

## **Freedom from fear – regional action to protect civilians in LRA-affected areas**

One community in Niangara territory in Haut-Uélé, north-eastern Democratic Republic of Congo (DRC), described in July 2010 how three children aged between 12 and 14 were forced by the LRA to beat their own father to death with sticks ‘to free them from fear.’

As the Contact Group of donors to the Great Lakes region prepares to discuss the problem of the Lord’s Resistance Army (LRA) on 7 October 2010, the horrific experiences of the communities directly affected demand that delegates bear three harsh realities in mind:

- 1. The LRA is a regional problem, requiring a concerted regional and international response.**
- 2. The problem is not going to go away: a failure to direct efforts and resources towards it now will only increase the scale of the human catastrophe to be addressed later.**
- 3. Current efforts are ineffective at protecting civilians and can even inadvertently put civilians at greater risk: the protection of the civilians caught up in this crisis cannot be left to chance – or to the communities themselves.**

That the US government, the World Bank, the UN, AU and EU have recently moved the issue of the LRA higher up their respective agendas is potentially good news for the many LRA-affected communities. Turning that potential into reality, however, is going to take considerably greater political will, coordination and far-sightedness than has so far characterised the international and regional response to the LRA.

### **Wreaking mayhem and violence across the region**

Since September 2008, the LRA has killed more than 2,000 people, abducted more than 2,500 and displaced over 400,000 others. The UN has recorded over 200 attacks in the districts of Haut and Bas-Uélé in north-east DRC since the start of 2010, and a further 21 in southern Sudan.

There are currently some 260,000 people displaced by LRA-related violence in DRC and a further 20,000 Congolese civilians have fled to Sudan and Central African Republic (CAR). An estimated 15,000 people have fled LRA attacks in CAR this year alone and at least 1,500 have crossed into DRC. Over 80,000 southern Sudanese were displaced by the LRA over the course of 2009, and a further 42,400 so far this year.

Yet even such numbers (which are probably underestimates) cannot capture the scale or impact of LRA activity. The extreme brutality of the LRA and their targeting of the most vulnerable, isolated villages mean that even small-scale attacks send waves of terror throughout communities, causing mass displacement for miles around and leaving individuals traumatised for years to come. Hundreds of thousands of civilians live in daily fear of the LRA, but their suffering has been largely forgotten by the outside world.

## **The LRA as a regional issue: the case for coordination**

The LRA’s presence has long been treated as an issue of less strategic significance for regional stability than, for instance, the presence of the FDLR (*Forces démocratiques de libération du Rwanda*) elsewhere in eastern Democratic Republic of Congo (DRC), or the conclusion of the Comprehensive Peace Agreement (CPA) in Sudan. Yet the mass population displacement the LRA has generated across a vast geographical area straddling four international borders, the group’s impact on regional food security (particularly in the fertile Western Equatoria region of

southern Sudan), recent reports of arms trafficking, and its potential to create instability at a critical time ahead of the upcoming Sudanese referenda are just some of the reasons why the LRA represents a threat to regional peace and security and why regional solutions are urgently needed.

A number of recent policy pronouncements from the UN Security Council, the African Union and the US, Congolese and Ugandan governments<sup>1</sup> suggest that there is now some recognition of the regional dimensions of the problem, and the need for a regionally coordinated response. **On the ground, however, there is little evidence of these good intentions being put into effect:**

#### Lack of coordinated and robust peacekeeping efforts

- **Efforts initiated in June 2010 by MONUSCO to develop a common strategic framework for the peacekeeping missions in the region** (MONUSCO, BINUCA, MINURCAT, UNAMID and UNMIS) to respond to the threat of the LRA have **elicited slow and limited response**; three months later the strategy has still not been adopted, let alone implemented.
- **MONUSCO forces departed Bas-Uélé in August 2010 despite a relentless series of attacks on communities in the district since March of this year** and resources – peacekeepers, civilian personnel and transport equipment – remain disproportionately under-deployed in the LRA-affected areas compared to the more internationally visible crisis in the Kivus.
- Although UNMIS’s mandate includes responding to the threat from the LRA, **it is unclear if the forthcoming UNMIS strategy for the protection of civilians will make a significant difference in practice to address the threats posed by the LRA in Western Equatoria**. Meanwhile, MINURCAT forces, present in Chad and CAR, have already begun a process of drawdown and are due to exit before the end of 2010.

