary in Gulu.

He soon realised that the hug meant that he would be joining Innocent in the bush. As soon as the now abductee reached the bush near Kalongo, in Agago District, he was subjected to his first training as a child soldier, where the registration process required that all the abducted children receive 75 strokes of the cane. Within three days of vigorous training, the innocent boy was now able to shoot a gun, dodge bullets and carry heavy load. This period coincided with the operation iron fist and within the three months that Steven spent with the LRA forces in the jungles, he survived death narrowly as he fought a number of running battles with the UPDF in attempts to save his life.

A lot has been documented on how children such as Stephen and other youth have suffered grave violations of their fundamental rights as a result of armed conflict in northern Uganda. Of the more than 60,000 to 80,000 persons (Annan, Blattman, Mazurana and Carlson, 'Civil War, Reintegration and Gender in Northern Uganda, *Journal of Conflict Resolution*, 2012, 1-32)

forced to serve the LRA during the two decade war in Northern Uganda, reports estimate that 24,000 to 38,000 children have been abducted and forcibly conscripted as child soldiers (Pham, Phuong, Vinck, Patrick, & Stover, Eric. 2007. *Abducted: The Lord's Resistance Army and Forced Conscripted in Northern Uganda*. UC Berkeley: Human Rights Center). A recent survey conducted in Gulu District alone indicates that out of 10,370 people who died or are still missing, 81.5% are children and youth aged 24 years and below (CAP Uganda: 2012. *For their Name and in their Name: Documenting & Paying Homage to Gulu District's Children & Youth; Those Who Died; Those Still Missing*). Yet the suffering of children and youth during the conflict was not limited to their recruitment and use by armed forces or groups, killing and maiming, rape and other sexual violence, abductions, attacks against schools and hospitals. The war has also deprived children and youth of their basic rights to survival and development.

"Children's right to education was denied due to displacement of schools, there was a lot of running and hiding making it difficult for children or youth to go to school."

A student of Palabek Secondary School during the open dialogues for TJ Quiz participating schools.

Section XIII of the Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime specifies that child victims have a right to reparations (ECOSOC Resolution 2005/20 of 22nd July 2005) but reports indicate that to date, reparations programmes have been inconsistent in their acknowledgement of violations against children, with some only focusing on violations against their parents with indirect impact on children while others focus on a limited range of specific violations suffered by children (Cecile Aptel and Virginie Ladish. 2011. *Through the Lens: A Child – Sensitive Approach to Transitional Justice*. ICTJ). While the task for restoring lives of war affected children and youth must be central in any transitional justice processes, it is important for reparations programmes to acknowledge children and youth as right holders who suffered specific violations in light of their vulnerability. Child and youth centred reparations will not only address specific wrongs committed to them

but also guarantee that mistakes of the past will not be tolerated by this generation of tomorrow's leaders. Furthermore, JRP's interaction with victims and survivors across Northern Uganda reparations have been indicated as the most preferred form of justice.

In light of the developments at national level related to the national policy on reparations, it is prudent that some considerations be given to exploring the following issues in order to address the needs of children and youth who have suffered the brunt of this conflict.

The overall goal of reparations

It is important that any reparations programme should aim to acknowledge harms committed to children and youth and help them to acquire the relevant support needed to lead a productive life. This can be done by carefully evaluating the impact of harms committed to children and youth and at times providing documentation of such violations. Special attention should be given to the cross cutting principles of the well-being of the child, dignity, non-discrimination and the best interests of the child as enshrined in the Convention of the Rights of the Child (CRC).

The type of reparations

Programmes for reparations range from material to symbolic; individual to collective. Dialogue with students indicates that majority prefer as the most effective programme that which adopts a mix of benefits such as access to accelerated education or job training e.g technical institutions for the youth who lost out on education, accompanied with psychosocial support or counselling. Many students mentioned the need for state scholarships to be directed towards students from areas affected by conflict and most specifically targeting orphans or children of those who disappeared, while some referred to symbolic gestures as important, others also mentioned more specific benefits.



Eligibility in terms of timing

While the conflict in Northern Uganda lasted for more than two decades, some affected children have already grown into young adults. Therefore the policy development process needs to give considerations to whether eligibility will be based on the status of the person as a child at the time the violation occurred or at the time the reparations are administered. When this question was posed to them the majority of students preferred that eligibility should be based on ones status at the time of violation.

Highlighting the child victim-perpetuator dilemma

It is public knowledge that most children that were abducted by the LRA were forced to commit terrible atrocities, sometimes towards their own family members or relatives. As a result some community members view return packages given to formerly abducted persons as payment for wrongs they have committed.

Implementation of reparations programmes

While JRP discourages ad hoc reparation in the form of payments to a few victims in favour of

programmes that are within a government policy framework and channelled through a transparent process, some specific child friendly processes need to be given special consideration. In Nepal for instance, when the applicant is the child of a disappeared or deceased person, the Chief District Officer deposits an amount in the child's name under the legal guardianship of a close relative for the child to access once he or she attains the age of majority or during an emergency with approval (Cecile Aptel and Virginie Ladish, as above). Such and other best practices can be emulated to make Uganda's reparations programme child and youth friendly.

