

UG Reconciliation Barometer 2012



Findings from a 2012 Transitional Justice Monitoring Survey



Justice and
Reconciliation
Project

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UG Reconciliation Barometer 2012: **Findings from a 2012 Transitional Justice** **Monitoring Survey Report**

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ACRONYMS

FGD	Focus Group Discussion
GoU	Government of Uganda
ICC	International Criminal Court
ICD	International Crimes Division
IDP(s)	Internally Displaced Person(s)
JRP	Justice and Reconciliation Project
LDU	Local Defense Unit
LRA	Lord's Resistance Army
NRA	National Resistance Army
NRM	National Resistance Movement
UNLA	Uganda National Liberation Army
UPDF	Uganda People's Defense Forces
UG	Uganda

Summary in Figures

20% of formerly abducted persons have no education, as opposed to just 12% of other respondents.

40% of FAPs have participated in a traditional justice ceremony.

56% of respondents still have a family member missing from the conflict.

72% of respondents want a memorial in their community, but there is not a consensus among northern Ugandans about the impacts of memorials.

95% of respondents believe victims from the conflict should be compensated, and of those who said compensation is needed,

...**89%** hold the government responsible for providing it.

Before the conflict, **94%** of respondents were satisfied with their standard of living. Today, only 39% are still satisfied.

Of those respondents who experienced **stigmatization**, approximately half had fully recovered and almost half had somewhat recovered.

By far, the majority of respondents stated that **land wrangling** was the most common issue in their communities.

In terms of justice for crimes committed, many want the **government to be held accountable** for crimes committed by the UPDF.

60% of respondents think **amnesty** should be granted for former LRA rebels who were not commanders. However, only 23% want amnesty for former commanders.

EXECUTIVE SUMMARY

This is the first publication of the UG Reconciliation Barometer, a public opinion survey conducted by the Justice and Reconciliation Project in northern Uganda.

The UG Reconciliation Barometer measures the attitudes and perceptions of northern Ugandans on critical justice and reconciliation issues since the relative calm restored following the relocation of LRA fighters to neighboring countries. Modeled after the South African Barometer Report by the Institute for Justice and Reconciliation, this report hopes to offer stakeholders an important resource through which to track progress in a post-conflict society. The report offers important findings on a variety of issues: reintegration of formerly abducted persons into society, persons missing from the conflict, current community disputes, justice and reconciliation processes including traditional justice, socioeconomic status, and safety and security. These issues are central to the transitional justice and development agenda for people of northern Uganda.

The idea of power emerged in many conversations with respondents and focus group participants. The northern Ugandan population has been continually disempowered both during the conflict and afterward. They were powerless at the hands of the LRA rebels; they were powerless to protect themselves against government soldiers, their supposed protectors; and today, they feel powerless against the pervasive corruption that fuels land disputes, victimizes those who have already suffered losses as they struggle for compensation, and threatens their livelihoods.

RESEARCH METHODOLOGY

To gather public opinion, JRP developed a survey consisting of 63 questions related to transitional justice. In April and May of 2012, JRP embarked on field research to ascertain the progress of justice

and reconciliation in northern Uganda. This survey exercise covered seven districts across the Acholi sub-region: Agago, Amuru, Gulu, Kitgum, Lamwo, Nwoya, and Pader. Research was conducted in all 60 sub-counties across those districts, including former IDP camps, rural communities, urban and semi-urban areas.

In total, 2,573 community members were interviewed through in-depth one-on-one interviews. The selection of respondents was random, for example researchers often arrived at a location and then randomly selected a homestead as a starting point and spread out in different directions. Locations and study samples for the survey were selected based on statistics the last population and housing census conducted in 2002. Projections for the year 2012 were used to select this sample size, with a confidence rating of 95%. Through the 63-question survey, community members offered their opinions on the state of justice and reconciliation. Questions covered a wide variety of issues including community disputes and resolution methods, missing persons, reparations, the quality of the security sector, memorialization and others. Our team of seven enumerators was trained in how to approach the community, conduct the survey and translate questions from English to Acholi. Most interviews were conducted in Acholi.

As a few minor limitations, the study was limited to northern Uganda and did not look at a wide range of conflict that characterizes Uganda's turbulent history. The study was also dependent on respondents' memory though the facts were crosschecked.

Table 1: Transitional Justice Monitoring Survey Indicators

Indicator	Question Topic
Good Governance and Greater Political Participation	<ul style="list-style-type: none"> Avenues for recourse for land disputes Avenues for recourse for grievances Involvement in community organizations Influence on justice and reconciliation issues Confidence in government
Economic Equality, Job Creation, and Poverty Alleviation	<ul style="list-style-type: none"> Land displacement Frequency of land disputes Standard of Living Loss of property Recovery of losses Reparations
Greater Physical Security and Reduced Crime	<ul style="list-style-type: none"> Quality of Security Sector Formerly Abducted Persons Safety Level of Security Identifying Security Threats
More Accessible and a Higher Quality of Social Goods and Services	<ul style="list-style-type: none"> Quality of Infrastructure Party responsible for provision
Improved Social Relations, Greater Tolerance, and the Rejection of Prejudice and Stereotypes	<ul style="list-style-type: none"> Stigmatization of FAPs Shared activities and interactions among FAPs and non-FAPs Identifying FAPs in the community
Forgiveness and Addressing Issues of the Past, including Empowerment of Victims and Relative Social Acceptance of Perpetrators	<ul style="list-style-type: none"> Level of Reconciliation Effectiveness of Traditional Justice Justice for former rebels Memorialization Sufficient Reparations Recovery from Abduction

INTRODUCTION

The UG Reconciliation Barometer measures the attitudes and perceptions of northern Ugandans on critical justice and reconciliation issues since the end of the LRA conflict.

