Peace talks in Juba, southern Sudan, between the Lord's Resistance Army (LRA) and the Government of Uganda (GoU) began in 2006. Mediated by the Government of Southern Sudan (GoSS) and supported by African states, international donors and the UN, talks on the northern Ugandan conflict have never seen such extensive international involvement.

The conflict has caused a humanitarian crisis, economic devastation and the political isolation of northern Uganda. The LRA's insurgency, led by Joseph Kony, initially drew on local resentment among several ethnic groups, especially the Acholi, against the southern-dominated government of Yoweri Museveni, but the LRA's abuses and recruitment through kidnapping saw its support dwindle. The war has destroyed the lives of civilians in Uganda and Sudan who suffered from attacks and abuse by both LRA and the Uganda Peoples Defence Force (UPDF). It is impossible to establish how many people have been abducted by the LRA (estimates range from 20,000 to over 70,000) or killed by either side. Most deaths in this conflict are war-related, rather than combat deaths. For some years, more than 1.5 million people lived in squalid displacement camps.

For many years there seemed little hope of a negotiated resolution to the conflict and little international interest in promoting negotiation efforts. The LRA was never an existential threat to the GoU, although it has been used to justify an immense military budget to donors. Furthermore, the GoU and media have portrayed the LRA solely as a religious cult with no political agenda. The extent to which this is true can be debated, but it has enabled the GoU to depoliticize the wider problem of northern Uganda's alienation from the state and further undermine the case for negotiations.

The first initiative of real promise came in 1994, when government minister Betty Bigome initiated direct
contact with the LRA. She subsequently managed to secure some government endorsement of her initiative, but the talks suffered from a lack of clear commitment from either side or clear demands from the LRA and both sides eventually withdrew. Bigombe was involved in further talks in 2004 but these too collapsed. Peace initiatives have generally run into the same problem of the credibility of both sides’ commitment to negotiations, with each failing to signal that they perceive the other as a serious interlocutor. The abandonment of high-profile initiatives only reinforced the widespread impression that the conflict would not be resolved politically but militarily – an option that received external support. In 2001, for example, the LRA was included in the Terrorist Exclusion List of the USA Patriot Act, bringing US military support for the UPDF and leading to a concerted military campaign against the LRA in 2002 (Operation Iron Fist).

**An international problem**

With inconclusive results from another military campaign, accompanied by intensified suffering on the ground and the prospect of a resolution of Sudan’s north-south conflict, international donors began to seek ways to pressure the GoU to end the conflict. Some key donors, like the UK, were already taking a more critical stance towards Museveni over other issues, suspending aid in response to delays in Uganda’s return to multi-party politics and its embroilment in conflict in the Democratic Republic of the Congo (DRC). In November 2003, the war in northern Uganda garnered international attention when Jan Egeland, the UN Under-Secretary-General for Humanitarian Affairs, visited Uganda. More generally, world leaders were in the midst of discussing the international community’s ‘Responsibility to Protect’ vulnerable populations whose governments failed to do so. With Egeland’s account of the humanitarian crisis in Uganda, it seemed like a situation in which the international community was in danger of failing to follow their own agenda. Egeland’s influence helped put Uganda on the agenda of the UN Security Council (UNSC) from April 2004. The GoU reacted swiftly to the UNSC interest, sending ministers to meet with UN representatives in New York to lobby against peacekeeping forces in Uganda. While the feared UNSC resolution was not forthcoming, diplomatic pressure from several donor countries heightened on the Ugandan government.

Another process was unfolding simultaneously: in December 2003 Museveni had sought to use the newly-established International Criminal Court (ICC) to his advantage by referring the situation in Uganda for investigation. There was much international interest as the ICC was under close scrutiny as a new organization...
with much to prove. The ICC involvement sparked an international debate about the contradictions or synergies between international justice and conflict settlement, heightened when the ICC unsealed five arrest warrants for LRA commanders (including Kony) in October 2005. Critics argued that the ICC had made further talks impossible because there would be no location in which to safely hold them: any signatory to the Rome Statute is obliged to extradite anyone wanted by the court. But it soon became clear that the ICC could not bring the quick or neat solution the government sought: it had no mandate or executive partner to act on its arrest warrants and seize the LRA’s elusive leaders.

In late 2005, however, the persistence of those pursuing peace provided the opportunity for new talks, while the specific circumstances of the Government of Southern Sudan (GoSS) as a new and semi-autonomous government created a geographical space for them. Tackling the LRA problem was a priority for the GoSS as the LRA had been fighting as a proxy force for the Khartoum government for years. Even after the Sudanese north-south peace deal was signed, the LRA’s main area of operation in Eastern Equatoria was still extremely insecure. Representatives of civil society and the Uganda Amnesty Commission working on a negotiated solution have long maintained low-key contact with the LRA, and the Juba talks are rooted in those connections. The talks that began in 2006 mediated by Riek Machar, the Vice President of the GoSS, are the culmination of years of efforts to start negotiations by the Sudanese Equatoria Civic Fund, supported by IKV Pax Christi and the Uganda Amnesty Commission.