#### Weak national level efforts

Across the region, national governments are not prioritising civilian protection in LRA-affected areas:

- At a national level, so far only the **Ugandan government** has prioritised the deployment of troops to the LRA-affected areas, and then essentially for offensive rather than protective purposes<sup>2</sup>.
- **Information sharing and coordination between the UPDF and other national and international forces in the region remains limited**, according to international observers, and a planned joint operations centre with the Congolese army (FARDC) in Dungu has not materialised.
- The **Central African armed forces** have deployed in the remote south-eastern region but are overstretched and more preoccupied with the multitude of other rebel groups further north.
- **In southern Sudan, the priorities of the Sudan People’s Liberation Army (SPLA) currently hinge on the forthcoming referendum, meaning LRA-affected areas are deprioritised.**

*‘The LRA come from the bush and attack silently at night. The police can’t protect us against that. We won’t return until it’s safe.’*  
IDPs in Mundri,  
Western Equatoria,  
southern Sudan,  
July 2010.

<sup>1</sup> In April 2009, the UN Security Council urged increased cooperation between the UN missions in the region, expressing its ‘deep concern at the direct and serious threat the activities of the LRA pose to the civilian population, the conduct of humanitarian operations, and regional stability’ (Security Council Press Statement SC/979). On 24 May 2010, US President Obama signed into law the LRA Disarmament and Northern Uganda Recovery Act, which provides for the US to take leadership on developing a regional strategy to respond to the threat from the LRA. In September 2010, the African Union’s Peace and Security Council was instructed to consult with countries in the region on coordinating responses to the LRA. The Congolese and Ugandan governments have held a series of meetings in recent months on cross-border military cooperation on the LRA and ADF-NALU.

<sup>2</sup> However, some communities consulted by Oxfam in Haut-Uélé district of DRC and in the Western Equatoria region of southern Sudan reported protective action by the UPDF.

- In northern DRC, FARDC troops are deployed across a wide area and have become increasingly engaged in repelling rebel attacks and securing the release of abductees over the past year. However, often deployed in small numbers, ill-equipped and poorly supported, **FARDC troops have largely not been given the capacity to offer effective protection against the LRA and in very many cases have themselves been responsible for violence and abuse directed at civilians.**

A coherent response requires concerted action by all the national and international duty-bearers concerned, focused on the protection of civilians and applying non-military as well as peacekeeping resources to that end.

**Contact Group members should promote coordinated action to address the threat the LRA poses to civilians across the region:**

- **Peacekeeping missions must review their strategies in response to the LRA threat, establish effective cross-mission coordination on protecting civilians and deploy more resources to the areas where the civilian population is most at risk.** The balance of opportunity costs with other mission priorities should be considered in the light of the missions' mandates to protect civilians, and without underestimating the LRA's longer-term risks to broader regional stability. The hard truth is that effective protection of civilians in LRA-affected areas will require more resources for peacekeeping, not less, and this must be taken into account in any discussion of reconfiguration or drawdown of MONUSCO forces and in the mandate renewals and mandate implementation of UNMIS and MONUSCO. Drawing on best practices from established protection responses, these resources should include civilian staff with relevant human rights and protection experience to support peacekeepers, together with the necessary logistical means for them to function. Civilian staff are essential for ensuring liaison with the local population, supporting the establishment of effective early warning mechanisms, deploying as part of joint protection teams, and conducting the required monitoring and reporting for appropriate UN protection responses<sup>3</sup>. Peacekeeping missions that border LRA-affected areas, such as UNAMID and MINURCAT, should also be involved in cross-mission coordination and information sharing.
- **Coordinated non-military action to promote disarmament should also be stepped up, including through reviving the role of an AU or UN Special Envoy to LRA-affected areas** to enable non-military engagement with the LRA, with an expanded mandate including issues related to protection of civilians. Reviving this role would serve to keep the issue on the international agenda, open space for potential engagement around voluntary defections and provide an avenue for coordination of international engagement. The Special Envoy should have close links to the existing Special Envoys for the Great Lakes region and work in coordination with the Great Lakes Contact Group. Effective strategies for demobilisation and community-based reintegration of combatants will be needed, drawing on existing information about the militia and best practice on child demobilisation in particular.
- Non-military action should also include **establishment of a mechanism to improve understanding and monitoring** of the LRA such as a Panel of Experts. Neither the Panel of Experts on Sudan nor the Group of Experts on DRC has the mandate or the capacity to investigate the LRA effectively. The remit of the monitoring mechanism should extend to identifying the leaders, motivations, communications, composition and location of LRA elements to promote disarmament and improve protection responses.