Northern Uganda is currently enjoying the longest period of 'relative peace,' or what many call a "silence of the guns," in decades. During the Juba Peace Talks (2006-2008) the LRA-related conflict was exported out of northern Uganda to the Democratic Republic of Congo, South Sudan, Central African Republic and Sudan. Today, it is not fear of the Lord's Resistance Army (LRA) offensives or abductions that dominate public discourse in northern Uganda. Instead, it is critical issues such as nodding syndrome, low education standards and land grabbing. These issues are directly related to justice and reconciliation as they contribute to the long term recovery of survivors in the region.

Education levels in northern Uganda continue to be the lowest countrywide and in this regard formerly abducted persons are the most seriously affected. Over 20% of formerly abducted persons (FAPs) have no education, as opposed to just 12% of other respondents. If northern Uganda is to recover from the impacts of conflict, education is a key sector that needs to be urgently addressed by the government.

Findings of the survey also indicate that there is more need for peace building and psychosocial support initiatives if the social fabric that was ruptured by the conflict is to be repaired. For example some FAPs in northern Uganda continue to experience stigmatization, although the problem is not as prevalent as immediately after the conflict. Our findings reveal that 15% percent of FAP respondents still notice occasional or frequent stigmatization. Of these, approximately half had fully recovered and almost half had somewhat recovered. Six percent reported that they had not

recovered at all from the stigmatization faced upon returning from the bush.

To promote harmonious co-existence in society, northern Uganda also requires a strong community dispute resolution mechanism as former victims and perpetrators learn to live side by side again. While many disputes currently exist in the society, the majority of respondents stated that land wrangling was the most common issue in their communities. Various dispute resolution structures exist, but many of these – especially informal structures - are institutionally weak, unrecognized, and in need of capacity building. For example, traditional justice as a mechanism of dispute resolution requires further strengthening and some degree of formalization. Our findings reveal that 40% of FAPs have participated in a traditional justice ceremony for crimes committed during the conflict, as compared to 28% of other respondents. Of those who have participated, 75% believe it was very effective for their healing and reconciliation.

Furthermore, as the region struggles to recover the role of memorialization cannot be downplayed. It is for this reason that over 72% of respondents want a memorial constructed in their community. However, based on JRP's past experience, for memorials to be meaningful and community owned they have to be constructed in consultation with the communities in question and meaningful historical records have to be linked to these memorials. In addition, maintenance of the memorials should not be solely left to the communities as this often leads to dilapidated memorials. In addition to symbolic memorials, such as monuments, structures like schools and hospitals also need to be constructed within communities to provide much needed support for survivors of conflict.

Our survey findings also indicate that reparations, and in particular compensation, will continue to dominate debates on post conflict recovery. Poverty is pervasive throughout northern Uganda. Of the four regions of the country, the northern Uganda has the highest rural poverty headcount (the share of rural population living in households below the poverty line). In 2009, this figure was 65% compared to the national average of 31%.¹ Whereas 94% of respondents were satisfied with their standard of living prior to the conflict, only 39% are satisfied now. Many victims in northern Uganda do not envision full recovery and healing without compensation for lost property, lives and suffering that they underwent at the hands of both the LRA and the soldiers of Government of Uganda. Ninety-five percent of respondents believe victims of the conflict should be compensated, and of those who said compensation is needed, 89% hold the government responsible for providing it.

Another factor that has begun to appear in transitional justice discourses is the issue regarding missing persons. Statistics presented by Children/Youth as Peacebuilders (CAP) Uganda this year indicate that some 1,036 abducted people are still missing from Gulu District alone. Our survey findings indicate that 56% of respondents still have a family member missing from the conflict. Of those respondents, 60% have one family member missing; 24% have two family members missing; and the remaining 16% have three or more family members missing. Many of these people were abducted by the rebels of the Lord's Resistance Army (LRA) or simply went missing following displacement. Many survivors of the war continue to be held in suspense regarding whether their relatives are dead or not. If northern Uganda is to fully recover from the impacts of the conflict, answers must be provided for relatives of people who are still missing.

Lastly, the survey considers security and social sector reforms. As already mentioned above, the absence of armed hostilities is not necessarily an indicator that all has returned to normal. Many participants are still highly skeptical about their security, and how long the prevailing peace will last. Many respondents expressed concerns regarding a fresh disarmament, demobilization, and reintegration (DDR) program in northern Uganda given that many weapons not taken out of circulation continue to present a grave security threat. Respondents claimed that unexploded ordinances (UXOs), including landmines, are scattered and hidden throughout the northern Ugandan countryside. Perhaps more alarming, a majority (58%) of respondents do not feel safe from future LRA attacks. One respondent elaborated, "If Kony isn't captured, it is still just temporary peace."² Many respondents also pointed out that the security sector is still in need of serious reform. Seventy-two percent of respondents believed that at least one aspect of the security sector needs reform. Of those respondents, the majority identified the police as needing the most reform.

The report concludes with recommendations to relevant stakeholders including the Government of Uganda, civil society, traditional and religious leaders, and other stakeholders.

¹ Levine, Sebastian (2009). "Poverty and human development in Northern Uganda." UNDP: November 2009.

² Female Respondent, FGD in Lukodi Village, Gulu District, Acholi Sub-Region, 4 July 2012.