In conclusion therefore, it is important that the Justice Law and Order Sector ensures that the policy development process consults and enlists the voices of young people that are currently missing in the mainstream transitional justice debates through appropriate child friendly outreach strategies. The students also suggested some elaborate ways to enhance their participation such as through dialogues, writing essays, poems or articles, radio programmes and having consultations with their youth representatives in parliament, among others."

Campaign Update

TheRighttoKnow

Action for persons missing during conflict.

PAMELA ALAROKER

The International Committee of the Red Cross (ICRC) defines missing persons or persons unaccounted for as those whose families are without news of them and/or are reported missing, on the basis of reliable information, owing to armed conflict (national or international) or internal violence (internal disturbances (internal strife) and situations requiring a specifically neutral and independent institution and intermediary). Indeed uncertainty about the fate of their relatives is a harsh reality for countless families, as parents, siblings, spouses and children are desperately trying to find lost relatives. Their anxiety has remained

with them after the fighting came to an end in northern Uganda and relative peace returned. They are unable to move on to personal or community rehabilitation and reconciliation.

An ICRC report on the Missing thus notes "[the] individual right of family members to know the fate of missing relatives, their whereabouts or, if dead, the circumstances and cause of their deaths". The 'Right to Know' Campaign is therefore a response to the need for a collective voice to do advocacy with the aim of heightening awareness to draw the attention of key stakeholders about the missing or people who are unaccounted for as a result of

conflict and the anguish of their families. Facilitated by JRP's Community Mobilisation department, the campaign is spearheaded by victims groups across northern Uganda.

Watch out for reports on the series of week long activities conducted across the region by families and relatives of missing persons focusing on the International Day of the Disappeared which is observed every 30th of August worldwide."

Pamela Alaroker is an intern with the Community Mobilisation Department.

Community Mobilisation

Updates from the Field

Road to Reconciliation

Reparation of War Victims

A challenge for community reconciliation

The Community Theatre Project is one of JRP's core activities designed to foster awareness creation, promote healing and reconciliation and to develop advocacy skills at community level. The Project provides a safe space for sharing experiences with the objective of finding ways to deal with individual problems by drawing on the strength of the community or group members. The approach is personal and interactive, allowing participants and community members to express themselves and to come up with their own solutions to the issues they face as they forge a way to come to term with their problems.

The training of the facilitators for the community-based project allowed ISAAC OKWIR ODIYA to place reparations on Uganda's road-map to true reconciliation.

DURING THE MONTH OF JUNE 2012, the Community Mobilisation Department of the Justice and Reconciliation Project introduced the Community Theatre Project to two victims groups in Palabek sub-county in Lamwo district. The group members were LRA war victims; some of them are formerly abducted persons while others were victimised from a different angle by the war. Our intervention with the groups was on request by the group members through the Grassroots Reconciliation Group (GRG), one of the local NGOs we partner with.

Our situational assessment showed that the groups are still deeply affected by the aftermath of the war. Challenges related to the resettlement of those formerly abducted, land wrangles, evil spirit in areas of return, stigmatisation of formerly abductees, emotional trauma, health challenges and limited livelihood means among others posed the need for the Theatre Project to help the victims groups find answers. Community theatre provides a free environment for mutual inter-

action among group members, promotes story telling which explores individual conflict experiences and allows for community oriented solutions to problems.

Having introduced the Theatre Project to the two groups, we identified five facilitators and trained them on theatre facilitation skills. One of the items discussed in the training was theatre for reconciliation which presented the 'road to reconciliation'. It is from this angle that the trainees expressed the impossibility of promoting reconciliation before repairing war damages. The theatre facilitators expressed that at this stage in post-conflict, people continue to live in fear, hatred, suspicion, mistrust, disunity and develop a heart of revenge.

The road to reconciliation presents steps to resolve conflict between two parties with the help of third party beginning with the realisation of the need to resolve the conflict. A meeting is called to identify the issues of the conflict and the needs of the conflicting parties and a resolution is made in such a way that pro-

vides justice for both parties. The road to reconciliation also helps to identify challenges during conflict resolution, how to overcome the challenges and presents an ideal situation for conflicting parties (known as a 'reconciled relation').

It is at this stage that the theatre facilitators observed the need to provide justice to war victims for effective reconciliation to take place. To provide justice during conflict resolution, it is important to satisfy the interest of both parties in the conflict. Victims can hardly forgive and reconcile for

damages caused to them without doing justice to their

plight. "As victims, we need effective reparation of war damages to yield from the shock we went through during war and this will help us to be at balance with our counter parts. Such reparation should be in form of compensation of the lost incurred during war, rehabilitating those who are ill, acknowledging our plight, and assuring us of non repetition of pass experiences," said one community theater facilitator.