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<sup>3</sup> MONUSCO estimates that an additional 76 dedicated civilian staff are needed to ensure adequate coverage for multidisciplinary joint protection teams, and a further 20 community liaison interpreters to support all company-level deployments.

### **Poor conditions for national soldiers increase the risks to civilians:**

In August 2010, Congolese soldiers in the LRA-affected Dungu area received two of the four months' arrears of pay due to them. The banknotes delivered to the local military command were in such poor condition – torn, soiled, defaced or out of date – as to be no longer legal tender. Individual soldiers had the choice of either negotiating with local traders to accept the notes at less than face value, or threatening force against anyone trying to refuse them. Over 120 communities surveyed by Oxfam across eastern DRC since 2007 have consistently stated that ensuring soldiers are paid and provided for would have a significant impact on the safety of local residents.

### **The problem that won't go away: the case for more resources**

OCHA in DRC registered an average of 23 LRA attacks a month in Province Orientale from January to September 2010 – 212 in total; 215 civilians were killed in the process, and a further 154 abducted, 102 of them children. The trend is upward: more than half of those attacks took place in the past three months. Poor access and communication make it likely that the actual figures are even higher. Over 400,000 people are currently displaced by violence and fear of the LRA across the region – many of them experiencing food insecurity and vulnerable to disease and abuse as a result. Yet, despite an increase in the past year, **a lack of security and under-funding of emergency assistance has resulted in a woefully inadequate humanitarian response to their needs across the region.**

### **Insecurity severely limits essential aid getting through:**

In southern Sudan, the LRA have killed and ambushed along main roads, most recently in July 2010. Significant security restrictions, including the mandatory use of armed escorts by UN agencies and frequent travel restrictions to the most affected areas, interrupt the delivery of humanitarian assistance and severely limit the time humanitarian actors can spend in the field with affected communities. Providing long-term humanitarian services to both displaced people and local communities is therefore a constant struggle.

Two years into the current crisis, there is little prospect of improvement for the hundreds of thousands of people affected unless there is decisive international action. The status quo is not an acceptable option. Contact Group members should seek to change it by helping to move the situation of the affected populations up the priority lists of governments, peacekeeping forces and humanitarian agencies:

- **Coordinated national and international efforts should be made to secure a significant increase in the delivery of humanitarian assistance to those in need.** Urgent action is needed to prevent and combat disease, promote food security and reduce malnutrition, and provide sustained psychosocial support to those attacked and abducted by the LRA. Priority areas for a stepped-up humanitarian response would be Bas-Uélé and northern Haut-Uélé in DRC, and Tambura, Ezo and Nzara in Sudan. In line with their mandates, peacekeeping missions in the region should be deployed to help secure access to vulnerable communities, in coordination with humanitarian actors. Response in the affected areas should become a high-priority issue for donors and implementing agencies alike: UN agencies and NGOs should deploy experienced senior staff to the area to develop and coordinate a response commensurate with the scale of need and the complexities of the environment, and donors should accept the proportionate increase in overhead costs that will imply.
- **Improved security is essential for a major expansion of humanitarian access and civilian protection:** few agencies can operate in the conditions of rampant insecurity that characterise the worst-affected areas. Decisions on the resourcing and deployment of peacekeeping missions in the region must give due weight to the scale of needs. More resources are certainly needed: the under-resourcing of MONUSCO Ituri Brigade at all levels – troop numbers, experienced civilian staff and helicopter access – presents a serious obstacle to effective implementation of the force's protection mandate. Yet more could also be done with the

resources currently available. UNMIS must do more to facilitate the safety and access of humanitarian actors and make more peacekeepers available to be on active patrol rather than static force protection. MONUSCO too could and should ensure that best practices applied in more high-profile areas of the Kivus are rolled out across the Uélés: improved communication with communities on their protection needs, better monitoring and information relay on threats and on FARDC conduct, stronger coordination with humanitarian actors through the protection cluster. There are signs that the provincial MONUSCO command is keen to improve responsiveness to the population's protection needs; they should be supported in that at the highest levels.