Motivations for negotiations

There has been much speculation about what brought the conflict parties to the table. The most common explanation is mounting international pressure. Certainly, evolving international interests – justice, a human rights agenda or military threats – have influenced the parties to the conflict. The GoU’s motivations can be read as Museveni’s concern to prevent a UNSC resolution on Uganda and to not be seen as a cause of regional instability. Yet, representatives of civil society and the Uganda Amnesty Commission working on a negotiated solution have long maintained low-key contact with the LRA, and the Juba talks are rooted in those connections. The talks that began in 2006 mediated by Riek Machar, the Vice President of the GoSS, are the culmination of years of efforts to start negotiations by the Sudanese Equatoria Civic Fund, supported by IKV Pax Christi and the Uganda Amnesty Commission.

The Juba talks and international roles

The Juba talks have produced a ceasefire and agreements on accountability and on a comprehensive solution, but are struggling to conclude a significant agreement on implementation mechanisms. Much of this can be attributed to the parties, particularly the LRA delegation’s internal issues over leadership and direction, with individuals taking decisions without informing the entire delegation, which is drawn from the ‘diaspora’ rather than fighters from ‘the bush,’ who were withdrawn from the negotiations early on. From October 2007, a major crisis in LRA leadership emerged, echoing peace attempts of the past when chief negotiators defected, renewing discussions about the ability of the delegation to take decisions without Kony at the table. The GoU, meanwhile, continues to send mixed signals about its intentions regarding the ICC problem and renewed military options.

leave the bush, but a number of factors underlying their readiness to engage can be analysed.

There has been much debate over whether the ICC involvement motivated the LRA to engage in talks in order to try to negotiate away the arrest warrants, but given the difficulty in executing the warrants, a more persuasive form of pressure behind the LRA’s decision to engage may be its weakened numbers. Uganda’s Amnesty Act, enacted in 2000 to guarantee amnesty to all rebels, has had a significant impact. Evidence suggests that it has been an incentive for foot soldiers to go home and that the LRA force is less than half of what it used to be before the amnesty.

Proponents of a military solution to the conflict have argued that military offensives have weakened the LRA enough to make them want to negotiate, but the evidence is unclear. Even with the destruction of its Sudanese base camps, the LRA has managed to continue its attacks and the LRA remains a significant fighting force despite its reduced size.

The broader regional political and security environment has clearly reduced the LRA’s room for manoeuvre. Southern Sudan’s leaders have sought to end its activities in Sudan, while its backers in the Khartoum government have apparently responded to pressure to end their support. But perhaps the key incentive for the LRA is the opportunity to portray itself as a legitimate political interlocutor at a time of renewed international interest in bringing security and development to the region, thus saving face. Past peace attempts have seen the LRA seek acknowledgment of the legitimacy of their fight: the Juba talks created a credible setting for pursuing this and negotiating ‘comprehensive solutions.’
International support has been problematic too, and has not been conducive to incentivizing a sustainable agreement in several ways: initial reluctance to offer support to talks with wanted individuals and ‘terrorists’ has given way to an unwieldy array of international roles, which – combined with threats of renewed military action if an agreement is not reached soon – has conveyed an undermining sense of ambivalence about the international community’s support for a negotiated solution. The question of ICC warrants has not been resolved, while arguments over funding for participating in talks and carrying out wider ‘consultations’ continued until late 2007.

Ambivalent support

International interest in the fledgling process came initially solely from African countries. Many in the wider international community were sceptical about the intentions of the LRA and the capacity and agenda of the mediator. The GoSS was in its infancy, while many suspected Machar wanted to recruit the LRA for his own local power struggles. Furthermore, the UN was reluctant to engage due to internal debates over whether it could support the talks while also supporting the ICC, which maintained that the priority was extraditing wanted commanders.

However, after Switzerland officially offered support, UNICEF joined the negotiation process in an advisory role. GoSS shouldered fast-growing costs and criticisms until an agreement on cessation of hostilities was signed in August 2006, after which the US, UK, Norway and the Netherlands joined the fundraising and support effort, while the UN Office for the Coordination of Humanitarian Affairs (OCHA) started providing administrative and logistical support.

Other parts of the UN got involved too, leading to some confusion over the division of responsibilities. However, the problem underlying UN engagement has been an inability to take a clear stand on how the organization would engage with the LRA, especially when the LRA failed to meet UNICEF and OCHA demands for the release of all women and children. UN staff supporting a closer engagement and direct contact with the LRA came under much internal criticism. OCHA was criticized as supporting impunity through its direct engagement with an armed group and individuals under ICC arrest warrants.

OCHA withdrew from its administrative and logistical tasks in 2007 and UN involvement has increasingly focused on the political level. In late 2006, former Mozambican president Joaquim Chissano was appointed as the UN Special Envoy for LRA-Affected Areas with a mandate to facilitate the search for a comprehensive political solution. The appointment made clear that his role was to acknowledge both the legitimate grievances at the root of the insurgency and the impact of LRA activities, assisting in the search for a comprehensive political solution and liaising with external actors, including the ICC. Chissano’s most important intervention was to reignite the negotiations after the breakdown in early 2007 and provide a communication channel with the GoU. He has been a steady point of contact for the conflict parties and the mediator.