According to the facilitators, true reconciliation cannot take

place without an effective reparation program. They cited the fact that during the war many people lost their dear ones, their education, property which was a source of livelihood, many were sexually abused and others were physically injured. The victims therefore find it hard to forgive those who perpetrated acts against them without their victimhood being accounted for, which if done right will cool their hearts and tune them to negotiate for reconciliation.

The theatre facilitators also discussed with concern the is-

"Victims find it hard to forgive those who perpetrated acts against them without their victimhood being accounted for, which if done right will cool their hearts and tune them to negotiate for reconciliation."

sue of the definition of victims and perpetrators in Northern Uganda context since the LRA war made many people both victims and perpetrators. A case in point being an individual abducted from school, sexually abused and forcefully recruited to commit atrocity on the civilian population. The facilitators noted the clear disparity and called on peace makers to help restore their relationship with the community members.

It was also observed that the

effect of the two decade war in Northern Uganda societies have been torn apart making people live on an individual basis, effectively creating a social gap with those who have been economically dismantled by the war now having an exploitative relationship with the rest of society. To survive victims have been forced to submit to any condition subjected to by the wealthier members of the community. The social and economic imbalance caused by war has, therefore, created an unjust society. To enhance a just society for community good,

victims demand reparation for war damages to foster effective reconciliation for a just society.

The discussion on the road to reconciliation helped us acknowledge that obstacle to reconciliation during or after war is failure to meet special specific need of the affected people acknowledgement of individual person during war."

Isaac Okwir Odiya is a Project Officer with the Community Mobilisation Department.



News

Goats for Reconciliation

A researcher gives back to the community

SYLVIA OPINIA

SHANON GOLDEN is an American graduate student of sociology from the University of Minnesota who, like many of the researchers that work with JRP, wanted to learn more about the situation in Northern Uganda. One of the communities JRP works with, Lukodi, became one of Shanon's research targets and after interacting directly with the community for many months, and gaining a deeper understanding of the daily transitional challenges facing it, she decided she wanted to 'give back' as a way to appreciate its members for the wealth of knowledge she had acquired. Shanon mentioned that out of all of the communities that she worked with, she found the Lukodi community to be the most engaging and informed about ongoing transitional justice debates, a factor she attributed to the work of JRP. On her visit back to the US, Shanon managed to raise funds from friends and family to support a livelihood project chosen by the community members during a participatory process to benefit them.

Why goats? This was the explanation given by a member of the Lukodi Memorial Committee: "Having livestock is very important to the long-term success of families because cows, goats, and other animals act like a safety net or savings account. During the war, most families lost all of their animals. Goats have particular importance in this region as they are vital for traditional cleansing and reconciliation rituals. They can give birth twice a year and therefore bring income to the families."

Originally known as the CORE (Community Reconciliation) team, the Lukodi Memorial Committee has integrated this project into the community reconciliation initiatives and will also be monitoring the progress of the project. According to Vincent

Oyet, the secretary of the committee, "This is a demonstration of how community driven reparations programmes can benefit the victims and survivors."

Beneficiaries of the project were carefully selected by the community based on their need, their involvement in the community with particular attention to involvement in memorialisation activities, such as cleaning of the memorial site, attending meetings, etc. With this criterion they hope to encourage community members to participate actively in memorialisation activities and to support the activities of the memorial site.

For the sustainability of the project and to increase its impact through a kind of multiplier effect, the

"Goats have particular importance in this region as they are vital for traditional cleansing and reconciliation rituals."

recipients are required to take proper care of the goats whose offspring's will be redistributed to other needing community members and aims to eventually provide all households of Lukodi with goats.

During a colourful event during which the beneficiaries received their goats, Vincent commented that this project will promote healing within the community as members will gain hope for a better future. He thanked Shanon for giving back to the community and cited her as an example worth emulating by other researchers. He also appreciated JRP for their continued work with the committee and for linking them to various stakeholders."

The goats being off-loaded a truck in Lukodi.



Reparations, Not Handouts

Is the Government setting a good legacy for a reparations process in Uganda?

SYLVIA OPINIA

ON 11TH JULY 1989, the National Resistance Army (NRA) allegedly rounded up men who were suspected of being rebel collaborators against the then newly formed government and closed them in a train wagon where 69 suffocated to death while 47 survived. Afterwards, the Government convened a military court martial to try the perpetrators and in 1994 delivered the first part of compensation to the families of those who died. By 2001, a mass grave and Mukura Memorial Senior Secondary School were constructed. In October 2010, a sum of 200 million Uganda shillings was delivered by the President of Uganda, Yoweri Museveni, during a public gathering, handed to the then Woman Member of Parliament, and a building intended to house a public library was completed. Media reports indicate that the President publicly apologised to the community in Mukura on behalf of the NRA soldiers.