REINTEGRATION INTO SOCIETY

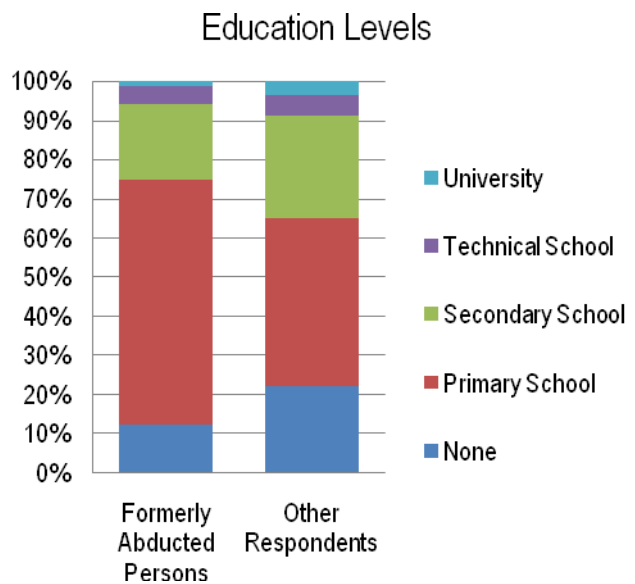
Years after the formerly abducted have passed through the reception centers and most of the NGOs have finished their education and sensitization programs, what is the reality for those who were abducted?

According to the United Nations Development Program (UNDP), one in three young men and one in six young women has been abducted at some point in his/her life. Over the course of the 20-year conflict between the LRA and the Government of Uganda, 66,000 children and youth were abducted by the LRA and forced to become soldiers, 'wives,' porters, and cooks.³ The vast majority of those abducted were from the Acholi sub-region. The impacts of these abductions are still felt in Acholi society today.

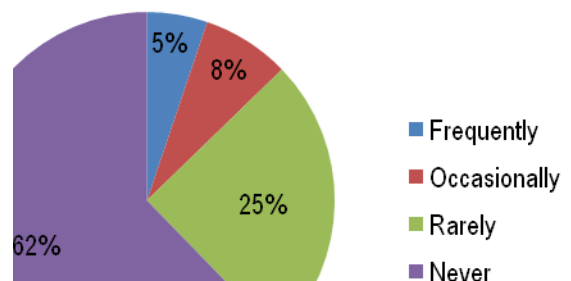
In terms of education levels, there is a noticeable difference between formerly abducted persons and other community members. Over 20% of formerly abducted persons have no education, as opposed to just 12% of other respondents. Formerly abducted persons are also less likely to have completed secondary school or university. The interruption of education during the conflict is still noticeable.

There is little to no difference in marital status between formerly abducted persons and other respondents. Our research did find, however, that the divorce rate among formerly abducted persons is slightly higher than that of the rest of the community (5% as opposed to 1%). It is also significant to note that 20% of FAPs are married to other FAPs. In the past, JRP reports have highlighted the difficulties ex-LRA combatants face in finding partners, and if they do, being accepted by the partner's family. For women,

this was an added economic disadvantage as they could not access land and were very likely to be responsible for children, unlike single men.⁴ It seems that more recently this paradigm is changing as the effects of stigmatization lessen and FAPs remain in stable relationships, often with partners



Frequency of Stigmatization Today



³Annan, Jeannie, Christopher Blattman, Khristopher Carlson, and Dyan Mazurana. "The State of Female Youth in Northern Uganda: Findings from the Survey of War Affected Youth (SWAY)." Boston: Feinstein International Center, 2008.

⁴ See *Young Mothers, Marriage and Re-integration in Northern Uganda: Considerations for the Juba Peace Talks*. Liu Institute for Global Issues and Gulu District NGO Forum. JRP Field Note No. 2, September 2006.

who shared a similar experience.

Thirty percent of respondents felt both men and women were equally affected by their abduction. Of the 70% that believed one gender was more affected, respondents were split almost evenly in terms of identifying which gender. A slight majority of total respondents (52%) answered that females were more affected.

Of respondents who were themselves FAPs, a slightly higher percentage answered that one gender was more affected (71.43%) while the remaining FAPs (28.57%) said both males and females were affected equally. Once again, for those that thought one gender was more affected, 52% identified females as that gender.

Although it is not as prevalent as immediately after the conflict, 15% of FAP respondents still notice occasional or frequent stigmatization. Overall, 90% of respondents answered that stigmatization never occurred or rarely occurred. Of FAPs interviewed, 57.5% experienced stigmatization upon their return to their communities. To mitigate against stigmatization, many NGOs conducted trainings and educated the public to embrace FAPs as victims of the conflict. This sensitization effort is still evident in the perceptions of many community members,

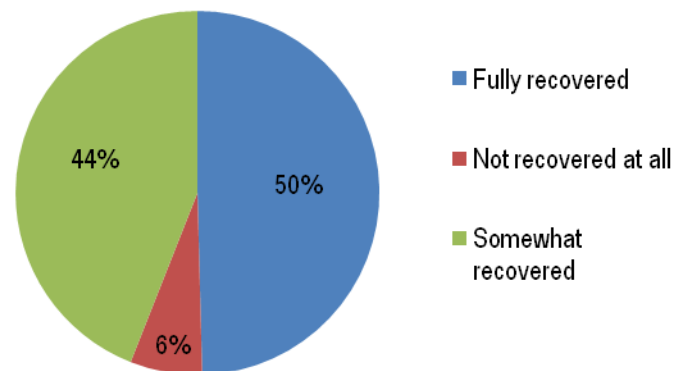
“Those who were abducted were not abducted on their will or making, but they were forcefully abducted and at the same time forced to commit the atrocities.”⁵

Of those respondents who experienced stigmatization, approximately half had fully recovered and almost all of the remainder had somewhat recovered. Six percent reported that they had not recovered at all from the stigmatization faced upon returning from the bush. To a certain extent, abductions affected a significant percentage of every community. Thirty-

three percent of all respondents have a formerly abducted person in their household. In Agago district, 46% of households are home to a formerly abducted person. Of those respondents who have a formerly abducted person in their household, nearly half answered that those family members were “easily known” as being abducted. Thirty-five percent responded that it was difficult to know that family member was abducted and 22% responded that it was somewhat difficult to know.

When asked if they had any influence on community issues, 60% of FAPs responded that they have little to no influence compared to 67% of non-FAPs. Although 44% of respondents are members of at least one community-based organization, most do not feel empowered in local decision-making.