The varied record of UN engagement has sent mixed messages to the LRA, whose distrust in the international machinery is striking. In December 2006 Kony complained about the UN role, portraying it as coercive and biased:

“When I want us to understand clearly is what is the business of the UN. … What is the UN? Me, you, and everybody is the UN. You go to Uganda, there are people working for the UN. The same in Sudan. The UN is the people. The UN should not become a force and be used out of context like a dragon.”

The ICC issue

The starkest manifestation of this problem for the LRA is the ICC, which has complicated and stalled the talks. The ICC insists that there will be no reconsideration of its stance until the LRA has fully demobilized. The LRA has called for the warrants to be lifted or for a 12-month deferral by the UNSC, while Kony has repeatedly cited the example of Charles Taylor, who was extradited from his Nigerian exile to stand trial in The Hague. In December 2006, Kony said (translated from Luo into English):

“We seem to have built our own deathbed by committing to this peace process. ... The international justice system is that if you are weak, the justice is on you. For the time being, they think me, I am weak. ... Same with Taylor, when he was in power nobody thought of justice. If you want to remain safe from ICC, you must fight and be strong. If that is the rule of the game, it is not going to help anybody at all.”

The GoU has also come to see the warrants as a stumbling block to a quick agreement, while fear of driving the LRA away from peace talks has provoked strong resistance to the ICC warrants among many in northern Uganda. The LRA along with locals adopted the stance that the ICC’s concept of punitive justice threatened Acholi identity, traditions of justice, accountability and reconciliation. On the other hand,
the ICC warrants have worked as an instrument of pressure to address accountability issues. The LRA and the GoU have acknowledged that justice and accountability procedures are necessary and will have to go beyond traditional justice, signing an agreement on reconciliation and accountability in June 2007 to that effect. It established that both formal justice procedures (within the national legal and institutional framework) and the traditional Acholi Mato Oput ceremony of reconciliation would play a role, implying that arrests under ICC auspices would not be necessary. The ICC warrants cannot officially be withdrawn, and it remains to be seen whether the ICC would be willing to put them to one side once local justice procedures have been established.

**Funds and incentives**

Both the LRA and the GoSS have made use of financial backing for the peace process, while international organizations and NGOs working in Uganda and Sudan base their fundraising efforts on the peace process. All of this risks the talks becoming a self-serving industry, although without the benefit of hindsight it is difficult to distinguish between self-interested involvement and the kind of involvement that will encourage progress towards peace. Some accuse both the LRA delegation and the LRA in the bush of using the talks to cream off as many funds as possible. The LRA has received numerous small-scale material incentives, such as satellite phones and airtime, but disputes have arisen over more substantial support. In 2007 the LRA bitterly protested not being granted USD $2 million for consultations in northern Uganda, which were eventually held with a much smaller budget. Other actors, such as the Cessation of Hostilities Monitoring Team, have been criticized for submitting inflated budgets for field trips. The money provided for talks has been an incentive to keep the process going and a disincentive to streamlining it.

**Conclusion: mixed messages**

Alongside talks, efforts to pressure the LRA have continued, which may not be conducive to building the necessary trust for an agreement. The signing of a military deal between Uganda and the DRC, openly supported by the US, led to a crisis of trust in the talks in the autumn of 2007. The announcement that the US was creating an ‘Africa Command’ to coordinate its security interests in the continent fuelled speculation that the base was going to be moved from Germany to Uganda. The appointment of a US representative to the Juba talks after much pressure on the US to push for a military solution has ignited sabre-rattling in a peace process that has often suffered from hostile rhetoric on both sides. The deadline for another significant achievement in the peace process seems to be early 2008, after which military options become a real possibility.

Even if the Juba talks have a chance of succeeding, the signed agreements are little more than outlines. The actual implementation modalities will require both parties to make difficult concessions. Whether the LRA high command will eventually stick to agreements signed in their absence is the big question still overshadowing the talks.

International financial support is crucial and so is international diplomacy to navigate legal and military interests to maintain the space that makes the Juba talks possible. However, criticism is mounting against the overpowering international presence in the negotiations. Some actors see scaling down and streamlining international involvement as the best option for reaching a comprehensive settlement, reducing the opportunities for using the peace process as a self-serving instrument and allaying the LRAs suspicions of international involvement.

In response to the perception that the current process is not conducive to concluding the negotiations, some have called for a parallel process under such independent leadership. Direct negotiations in a smaller setting, possibly facilitated by Chissano, have been considered. Elements of a parallel process are already in place: separate discussions have been held between the conflict parties, while civil society activists and local politicians from both Uganda and Sudan have held separate consultations with the LRA delegation and the leadership. But any parallel process would face controversies over issues of mandate, legitimacy and diluting incentives. Any initiative that involves bypassing some of the major players and renewing emphasis on local and civil society input will meet resistance, and will need to be credible and sustainable for international interests to be fulfilled.