In a separate incident, during the height of the LRA conflict in Northern Uganda, the Uganda Peoples Defence Force (UPDF), mistaking them for LRA rebels, accidentally killed six fishermen at River Aringa in Mucwini Sub County, Kitgum District. In 2011, handled by the office of the Resident District Commissioner, after consultation meetings with the affected families and elders, the families were paid an equivalent of two million shillings.

In yet another incidence of ad

hoc government compensation, immediately after the heinous bomb attacks of 11th July 2010 on world cup football fans at the Kyandondo Rugby Club and the Ethiopian Restaurant in Kampala, the government paid five million and three million shillings respectively to the families of those who were injured and those who died on that day.

This year on the 20th of April, during the 17th annual commemoration prayers for the 1995 Attiak massacre by the LRA, President Museveni gave Attiak Massacre Survivors Association a cash contribution of one million shillings and pledged 50 million shillings which he said was not part of the compensation but his personal contribution.

While the above and other attempts to repair harms committed to civilians by the government are well intentioned, the manner in which they have been implemented leaves a lot to be desired and leads one to wonder whether the government is setting a good legacy for the reparations process in Uganda. It can be argued that the Government only acknowledges and takes responsibility for crimes committed by its soldiers as is the case of Mukura and Mucwini. According to the UN Basic Principles and Guidelines on the Right to a Remedy and Reparations all victims regardless of whether the violations are by the state or non state actors, have a right to adequate,

effective and prompt reparation for harms suffered and places the primary obligation upon the state to provide reparations.

Looking closely at the circumstances surrounding these and other similar initiatives, it is questionable as to whether they meet the central principles guiding reparations. The UN Guidelines outline some of the principles central to any reparations programme such as acknowledgement including full facts of factors surrounding the incident and acceptance of responsibility and guarantees of non repetition among others.

Since such initiatives tend to lack community consultations, apart from Mucwini, an assessment of victims needs to make them victim centered. While it is true that victims across the region in one way or the other are demanding reparations for the crimes that have been committed to them, their needs vary. For instance, in West Nile the majority of the population that was affected by LRA conflict were active as businessmen, civil servants, students etc., as opposed to Acholi, Lango or Teso where victims were varied as a result of indiscriminate attacks. It would therefore be important to consult and assess the different reparations and therefore justice needs.

It is also important for reparations programmes to be linked to other transitional justice mechanisms, such the as International Crimes Division, truth telling, traditional justice initiatives among

others, in order for victims to feel that justice has been achieved. In Mukura, during a community theatre performance, the survivors and families of the victims called for reconciliation with the perpetrators through traditional ceremonies.

As the current transitional justice discourse among communities is dominated by the debate

on reparations, I therefore want to reiterate JRP's position for a victim led process for a comprehensive policy based on assessment of needs to determine victimhood, and implemented through an independent body in order to reach its intended beneficiaries. This will ensure that victims of gross human rights violations are subjected to similar processes and procedures."

Remembering the Mukura Massacre of 1989

ORYEM NYEKO

The Mukura Massacre Field Note XII was published by JRP in March 2011. It reconstructs in a narrative form the events of 23 years ago, on the 11 July, when 300 men were allegedly rounded up and trapped in a train wagon for four hours by the National Resistance Army (NRA) regime.

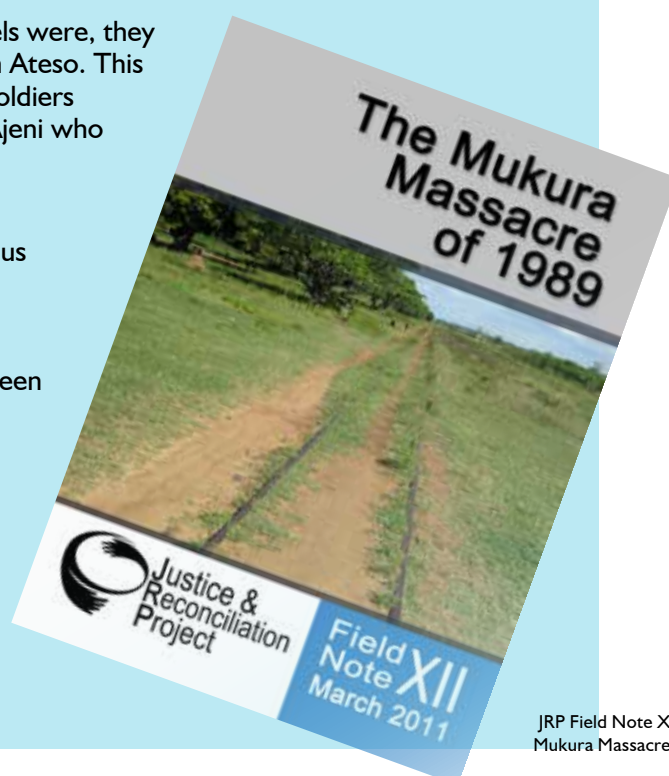
It provides a background to the event – describing the efforts of the newly formed NRA Government to seize control of the country after a long period of insecurity. In Teso sub-region, the 106th Battalion of the NRA (referred to as *Pili-Pili* – red pepper in Kiswahili – by locals) worked to identify suspected rebel soldiers and collaborators in order to wipe out any form of insurgence in the region. The result was the arrest of men from the surrounding area, the suffocation of 69 men and the aftermath of the Mukura Massacre.