Extent of Recovery from Stigmatization



⁵ Male respondent, FGD in Anaka village, Nwoya District, Acholi Sub-Region, 3 July 2012.

COMMUNITY DISPUTES

In many post-conflict societies, community disputes arise amidst unresolved grievances, resource depletion, and existing tensions. In Uganda, these disputes are exacerbated by victim-perpetrator dilemmas.

By far, the majority of respondents stated that land wrangling was the most common issue in their communities. Particularly in more rural areas, conflicts over land are common. When many families returned to their original homes from the IDP camps, there were others claiming the land. Over 1.8 million persons in northern Uganda were forcibly displaced from their homes. At the height of the war (2001-2004), up to 90% of the Acholi population was confined to IDP camps, cut off from agricultural production and entirely dependent on food assistance from the United Nations.⁶ In our survey, 86% of respondents had lived in an IDP camp. The vast majority have returned to their original land, but many are currently involved in land disputes.

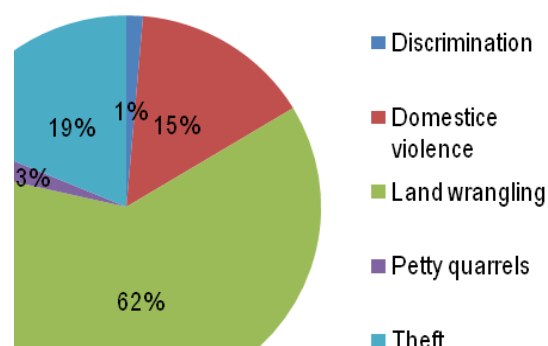
Among respondents, 55% have been involved in a land dispute. Of those respondents, 75% were able to return to their original land. In more rural districts, such as Amuru and Nwoya, 60% or more of respondents are or have been involved in a land dispute. According to a focus group discussant in Anaka, land disputes are exacerbated by a widening gap between the wealthy and poor. According to one respondent,

“What I see that is bringing a lot of dispute here in Acholi is land wrangles where those who have power take advantage of their position to deny others their rights since they may not have the capacity to compete with them.”⁷

⁶“The Cooling of Hearts: Community Truth-Telling in Acholi-land” Justice and Reconciliation Project, Gulu NGO Forum, and Liu Institute for Global Issues. Special Report: July 2007.

⁷Male respondent, FGD in Anaka Village, Nwoya District, Acholi Sub-Region, 3 July 2012.

Most Common Community Disputes



District	Lived in IDP Camp	Returned to Land	Involved in Land Dispute
Agago	97.21%	87.08%	54.67%
Amuru	96.91%	74.52%	64.10%
Gulu	76.57%	80.00%	50.14%
Kitgum	85.79%	84.81%	52.57%
Lamwo	95.68%	83.23%	63.29%
Nwoya	84.38%	73.21%	60.94%
Pader	92.86%	82.10%	50.30%
Acholi Sub-Region	85.88%	79.71%	55.06%

This abuse of power is a central theme across many of Uganda’s institutions as well. Although the new national land policy focuses on promoting land tenure security for all Ugandans, it does not sufficiently empower local governments to settle existing conflicts.

Almost half of these land disputes are handled in the Local Council (LC) Court. When asked about

their confidence in the courts, at least half of respondents had very much confidence and 35% were little confidence. Those who were not confident at all cited corruption as the biggest issue. Although most respondents would approach the LCI to resolve a dispute, the LCII and LCIII are too detached from the community. While the LCI's decisions are accountable to community members, the LCII and LCIII do not allow any input from locals.

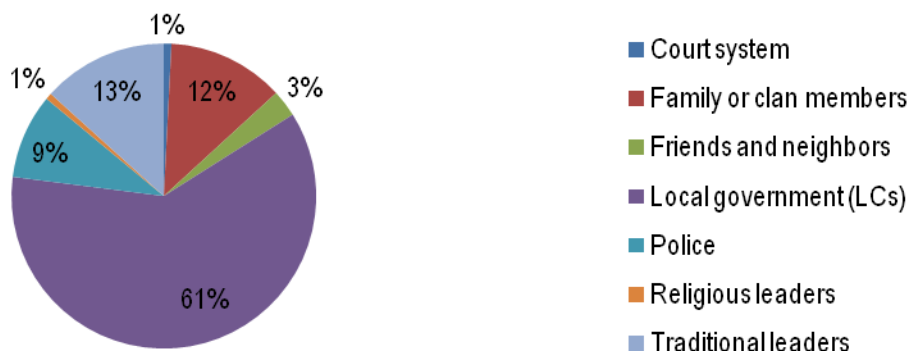
In addition to the LC Courts and Judicial Courts, respondents also used mediation by elders as a way to resolve local disputes. Some focus group participants elaborated on their preference for traditional avenues for dispute resolution, saying that the courts simply do not have the same institutional knowledge that traditional leaders have. Some also argue that the LC courts are unreliable and expensive compared to the *Rwot Kweri* (village leader). As a result, 33% had used mediation by elders to resolve their issues. It is important to note, however, that corruption extends

even to traditional leaders. Some respondents claimed they could be bribed “even with a bottle of soda.”

Overall, effective dispute resolution has been hampered. Clan elders who generally decide on land disputes have been overloaded with cases. Displacement has weakened elders' authority; traditions and customs are less known and adhered to. The state court is underfunded with a backlog of cases of its own.

In addition to land issues, domestic disputes are often cited as a big source of community grievances. Domestic violence has been attributed to many factors, including adultery and failure to fulfill the family's needs. These domestic struggles are often triggered by other stressors in the community and tied to issues of poverty and a lack of opportunities for women.

Where would you go first to resolve a dispute?



JUSTICE AND RECONCILIATION

In a sub-region where 70% of the people have lost a family member during the conflict, justice and reconciliation issues should be a major priority.

