Query:

Please provide information on human rights violations by the Lord’s Resistance Army (LRA) in Uganda, particularly toward children abducted into their forces, and regarding the actions of Ugandan security forces toward former members (including abductees) of the LRA.

Response:

The Lord’s Resistance Army has committed gross human rights violations, particularly against children who have provided the bulk of the LRA’s forces since 1994. The treatments meted out to children who escape from the LRA and then fall back into their hands suggest that a person within this category would be in grave danger if members of the rebel forces were to see and recognize him/her. While Ugandan government forces have been guilty of serious human rights violations, the government’s policies toward abducted LRA child soldiers who escape or are captured has generally been more humane. However, there have been serious violations committed by government security forces in their war against the LRA, including the killing of child members of the LRA while held captive.

International human rights organizations have produced major reports in recent years providing comprehensive information on numerous atrocities committed by the Lord’s Resistance Army (LRA) in Uganda, particularly grave human rights violations committed against thousands of children abducted into LRA forces. Substantial information is also available regarding the human rights record of Ugandan government forces.

In its 1997 report The Scars of Death: Children Abducted by the Lord’s Resistance Army in Uganda, Human Rights Watch provides a graphic and detailed picture of the LRA’s mode of operation:

"In northern Uganda, thousands of children are victims of a vicious cycle of violence, caught between a brutal rebel group and the army of the Ugandan government. The rebel Lord’s Resistance Army (LRA) is ostensibly dedicated to overthrowing the government of Uganda, but in practice the rebels appear to devote most of their time to attacks on the civilian population: they raid villages, loot stores and homes, burn houses and schools, rape, mutilate and slaughter civilians unlucky enough to be in their path" (HRW 1997, 4).

"When the rebels move on, they leave behind the bodies of the dead. But after each raid,
the rebels take away some of those who remain living. In particular, they take young children, often dragging them away from the dead bodies of their parents and siblings" (HRW 1997, 4).

"The rebels prefer children of fourteen to sixteen, but at times they abduct children as young as eight or nine, boys and girls alike. They tie the children to one another, and force them to carry heavy loads of looted goods as they march them off into the bush. Children who protest or resist are killed. Children who cannot keep up or become tired or ill are killed. Children who attempt to escape are killed" (HRW 1997, 4).

"Their deaths are not quick—a child killed by a single rebel bullet is a rarity. If one child attempts to escape, the rebels force the other abducted children to kill the would-be escapee, usually with clubs or machetes. Any child who refuses to participate in the killing may also be beaten or killed" (HRW 1997, 4).

"The rebels generally bring their captives across the border to a Lord's Resistance Army camp in Sudan. In the bush in Sudan, a shortage of food and water reduces many children to eating leaves for survival; deaths from dysentery, hunger and thirst are frequent. Living conditions in the Lord's Resistance Army camp are slightly better, because the Sudanese government supplies the Lord's Resistance Army with both food and arms in exchange for assistance in fighting the rebel Sudanese People's Liberation Army (SPLA)" (HRW 1997, 4).

"Those children who reach the Lord's Resistance Army camp are forced to serve the rebels. Smaller children may be made to run errands, fetch water or cultivate the land; girls as young as twelve are given to rebel commanders as "wives." All of the children are trained as soldiers, taught to use guns and to march" (HRW 1997, 4).

"The Lord's Resistance Army enforces discipline through a combination of violence and threats. Children who do not perform their assigned tasks to the rebels' satisfaction are beaten. Children who flout rebel orders are beaten or killed, often by other abducted children. Failed escape attempts continue to be punished by death, and successful escape attempts lead to retaliation: if one sibling escapes, the rebels often kill the other sibling, or return to the child's home village and slaughter any surviving relatives" (HRW 1997, 4).

The report estimates that "three to five thousand children have escaped from captivity during the past two years. UNICEF estimates that an equal number of children remain in captivity, and an unknown number are dead." "Violence and instability," the report continues, "have displaced more than 200,000 northern Ugandans from their rural homes" (HRW 1997, 2-3). The human rights organization cites the testimony of a number of children regarding their treatment and summarizes the LRA tactics:

"The rebel commanders use the children as shields: when battle approaches, the children are sent to the front lines, while the commanders remain safely in the rear. At times, the children are told not to take cover, and they are beaten if they attempt to duck down or crouch behind trees or buildings. At other times, taking cover is permitted. There does not appear to be a pattern; it all depends on what orders the Holy Spirit gives Kony [the rebel commander]...” (HRW 1997, 19).

"Children who try unsuccessfully to escape from the camp or while on the march are killed, apparently without exception. But during battles, the rebels appear to relax their normally draconian rules: children who become separated from the group, but are later found, are treated as strays rather than as potential escapees, and receive only mild punishment" (HRW 1997, 20).

Child Newsline, a feature service run by the Panos Institute in London and supported by UNICEF, published an article that provided graphic testimony regarding LRA abuses toward children and of the violations committed by the young abductees, under duress:
"My first killing was hacking someone with a panga (curved machete)," says former child soldier James Okello, kidnapped by the LRA when he was a teenager. "He was a civilian, an adult, 30 years old. He was abducted, then he tried to escape, so they made me kill him. I did it. I was disturbed in my mind about him, I was not feeling well, I was just shivering that first time. But after I got used to it, I could do it normally. I have killed about 100 people" (Spencer June 1998).