The report contains anecdotes from respondents that give insight into what was going on at the time. One particular quote is striking:

"Whenever they asked the people where the rebels were, they responded '*mama ajeni*' meaning, 'I don't know,' in Ateso. This created problems for many of them because the soldiers concluded that there was a big lady called Mama Ajeni who was the commander of the rebels."

The report utilised interviews with eyewitnesses, survivors, officials from Local Government and focus group discussions with relatives of the victims and the survivors of the massacre. It concludes with recommendations, directed at the relatives of the victims in particular who are described as having been "ignored". It also proposes consultative measures, proper acknowledgment of the Massacre by the Government and the assignment of individual responsibility for the events that took place amongst other recommendations.

Read the entire Mukura Massacre Field Note on www.justiceandreconciliation.com."



JRP Field Note XII: The Mukura Massacre of 1989.

The Day Everything Changed

An endless search for reparations

Once productive and respected, Buti Sam was crippled and left for dead by the LRA after an attack on bus he travelled. Despite his struggles, he has been chasing for reparations from the Government of Uganda on behalf of other victims in West Nile for the past nineteen years.

LINO OWOR OGORA

BUTI SAM hails from Maracha District in West Nile Sub Region. He is a qualified Civil Engineer. Following the completion of his studies and the attainment of a Bachelor's Degree in Civil Engineering from Makerere University in 1991, Buti successfully attained work with the Uganda Red Cross Society (URCS) in Koboko. He married a woman called Harriet and settled down to build a career as an Engineer. The future looked bright, until the fateful day of 13th May 1994 when he fell into an LRA ambush.

The events leading to this ambush began to unfold on 11th May when Buti was asked to attend a workshop in Kampala on behalf of the URCS in Koboko. It was a period of heightened insecurity, as the LRA was committing atrocities in northern Uganda. The LRA prowled the major roads and highways wreaking havoc in the form of ambushes, which made it difficult for ordinary civilians to travel. Many resorted to travelling in convoys under the protection of heavily armed soldiers, while those who could afford it travelled by air.

Buti was flown down to Kampala by Eagle Air, and attended the workshop successfully. He was then handed a return air ticket to enable him to travel back to Koboko. In a move which was to later turn disastrous, he decided to forego the ticket and travel by road instead as this would enable him to visit his mother who lived in Masindi District.

Buti left for Masindi on the 12th of May and was able to pay a visit to his mother as he had been longing. The next day, he departed early in the morning for Koboko. He boarded a bus called Victoria Nile Bus at around 6:00 am heading to Arua.

Two hours later, the bus arrived at Karuma, turned off the Gulu-Kampala highway and headed to Pakwach, on the final leg of the journey to Arua. It was shortly thereafter that the ambush occurred. Buti recalls that between 8:30 am and 9:00 am as the bus was moving along at a fair speed, a group of LRA rebels who had been lying in ambush suddenly jumped out of their hiding places onto the road and opened fire on the bus.

The driver of the bus responded by applying the brakes, shifting the bus into reverse gear, and immediately reversing. The rebels continued spraying the bus with bullets as the passengers within scampered about in panic, with many of them getting shot in the process. Out of desperation, some tried to jump out of the bus windows in a bid to escape.

Buti was seated on the back seat at the very rear of the bus. From

this position, he tried to take cover from the bullets which were flying all over the bus. Then suddenly the rear emergency window was shattered by a bullet. He took this as his opportunity to escape from bus. He perched himself on the window frame of the shattered emergency window, and waited for an opportune moment to jump out.

The driver managed to keep control of the bus until it reached the bottom of a valley, and began to ascend a hill while still in reverse mode. At this point the bus slowed down a bit and Buti thought the time had come to jump off. He successfully jumped off the moving bus, and all would have gone well had his left leg not got dislocated just as the moment he hit the ground. This prevented him from getting clear of the bus, and he was forced to lie flat on the ground and allow the bus to move over him.

As this happened, his shoulder was caught by the front axle of the bus and the bus began dragging him along on the surface of the road for several meters. In the process, Buti felt a sharp pain in his back, accompanied by an ugly snapping sound. It was then that he realised his spinal cord was broken. At that very moment the driver of the bus was shot dead by the rebels.

Buti was eventually released from the moving bus when it dragged him into a ditch on the road, which enabled him to pry loose. Buti thinks that if the road had been tarmac, he would not have survived.