The question of who are the victims and who are the perpetrators remains a salient one, particularly for justice and reconciliation issues. As echoed by many focus group respondents,

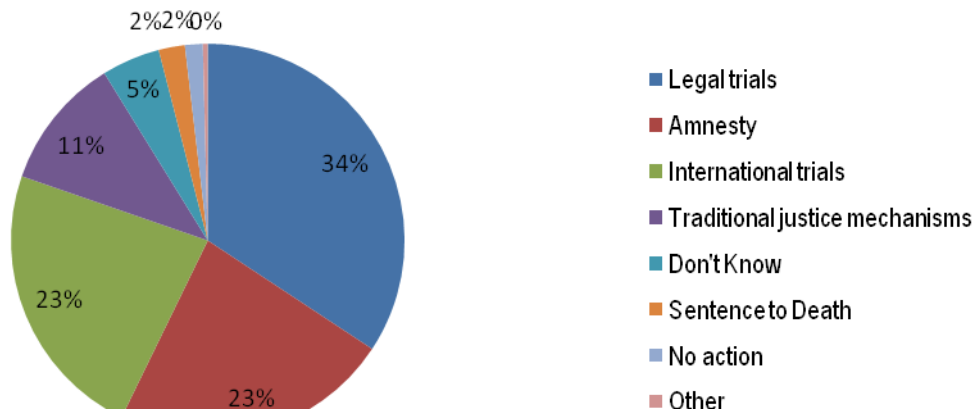
“The two sides were all murderers...guns do not know whether this is a civilian or a soldier. Government and rebel soldiers committed the atrocities.”⁸

In terms of justice for crimes committed, many want the government to be held accountable for crimes committed by the Uganda Peoples’ Defence Forces (UPDF). For those former LRA fighters who were not commanders, 60% of respondents thought amnesty was the best approach. Another 18% believe former combatants should also undergo traditional justice mechanisms. When asked about former LRA fighters who were commanders, the responses were quite varied: 34% argued legal

trials are the best approach; 23% said amnesty; another 23% said international trials; and 11% thought traditional justice processes were the best approach to justice. Most importantly, the respondents emphasized truth. According to one focus group discussant in Lukodi, “Truth should be told about the perpetrators,” and that includes both former LRA rebels and government soldiers.⁹

The Government of Uganda (GoU) has not taken a clear position concerning the Thomas Kwoyelo case and the clash between the blanket amnesty and the existence of an International Crimes Division Court (ICD) able to try international crimes. According to statistics by the Amnesty Commission, 22,520 rebels have received amnesty so far – 48% of them LRA members.

What Action should be taken against former LRA fighters who were commanders?



⁸ Male respondent, FGD in Lukodi village, Gulu District, Acholi Sub-Region, 4 July 2012.

⁹ Ibid.

MEMORIALS

“Fire cannot put out fire.”

- Focus Group Participant in Bungatira

There is a dissonance among northern Ugandans about the impacts of memorials. Some argue it is cathartic for communities to remember, while others simply want to forget the atrocities committed during the conflict. Seventy-two percent of respondents want a memorial in their community. The remainder do not want a memorial and said they want to forget the past. According to one community member, “It is not important to build any memorial site because it will reignite the image of past atrocities committed.” In addition to memorial sites, some communities hold memorial prayers or ceremonies. Of the 33% of respondents who have attended memorial prayers, 93% found them to be helpful to their personal reconciliation.

Roughly, 18% of communities across Acholiland have some sort of memorial. Maintenance is often a challenge for communities as they are largely responsible for those costs.

COMPENSATION

A vast majority of respondents (95%) believe victims from the conflict should be compensated, and 89% of these respondents also hold the government responsible for providing it. Many are pessimistic as to the feasibility of compensation for all victims. Most acknowledge that the government simply cannot afford to compensate all those who suffered losses from the conflict. Moreover, existing attempts at compensation have not been transparent, and many northern Ugandans cited corruption as a major barrier. Victims with legitimate claims are forced to pay registration fees and other costs while receiving nothing in return. Only 15% have been involved in organized efforts to demand compensation. Many argue that these efforts are futile or often times, a scam to garner registration fees from victims.

Many respondents hope for other types of compensation, such as giving animals to victims (54%). Others suggested scholarships to assist with their children’s education. Many also argue that any compensation is futile because it will never be equal to the lives lost.

Another major barrier to justice and reconciliation is insufficient information and a lack of dialogue between Government and its intended beneficiaries, particularly in regards to the Peace, Recovery, and Development Plan (PRDP). One focus group member explained,

“I know very well that on the issue of resolving conflict, this government as I see, they are not informing people properly. Also, the people lack information and knowledge. Since there is too much corruption, anything that involves money doesn’t always reach the people down in the villages.”¹⁰

PROPER BURIALS

In Acholi culture, it is important to bury the dead in elaborate ceremonies in order to send them peacefully into the after-world. Families tend to bury them at home, keeping them close to the clan. Failure to honor the dead by according them proper burials is said to lead to reprisals or spiritual haunting by the spirits of the dead, often manifested in form of unexplained deaths, illnesses and mental disabilities being experienced by relatives of the dead.

While attempts have been made by various actors in the past to accord the dead decent burials, the need remains overwhelming. Many respondents in this survey mentioned the need for decent burials, and conducting of last funeral rights for their departed ones. In many communities, however, there are bodies that have yet to be exhumed. As families lack the resources to do so, many have gone without a proper burial.

¹⁰Female respondent, FGD in Anaka village, Nwoya District, Acholi sub-region, 3 July 2012.

TRADITIONAL JUSTICE

“When two elephants are fighting, it’s the grass that suffers.”