- Isolation and marginalisation have made the affected areas an easy target for the LRA, and a challenging operating environment for both humanitarian assistance and protection of civilians. These structural problems could be addressed in the short to medium term through **a targeted road-building/road rehabilitation programme, combined with a major expansion of communications infrastructure.**

**The lack of essential services itself has a direct impact on people's exposure to attack:**

On 12 September 2010, two women were abducted by the LRA while collecting water at a spring outside Nambia in Niangara territory (Haut-Uélé, DRC); they had to go outside because the well in the village itself was broken. The babies they were carrying on their backs were abandoned by the spring<sup>4</sup>. It is estimated that at least 33,000 people in Niangara territory lack local access to clean water.

## **Protection of civilians: the work of soldiers, not communities**

**Past military operations against the LRA have consistently failed to make adequate provision for the protection of civilians, who have consequently paid the price, in brutal reprisal attacks, for successive failures to apprehend the group's leadership.**

The 2008 multinational offensive 'Lightning Thunder' dispersed LRA fighters across remote parts of CAR, DRC and southern Sudan and prompted attacks against civilians over a vast geographical area. Yet even the staggering scale of violence that ensued has not been sufficient for national governments or peacekeeping forces in the region to make protecting communities from the LRA a priority. Moreover, insufficient effort has been made to curb the well-documented abuses committed by sections of the Congolese national security services against the civilian population they are deployed to protect in the affected areas<sup>5</sup>.

Local defence groups are not the answer.

**In the absence of external protection, communities across the region have taken up arms to protect themselves, setting up local defence groups composed largely of boys and young men, who often miss out on schooling as a result.** In both southern Sudan and DRC, there have been instances of such groups being armed or even trained by the national military<sup>6</sup>. It can be tempting, in a context where national protective capacity remains weak and logistical challenges daunting, to see such initiatives as a positive, pragmatic response. It is entirely understandable that communities should choose to defend themselves when mandated protection actors fail. Yet such groups have, alongside some remarkable successes, a track record of attracting increased reprisals<sup>7</sup>. Nor can sending children or other civilians out to fight in place of professional armed forces be an – even tacitly – accepted component of national and international strategy, from either a protection standpoint or that of the rule of law. Moreover, the history of eastern DRC is full of

<sup>4</sup> Oxfam responded on 15 September with emergency repairs to the Nambia well.

<sup>5</sup> Despite recent efforts to improve military justice, the Dungu protection cluster estimates that over 30% of reported human rights violations in Haut and Bas-Uélé from January to August 2010 were committed by members of the FARDC.

<sup>6</sup> In late September 2010, the government of southern Sudan announced a USD 2 million programme of arms and training for community vigilante groups in Western Equatoria.

<sup>7</sup> See for instance Refugee Law Project (2004) 'Behind the violence: causes, consequences and the search for solutions to the war in northern Uganda'.

examples of local defence groups morphing into violent Mai Mai militias with economic agendas, or lapsing into semi-organised banditry and providing a pool of otherwise unemployed armed youngsters for the military ambitions of others. Similarly, in southern Sudan rearming civilians runs contrary to the government's stated strategy of civilian disarmament, and could create a further destabilising factor in a politically sensitive context with a history of inter-communal conflict. **The answer is not to condemn the communities concerned, but to improve the effectiveness of mandated protection actors so that such desperate measures become unnecessary.**

Any military action must address the real risks to civilians.

In a context in which military action to apprehend the LRA leadership is again being discussed, it is vital that the structural weaknesses of current civilian protection provision and the lessons of past offensives be taken fully into account.

**Contact Group members should use their influence to put civilian protection at the centre of international and regional action to address the threat of the LRA:**

- **Any military action must include a central civilian protection component, based on a shared strategy involving national armed forces and peacekeeping missions in the region.** Any military operations against the LRA must develop effective mechanisms for the protection of civilians, including targeted measures to prevent reprisal attacks on civilians by the LRA and ensure the protection of abductees.
- Preparation for any new military operation should incorporate, as a minimum:
  - a) specific planning to mitigate the risk of local residents being caught up in fighting or subjected to reprisal attacks, based on existing information and past experience;
  - b) coordinated planning between the national governments and UN peacekeeping missions in the area for a timely response to civilian protection needs, with clear agreements on information sharing and respective responsibilities, and contingency planning for likely scenarios;
  - c) review and systematic application of best practice from the areas affected by the LRA and elsewhere on mitigating the risks of military action to civilians abducted by the militia group, including children, and on ensuring the safety of children and other abductees on their release.