Unable to move and in a semi-conscious state, Buti remained lying where he was. The bus had come to standstill a few metres from where he lay, and the LRA were pillaging it for valuable items. Even in his semi-conscious state, Buti realised the rebels were searching him and removing all his valuables, including the clothes he was wearing. They took his shirt, his trousers, and shoes, and left him completely naked. At an opportune moment, Buti was able to roll himself slowly and painfully into the bush by the roadside, another effort that probably saved his life, because the rebels begun moving among the survivors and killing those who were still alive.

The Government forces, the UPDF, were only able to arrive on the scene at two in the afternoon, and they quickly fought off the rebels who were still mulling about. Of the bus-full of passengers, only Buti and five other people were lucky to remain alive.

Buti was discovered lying by the roadside in a clump of bushes. He was instantly recognized by one of the UPDF soldiers called Bayo Joseph, who helped to carry him to a nearby detach where he was given a room to lie in, until he could be transferred to a hospital. Later in the night, the army detach was attacked by LRA rebels, but they were repulsed by the UPDF after a heavy exchange of gunfire.

Buti was later transferred to Arua Hospital, where he spent one year. He was mainly treated with physiotherapy and the use of pain killers, but this was not enough to heal his spine. He was later referred to Mulago Hospital, where he received more advanced

forms of physiotherapy, but again this was not enough. He spent three years at Mulago before he was finally discharged.

Buti came out of hospital a different man. He was crippled and disabled by his experience, and had to walk by the aid of crutches. His medical condition was also far from good, as he did not have full control of all his body functions. He had been laid off by URCS and had neither employment nor an alternative source of livelihood. He would never be able to practice his engineering profession fully. He was soon abandoned by his wife and mother of their three children, Harriet. Harriet left him on pretext of going for further studies, and that was the last Buti saw of her.

Broken and disillusioned, Buti strived to pick up the pieces of his life. He sought help from the Government of Uganda, and when this was not forthcoming, he formed the West Nile Kony Rebel War Victim's Association, and together with other victims of conflict in the West Nile sub-region, he has been lobbying for reparations for victims of conflict in the region. The Government has never substantially responded to the needs of the group, or other victims in West Nile. Still, Buti and other victims feel the Government should compensate those who lost their lives and property in the numerous ambushes conducted along the Karuma-Pakwach highway. He feels the Government should also apologise for not providing adequate security as well as set up memorialisation initiatives for the victims. While there has been no response so far from the government, Buti continues to patiently advocate for reparations through the victim's association.

In the meantime, Buti has to struggle to provide for himself and his two twin daughters who are now grown up. His daughters are now eighteen years old and were very young at the time the incident occurred. Like many other people, they are yet to fully come to terms with gruesome incident that changed their father's life. According to Buti himself, "the most painful thing is that many people think I was born like this, yet in actual fact I was disabled in an ambush. Now I cannot perform as a man and I cannot also work to earn money for myself and my children."

Buti believes that with advanced medical treatment and electrotherapy, he can be able to recover substantially enough to walk without the use of crutches, and regain control of the nerves in his leg, which he has currently lost. The cost of this treatment however is too high for him to afford. He currently has to rely on small construction contracts, which he implements with aid of other workers.

The fate of people like Buti is symptomatic of thousands of victims in northern Uganda, and their endless quest for reparations. It is a sign that the Government has a lot of ground to cover in order to reverse the impacts of the conflict through provision of reparations for victims."

Land as a Post-War Social Asset

EVELYNN ANGEYO

LAND CONFLICT is an increasingly significant issue in a transitioning society such as Northern Uganda and this is notably due to the prolonged armed conflict that saw the larger proportion of the population displaced. Northern Uganda comprises of the majority of the populace that was affected by the over 20 years rebellion of the Lord's Resistance Army as many were forced and obliged to flee or to leave their homes. Restitution of land has become a challenge as many people have failed to retain the land that belonged to them before the time of the war. This challenge stems from poor documentation as many of the communities' do not have any records clearly showing their land boundary and demarcations. This has then left much land formally unclaimed and attracting encroachers under the disguise of investment.

The war that was largely confined to the Acholi sub-region was characterised by cyclical violence which disabled civilians from enjoying their normal lives on their property. The destruction by the LRA involved theft and looting, abduction of children, youth and adults, killings and displacements. Now that there is relative peace after the end of the armed conflicts, property conflicts have in-

creased with most of them being as a result of failure by national and international actors to undertake or constructively manage post-conflict property relations.

We should note that land is often a crucial issue in conflict-related emergencies and can play a key role in post-conflict recovery. This is because land reparations in transitional democracies have many intrinsic interests and

“Land is often a crucial issue in conflict-related emergencies and can play a key role in post-conflict recovery.”

also arouse a number of deep issues in political, sociocultural, moral and legal dynamics that should be handled comparatively. For instance, within the Acholi community where land is owned communally under a customary land tenure system, the land is used for a variety of purposes other than cultivation for the benefits of the wider clan and family. Today, in Northern Uganda and within the Acholi community, where members are trying to resettle into their ancestral land, there are emergencies of numerous conflicts within the customary tenure system. Many orphans and widows have lost their land to relatives and encroachers since there are no clan systems or formal judicial systems to protect such vulnerable groups of persons to claim

for what belongs to them.