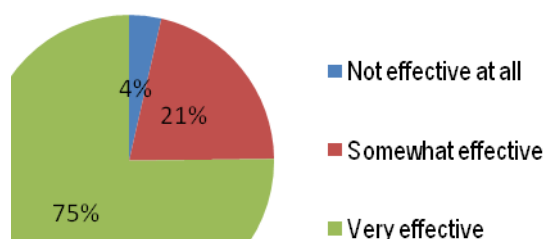
Acholi Proverb

Agenda Item Three of the Final Peace Agreement, the Agreement on Accountability and Reconciliation, states that “traditional justice mechanisms” shall be a central part of the accountability and reconciliation framework (operative clause, 3.1). Given this context specific mandate coupled with the UN’s emphasis on local mechanisms for transitional justice, traditional processes are central to Uganda’s pursuit of justice and reconciliation. In conjunction with other approaches, such as trials and amnesty, traditional justice can be an important process as it is locally appropriate than legal measures.

The survey found that 40% of FAPs have participated in a traditional justice (the majority of which were cleansing ceremonies) compared to 28% of other respondents. Of those who have participated, 75% believe it was very effective for their healing and reconciliation, 21% stated it was somewhat effective, and only 4% claimed it was not effective at all. Among the seven districts, there was a wide variety of traditional justice mechanisms employed by communities. These included: *mato oput*, *moyo kum*, *moyo piny*, *nyono tong gweno*, *tumu kirr* and others. *Nyono tong gweno*, or stepping on the egg, was the most frequently used (33% of mechanisms used). In the context of the LRA conflict, *Nyono tong gweno* was adapted by Acholi traditional leaders to receive formerly abducted persons from the bush as they return home in order to promote reintegration and acceptance.

There have been many challenges regarding traditional justice mechanisms. In her study, “The Haunting of Alice: Local Approaches to Justice and Reconciliation in Northern Uganda”, Erin Baines notes that the local systems broke down during the

Effectiveness of Traditional Justice Ceremonies



conflict.¹¹ To date, elders and cultural leaders have struggled to adapt traditional approaches to crimes committed during the conflict. Other barriers to completing these ceremonies have been financial. Individuals seeking to undergo a traditional justice ceremony simply do not have the means to provide the necessary items. Although some scholars criticize traditional justice processes for being insensitive to the needs of women,¹² 92% of women surveyed had a favorable opinion of traditional justice. This prompts the conclusion that, although traditional justice is valued by many community members and can play an important role in their reconciliation, it should be accompanied by other processes.

¹¹ Baines, Erin K. (2007). “The Haunting of Alice: Local Approaches to Justice and Reconciliation in Northern Uganda.” *The International Journal of Transitional Justice*, 1: 91-114.

¹² See for example The Justice, Law and Order Sector & The Uganda Law Reform Commission (2012). “Traditional Justice and Truth Telling and National Reconciliation”: Study Report, Final Draft: p. 159.

THE MISSING

The status of missing persons still looms large for many northern Ugandan families. Even four years after the end of the Juba Peace Talks, many do not know what has become of their loved ones.

Over half of respondents (56%) still have a family member missing from the conflict. Of those respondents, 60% have one family member missing, 24% have two family members missing, and the remaining 16% have three or more family members missing, their whereabouts still unknown.

In Lukodi, a father remembered his son.

“My own child up to now has not returned from the bush, and I don’t know whether he is alive or dead. He was abducted when we were running away...They did not release him up to now and he is nowhere.”¹³

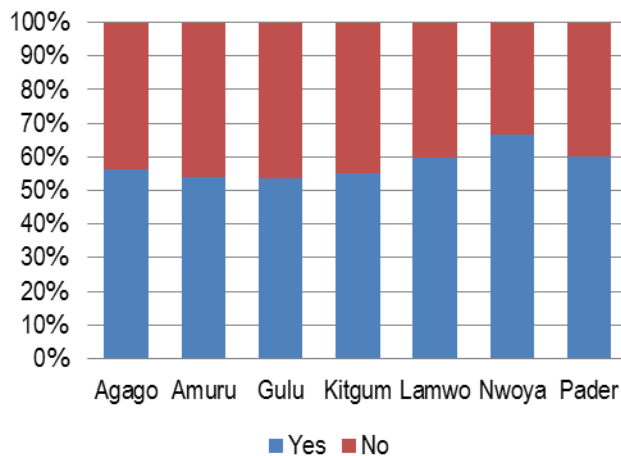
Missing persons should be traced whether they are dead or alive. Not knowing the fate of a loved one has been a major impediment to reconciliation for many victims.

Statistics presented by Children/ Youth as Peacebuilders (CAP) Uganda this year indicate that some 1,036 abducted people in are still missing in

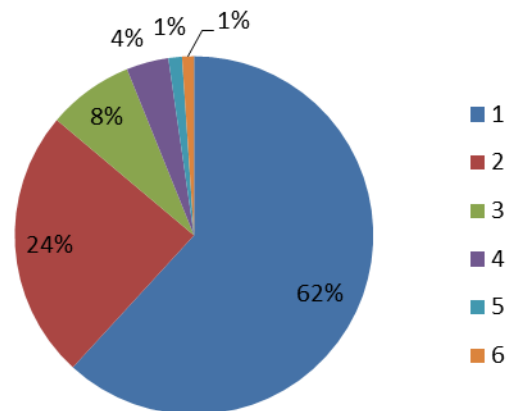
56% of Ugandan families in Acholi sub-region have a family member missing whose whereabouts remain unknown.

Gulu district as a result of the conflict in northern Uganda. Recently, JRP urged the Justice, Law and Order sector (JLOS) to come up with mechanisms to address the issue of missing persons.¹⁴

Respondents with relatives still missing by district



Number of relatives still missing



¹³ Male Respondent, FGD in Lukodi Village, Gulu District, Acholi Sub-Region, 3 July 2012.

¹⁴ See Justice and Reconciliation Project, “Dialogue on Disappearances: Conference Report”, October 2012.