Within this strategy, it is important that the role of each national and international duty-bearer should reflect both their mandate and their respective strengths and weaknesses: UNMIS and MONUSCO will be better employed providing and supporting measures to protect civilians and securing humanitarian access than attempting to pursue the LRA. Furthermore, there must be more effective use of existing resources. For example, patrols by peacekeepers and national forces must cover remote communities off the main roads and remain long enough to provide a genuine deterrent, they must at times take place at night, and movements must be preventative rather than simply in response to reported incidents.

- **Urgent action is needed to prepare national security services to step up their protection of civilians.** While national armed forces provide valued security through escorts to market or to the fields and a deterrent presence in certain population centres, recent humanitarian and human rights reports highlight the lack of equipment, training and transport which limits the protective capacity of some national security services in the affected areas. Local men and women in Dungu territory, Haut-Uélé, described to Oxfam in July 2010 how FARDC units that had been deployed on the outskirts of population centres were too small and ill-equipped to respond to the increased threat of attack from the LRA and had withdrawn inside villages: *'We're the ones protecting the FARDC, not the other way around.'*
- Communities in north-eastern DRC also routinely report a succession of abuses by sections of the Congolese army and police, which they link to frequent delays in the payment of wages and

the absence of effective discipline and justice mechanisms. As part of a coordinated strategy of response to the LRA, **national governments should urgently review and enhance both the protective capacity and action of their armed forces deployed in the affected areas, and provision for their welfare, discipline and military justice.** Troops should be deployed with consideration for their track record on human rights and prior training to protect civilians, and with a military police presence. International partners should support such action as part of their assistance to wider security sector reform.

- **Early warning systems must be expanded in conjunction with response capacity, and with regard for the risks to civilians.** Information relay at present is inadequate in coverage and much too slow – massacres such as the one in which the LRA killed more than 321 civilians in Makombo in December 2009 take months to filter through to (international) attention. To be effective, early warning systems must be linked to planned protective response capacity from national governments and international peacekeepers – provision for response must be built into the mechanism. This implies collaboration by UNMIS and the SPLA, and by MONUSCO and the FARDC, to identify and prepare such capacity. Such systems also entail real risk potential to communities, and there are concerns that the planning for radio-based early warning mechanisms initiated with the protection of civilians in mind is now being discussed as a tool of military intelligence gathering. Any intelligence gathering must be undertaken with specific regard for mitigating the risk that local residents may be targeted as informants. **The highest-impact, lowest-risk way of improving the communication systems that are so vitally needed for timely protection and assistance would be to invest in a massive expansion of mobile phone coverage,** through the positioning of phone masts in collaboration with mobile phone companies in the region. MONUSCO and humanitarian agencies such as UNICEF are already collaborating with such companies on mobile phone-based early warning systems in areas with existing coverage. Improved radio communications and possibly even satellite phones could provide an interim improvement if the more sustainable option of mobile phone coverage took more time, but the risks to civilians of a response system based on more visible and high-value equipment should be carefully considered in programme design.

Residents of Dungu and Niangara territory, Haut-Uélé, described to Oxfam in August 2010 that, when a house is attacked by the LRA, people try to leave as quietly as possible to avoid being discovered. *'You leave everything behind, sometimes including the children.'*

## Recommendations

Contact Group members should promote coordinated national and international action to address the threat the LRA poses to civilians across the region.

**Make better use of existing resources:** peacekeeping missions must review their strategies in response to the LRA threat and establish effective cross-mission coordination on protecting civilians; coordination with humanitarian actors on security must be improved to enable an expansion of assistance; national armies must be adequately supported and disciplined to offer increased protection to civilians; revive the role of an AU or UN Special Envoy to LRA-affected areas as part of enhanced non-military action to promote disarmament.

**Increase resources commensurate with needs:** more international and national protection actors must be deployed to the areas where the civilian population is most at risk; the delivery of humanitarian assistance should be significantly increased; the structural vulnerabilities of the affected areas should be addressed through a targeted road-building/road rehabilitation programme, combined with a major expansion of communications infrastructure (mobile phone coverage); early warning systems linked to improved response capacity are needed, with regard for the risks they can pose to civilians.

**Address the risks of any military action:** civilian protection should be at the centre of international and regional action to address the threat of the LRA, under a shared strategy

involving national armed forces and peacekeeping missions in the region that takes account of the capacities of each.