Notwithstanding the harms flowing from such expropriation, reparation by change of governments will fail to restore justice and will instead cause yet further injustices. We should assume that reparations programs are generally permissible, assuming they are put into place by reasonably democratic and participatory process. We should also note the difficulties in administering return after conflict and make it a more participatory process which involves all the stakeholders and not forgetting the most marginalised groups to achieve a peaceful reintegration.

Land and property rights as well as victims reparations therefore need to be addressed as a part of a broader peace-building and reconstruction process, including the development of sustainable solutions for displacement of the vulnerable populations in a transitional society. This is to avoid any continued violence among the communities that could most likely culminate in a resumption of war.⁸

Evelynn Angeyo is a former Human Resources Assistant with JRP.

An Unlikely Friendship

ORYEM NYEKO

WORKING AT an organisation like JRP, one tends to regularly come into contact with people of different ages and backgrounds that have been affected by the conflict in Northern Uganda in some way or another. They freely share what has happened to them – some tell heartbreaking stories of how they are unable to trace loved ones, others speak frankly about the horrific acts they were forced to commit when they were in the bush. The tales are absorbing and tragic, shocking and heartbreaking and it is after hearing the stories, and observing the people telling them, that I am struck by the fact that they are all bound by a single strand: a hope for the future.

Recently, I had the privilege of witnessing the effect of this intangible, often imperceptible feeling when I coordinated a visit between three young former LRA abductees and students from the University of Tennessee as part of an academic programme known as the Gulu Study and Service Abroad Programme. Meeting Tadeo (“Surviving Against All Odds” Voices, Issue 1, May 2012), Stella and Stephen for the first time you would never guess the experiences they have survived. Each of them is vibrant, friendly and charming. And ambitious! The lone teenager Stephen told me, with surprising conviction, how he was going to become a judge one day. Hearing the absolute assurance in his voice, I had no doubt that short of something extraordinary happening Ste-

phen would accomplish his dream.

We sat in a circle under the shade of a tree as the three related their stories of abduction, their return home, the challenges they have faced since and their personal hopes. There was a palpable silence as the students listened to the details of the physical and emotional trauma experienced in the bush lined with the amazing accomplishments the three have managed to achieve after coming home. Today, Tadeo is pursuing a university degree, Stella is an active member of the grass-roots advocacy group, the Women’s Advocacy Network (see “Gender Justice Activities”, page 8), while Stephen is an excellent orator and regularly represents his school in national debate competitions. Even though the speeches were simple the day made a subtle but significant impact beyond what I had imagined.

Later, I learned that Stephen had formed a bond with one of the students.

Despite coming from entirely different backgrounds Stephen and Michael share a lot - both are tall, both have resounding ambition, both are articulate, intelligent young men. Why wouldn’t they get along? Stephen admits, though, that before the afternoon in July he was not expecting to make friends.

“My expectation was that they were going to be ‘great’ people, not my age mates,” he told me, “Thank God I met someone who is almost my age! He was always friendly to me, never minding of

the colour or age difference.”

Michael and Stephen had arranged to have Acholi lessons, with Stephen being the teacher to his slightly older friend.

“He was very interested in knowing our language, and I lectured him at least two or three times, to make him communicate with my parents, as he was really keen with visiting my father. It made us really great friends. He was interested and he was learning very quickly.”

Stephen is a bright student and an avid and eloquent debater. He has been chosen to represent his school in a debate competition at the national level on the topic of “Good Governance in the National Equation”. His talent as an orator is matched by only his ambition to become a judge one day.

I asked him what the importance of debates and competition at school is.

“[It] makes us as students realise our talents as well spoken men in the community. It makes students realise they have been chosen right from the beginning to be leaders. It also exposes students to what is being done in the community or even the entire country, like what is not really going on well.

“Debate can also help students to grow their intellectual ability. If the student can reason very fast in the debate room then this is a student who can perform very well in the class.”

As an organisation, the Justice and

Reconciliation Project aims to work with victims of conflict in sharing their experiences and views, but occasionally it is possible to lose sight of the reasons behind the work. Why is it important to tell ones story? What impact will it have? What is the ultimate goal? Considering that many are still unwilling or lack an avenue to relate their experienc-

es and point of view, the heartening effect of Tadeo, Stella and Stephen's simple act of sharing what happened to them reminds me that sometimes it is worth it.

Stephen talked about the importance of sharing ones experiences.

"[People] should come out with their experiences so that people can really know what they

were underwent, so that that kind of scenario can never happen. It was their experience and they should take courage."*

Oryem Nyeko is the Communications Officer at JRP.