SAFETY AND SECURITY

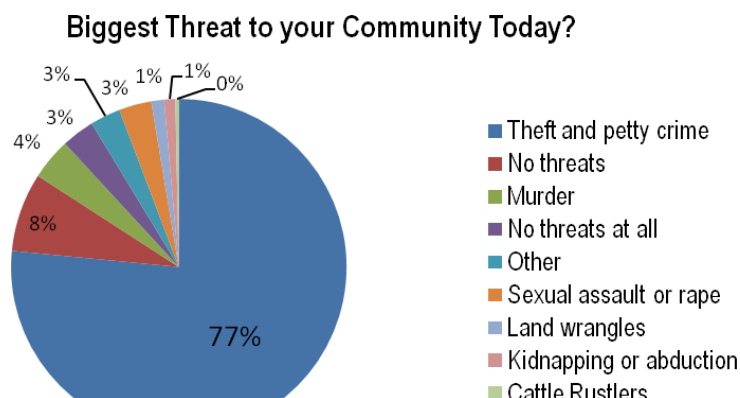
Since the collapse of the Juba Peace Talks in 2007 there have been significant strides in the security climate in northern Uganda. A majority of respondents (62%) feel very safe in their communities and an additional 30% feel somewhat safe. The biggest safety threats are theft and petty crimes.

DISARMAMENT, DEMOBILIZATION, AND REINTEGRATION (DDR)

The lack of a disarmament, demobilization, and reintegration (DDR) program in northern Uganda is responsible for the widespread availability of arms in the region.

Weapons not taken out of circulation present a grave security threat to any transitional society. Since 2002, a proportion of LRA returnees have been through an *ad hoc* de-briefing process during which they were held by the UPDF and were expected to hand over weapons and provide intelligence. However, there was no comprehensive firearms collection system in place. In addition, the LRA is reported to have sizeable arms stashes across the region.

Respondents also claimed that unexploded ordinances, including landmines, are scattered and hidden throughout the northern Ugandan countryside. These testimonies corroborate evidence collected by the Small Arms Survey in 2006, which claims that northern Uganda and southern Sudan are awash with small arms caches



and that 'not only are the weapons currently used by the LRA serviceable, but many of those cached are also likely to be so for many years to come.'¹⁵

In a DDR report in 2008, JRP interviewed former combatants as to why they had retained their firearms. Most hid the guns due to fear and uncertainty about returning home. Respondents also feared increased crime due to these arms caches. For example a prominent ex-LRA commander called Onen Kamdulu was arrested and convicted for armed robbery in 2009 along with other FAPs.

SECURITY SECTOR REFORM (SSR)

The security sector is still in need of serious reform; 72% of respondents believe at least one aspect of the security sector needs reform. Of those respondents, the majority identified the police as needing the most reform. Police corruption is an overwhelming obstacle to safety and security. Transparency International for example rated Uganda's Police Force as the second most corrupt

¹⁵ Small Arms Survey, *Fuelling Fear: The Lord's Resistance Army and Small Arms* (Chapter 11 Summary), 2006, p. 1-2

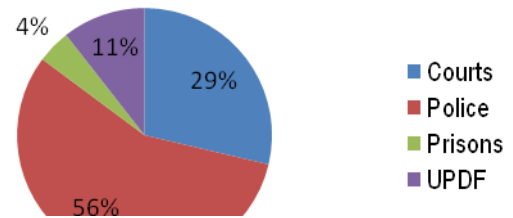
in East Africa.¹⁶ Many focus group respondents argue that the police are not to blame. Their salaries are insufficient and they often do not receive pay on time. As a result, police turn to bribes to make additional income.

The same accusations of corruption are leveled at the court system. Community members' confidence in the court varied. While 16% have no confidence at all in the courts, 50% are somewhat confident, and 34% are very confident. In focus group discussions, those who are skeptical of the system argued that corruption is still a pervasive phenomenon throughout most government institutions. For example a corruption scandal involving billions of shillings rocked the office of the Prime Minister in 2012, where money meant for implementation of the Peace, Recovery and Development Fund (PRDP) for northern Uganda was misappropriated. A community member in Anaka expressed his frustration,

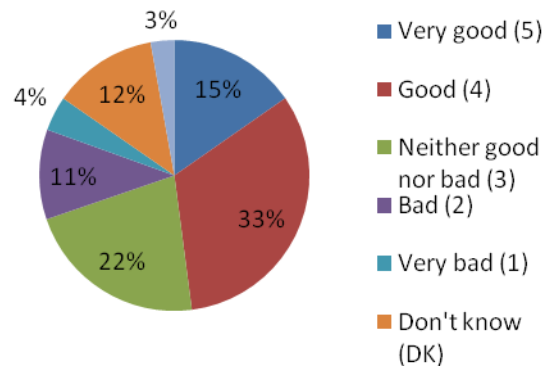
"It makes people just abandon the matter because of the injustice and unfairness with both the court and the police. Security sector in Uganda needs reforms because they don't know what they're supposed to do, there is nothing helping the local people."¹⁷

Perhaps more alarming, a majority (58%) of Ugandans in Acholiland do not feel safe from future LRA attacks. One respondent elaborated, "If Kony isn't captured, it is still just temporary peace."¹⁸

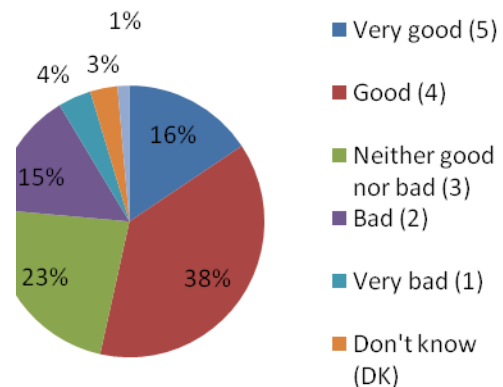
Which security sector needs the most reforms?