My Acholi Lesson

MICHAEL ROBINSON

It took Stephen about 20 minutes to teach me the proper pronunciation of "ny" and "ng" in Luo. The first time I met Stephen I butchered "what is your name?" in Acholi. "*In nyingi anga?*" is what I should have said.

It sounded more like, "inny-ingini Hannah?"

Stephen and all the people from the Justice Reconciliation Project laughed as I continued to struggle with something so basic. "If you just give me 30 minutes to teach you, I'll have you speaking Acholi," Stephen shouted across the table.

I took him up on the offer thinking: There's no way.

Sure enough, 20 minutes into the lesson, we were stuck on "*In nyingi anga?*" Or as I now had it: "*Angagyniangna?*" I thought for sure I had stumped the teacher. Stephen scratched his chin as he contemplated his defeat. "Tomatoes!" he said. "'Tomato' in Acholi is '*Nyanya*' can you say *nyanya?*"

"*Nyanya?*" I said, "*Nyanya!*" I got it. "Ny" became simple (although "ng" still gives me trouble) with the help of Stephen, who volunteered his entire

morning to teaching me Acholi and the rest of the afternoon to enduring my chant: NYANYA! NYANYA! NYANYA!

As much as Acholi words escape me, English words could not help me describe how I simply cannot fathom what it would be like to be abducted at age nine, forced to be a soldier at age nine, forced away from my home and into the bush, as a child.

I tried to imagine it from Stephen's younger brother's perspective: what if my older brother was taken in the night? What if for three years, he was held captive away from me and *forced* to commit crimes against his own people? Would I consider him my enemy? Would I think about him every night and wish beyond all measure for his safe return?

It is heartbreaking and nearly impossible for me to fully comprehend.

Before I arrived in Uganda, I had done a fair amount of studies regarding the recent conflict, yet nothing was making it real to me. I found myself falling into this strange paradox of knowing about the conflict, being in-

formed about the terror involved in the two-decade long war, and being aware of the struggles of post-conflict rebuilding, but of not really making the connection that there are people my age, people older than me, even people *younger* than me who are actually here, available to teach me Acholi and eager to share their experiences. These people have endured the conflict, persevered through the terror and are struggling in the post-conflict stage.

It was truly a personal breakthrough in my academic studies, not to mention my personal outlook on life, to simply meet those involved with JRP. It was an honour to see their work, and realise just how important it is.

Stephen and those at JRP taught me more than just "*nyanya!*" they have taught me how to look past the words on a page and see the beautiful, intelligent and brave people who have been adversely affected by conflict. But not just to see them or empathise with them, but struggle with them in hopes of a better future for all Ugandans.*

New and Upcoming Publications

Look out for these JRP reports in 2012

Upcoming When a Gunman Speaks, You Listen

This is a documentation of victims' conflict experiences in Palabek Sub-County in the late 1980s and early 1990. In this report, victims recount their suffering at the hands of NRA soldiers and the LRA rebels. Victims are particularly haunted by the name of a one "Captain Abiriga" who led the NRA's 32nd Battalion which was based in Palabek, and subsequently committed numerous violations against the civilian populace.

The Northern Uganda Transitional Justice Monitor

This is a survey of the transitional justice situation in northern Uganda, and how war affected communities are pursuing recovery and reconciliation. The survey monitors various aspects of recovery such as resettlement of formerly abducted persons, reconciliation, access to justice, livelihoods, security, and memorialisation.

Victim or Villain?

This special report focuses on individuals who bear a dual victim-perpetrator identities and the complexities involved in handling their cases. It uses the case study of Thomas Kwoyelo, a senior commander of the LRA whose trial commenced before the International Crimes Division (ICD) in 2011. It discusses controversial questions of amnesty, reparations and impartiality. The report has no specific release date as a result of the pending trial of Thomas Kwoyelo but is likely to be released by the end of the year.

New! Time For Truth: Rapid Situational Brief on Current Perceptions of Truth-Seeking in Gulu District

In response to the long awaited Justice Law and Order (JLOS) study on traditional justice and truth-telling, JRP's Community Documentation Department conducted a rapid situational brief to assess the views of community members on truth-telling

The research for the brief, which was conducted in four areas in Gulu District, utilised eight areas of assessment: community members' knowledge on truth seeking process; the relevance of a truth seeking process; types of truth they would like revealed; the timing of the truth seeking process and whether it is overdue or not; methodology i.e. truth commission vs. local level truth telling; leadership i.e. who do they think should lead the process; consequences of a truth seeking process; voluntariness i.e. whether the process should be voluntary or not."

All JRP publications are available on www.justiceandreconciliation.com

Share Your Views!

"The Right to Know" is the theme of the next issue of *Voices* Magazine. What does "The Right to Know" mean to you? Why is the truth seeking process and the search for answers important to you?

Submissions of up to 1000 words are welcome. Email voices@justiceandreconciliation.com or SMS +(256) 718990426 to have your voice heard.

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