How would you rate the courts today?



How would you rate the police today?



¹⁶ See Nick Seymour, "Uganda's Police Force up for a new challenge: to handcuff corruption", August 2012.

¹⁷ Male Respondent, FGD in Anaka Village, Nwoya District, Acholi Sub-Region, 4 July 2012.

¹⁸ Female Respondent, FGD in Lukodi Village, Gulu District, Acholi Sub-Region, 4 July 2012

SOCIOECONOMIC STATUS

Of the four regions of the country, the Northern region has the highest rural poverty headcount (the share of rural population living in households below the poverty line). In 2009, it was 65% compared to the national average of 31%.¹⁹

Whereas 94% of respondents were satisfied with their standard of living prior to the conflict, only 39% are satisfied now. Every respondent suffered some type of economic loss during that 20 year period, whether it be property, land, animals, or transportation. For victims, the existing compensation has not been enough

Economically, our respondents did not single out women as more disadvantaged than men, except in the context of being child mothers. Traditional land tenure and inheritance passes through the male line, with a woman having access to land by virtue of her husband's land rights. The social stigmatization of ex-LRA results in both men and women having difficulties finding a partner or of being accepted by the partner's family. For women, however, this represents a double economic

very likely to be responsible for children, unlike single men.

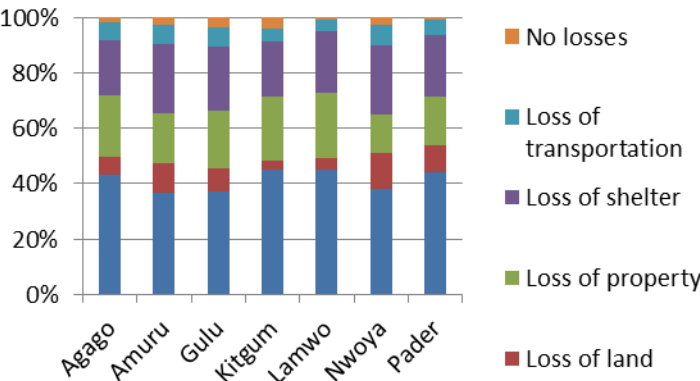
Diminished socioeconomic status parallels the low levels of education. As noted by a focus group discussant in Anaka,

“Education levels have been lowered to the extent that even low level jobs are being taken up by non-residents because our level of education does not comply with job qualifications.”²⁰

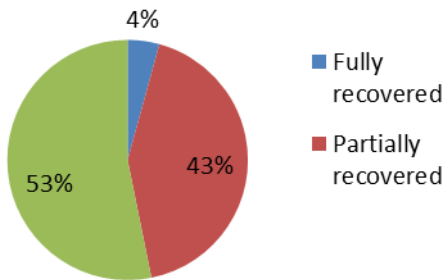
As a result, many are dependent on their families.

“Today, even if you harvest crops, there is no market...it's very difficult to recover wealth. People are cultivating simply to sustain their living but not to earn income.”²¹

Losses Suffered During the Conflict



Extent of recovery of economic losses during conflict



disadvantage as they cannot access land and are

¹⁹ Levine, Sebastian (2009). “Poverty and human development in Northern Uganda.” UNDP: November 2009.

²⁰ Male respondent, FGD in Anaka village, Nwoya district, Acholi sub-region, 3 July 2012.

²¹ *Ibid*

CONCLUSION & RECOMMENDATIONS

This study marks the first step towards a longer process of evaluating the progress gained in justice and reconciliation issues since the end of the conflict. It is an ambitious endeavor that gives merely a cursory glance into extremely complex issues that are affected by a variety of stakeholders. It is not the aim of this report to give an in-depth assessment of transitional justice, but instead, to monitor our successes and failures vis-à-vis the perceptions of the Ugandan people. This study does seek to represent the opinions of the victims, families, and communities affected by the conflict. Through this ongoing project, the Justice and Reconciliation Project continues its mission of advocating on behalf of those whose livelihoods were ruined, whose families were destroyed, and whose communities are slowly starting to rebuild. In line with this, we make the following recommendations:

To the Ugandan Government:

1. Strengthen formal legal structures and complement them with traditional structures of dispute resolution. There is need to facilitate proper training programs for court appointees and police officers to better equip them to deal with land wrangles and more contemporary social issues. Create a clear and accessible referral system for cases from the community level to the High Court. Coupled with this, there is a need to continue with efforts to map and register land in order to mitigate land disputes.
2. There is need to strengthen memorialization initiatives for survivors of the conflict. As noted above, many community members long to have memorials constructed in the village in memory of their loved ones who lost their lives. Furthermore, proper burials are also a priority for families whose loved ones were hastily or not properly buried as a result of insecurity at the time. The Government to exhume bodies that were not properly buried and allow families to bury them properly according to Acholi culture.
3. There is need to launch investigations into atrocities committed during the conflict, be it by LRA rebels or government forces. This would help in bringing to light the full magnitude of atrocities committed during the conflict, and pave way for holding the responsible perpetrators accountable. In line with this, an external legal body conducting the investigation is recommended for it is more likely to be impartial.
4. In order to strengthen the prevailing peace and security in northern Uganda, there is need to incentivize communities to engage in informal DDR processes in conjunction with UN agencies to finally collect arms.

To the Ugandan Government and Civil Society Organizations

5. There is a need for Government in partnership with civil society like the International Committee of the Red Cross (ICRC) to develop a comprehensive plan to identify the missing persons from the conflict, a factor which is significant in helping thousands of families finally heal from the main of not knowing what befell their loved ones.
6. There is need for increased economic revitalization and empowerment programs to enable survivors to recover from the losses they suffered during the conflict. In line with this, there is need to forge partnerships with foreign direct investors to open new markets for agricultural goods from the north.

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Reconciliation Barometer 2012



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