"Seventeen-year-old Charles Komakech, who was kidnapped at 15 by the LRA, describes equally harrowing experiences. "It is part of our military training that if you overrun an (army) detachment, you charge in and kill the wounded. There were so many, too many I killed. Over 100. When I was still in the bush, I did not experience anything, I was actively participating in this. I just did it" (Spencer June 1998).

This report also raises the issue of justice available to those who have suffered at the hands of the child soldiers and highlights the isolation of the children even from their own communities: "In Uganda, some parents refused to accept their own child back into their home because of the atrocities the child had committed as a soldier" (Spencer June 1998).

Amnesty International in a 1999 report, Uganda: Breaking the Circle: Protecting Human Rights in the Northern War Zone, provided detailed information on human rights violations by both the LRA and government security forces. According to Amnesty, "the LRA has abducted thousands of children and adults, has unlawfully killed hundreds, possibly thousands, of civilians, has raped thousands of women and beaten thousands of men, women and children. If it did not forcibly abduct children, the LRA would have few soldiers" (AI 17 Mar. 1999, 1).

The 1999 Amnesty International report also accuses government security forces of serious human rights violations:

"Largely obscured by the scale of LRA violence is a pattern of human rights violations involving UPDF [Uganda People’s Defence Forces] soldiers. Since 1996 Amnesty International has documented scores of killings, dozens of rapes and hundreds of beatings. There is a general problem of impunity for soldiers who have committed serious crimes against civilians. While many have been arrested and charged, few have been tried..." (AI 17 Mar. 1999, 1).

"There have been many incidents in which unarmed civilians caught in the countryside by UPDF soldiers have been extrajudicially executed or beaten. Amnesty International believes that incidents of rape by soldiers are significantly under-reported and that this form of violation is widespread" (AI 17 Mar. 1999, 2).

As a counter-insurgency strategy, the Ugandan Government forcibly removed villagers into camps. UPDF forces were reported to have shelled villages to enforce the government relocation scheme. Soldiers beat and killed villagers who refused to leave their homes, "approximately 100,000 people from their homes in and around Gulu town. Soldiers committed hundreds of extrajudicial executions as they forced people out of their homes, burning down homesteads and granaries" (AI 17 Mar. 1999, 8). Once an area had been cleared, people who had returned to check on their property or to harvest crops were considered to be rebels by government forces and shot on sight. Government forces appeared to have committed fewer human rights violations clearing villagers from the countryside in 1996 than in the clearances in late 1988 (AI 17 Mar. 1999, 8 & 16).

One of the most serious violations committed by government forces took place in March 1998 at Ogole. Government UPDF soldiers opened fired on a group of 80 children sent by the LRA to collect water. Many of the children were bound together, a sign of recent capture by the LRA. At least 30 of the child captives were killed in the ambush (AI 17 Mar. 1999, 18 & 23). While many of the most brutal human rights abuses were committed by troops of the Lord’s Resistance Army, the Amnesty International report paints a picture of civilians caught between and suffering at the hands of two ruthless forces both competing
for control of the civilian population.

In this report, Amnesty International addresses the treatment of children who have been abducted into the LRA and who escape or are captured by government forces:

"As Amnesty International described in the [Sept. 1997] report Breaking God's commands, the UPDF is following a policy of encouraging LRA soldiers to give themselves up. The authorities emphasize that the majority of LRA fighters are abducted children who have fought against their will. Although they may have committed gross human rights abuses, the fact of abduction and childhood allows the government to follow a policy of reintegration rather than punishment. Officially escaping or captured LRA soldiers remain only a short time in military barracks before being transferred to the non-governmental organizations World Vision or GUSCO for counselling and therapy. It appears that this official policy is in general what happens in practice" (AI 17 Mar. 1999, 29-31).

This treatment contrasts with that of suspected "collaborators with the LRA"—more often adults—who are more likely to suffer torture and ill-treatment at the hands of their captors. Ugandan authorities have made extensive use of illegal detention without charge or trial. In the late 1980s, thousands of alleged rebel suspects were held in military barracks and prisons. Since 1992, there has been a reduction in the numbers of alleged LRA supporters illegally detained, however, the practice of detention without charge or trial still exists. In 1999, Amnesty International remained concerned about reports of torture and ill-treatment by government forces, especially from military detachments in the countryside and in some instances of mass round-ups known as "panda gari" to search for LRA members and army deserters in Gulu municipality (AI 17 Mar. 1999, 29).

The U.S. Department of State in its most recent country report on Uganda indicated that arbitrary arrest, and arbitrary mass arrest remain a problem. In January 2000, over 5,000 persons were arrested and detained for 24 hours in Gulu municipality. The UPDF also detained child soldiers of the LRA for several months at Gulu military barracks. "There were reports that the military used the children to help find LRA landmines and arms caches" (U.S. DOS Feb. 2001, 7). The Ugandan government continued to arrest captured rebel fighters and charged them with treason, in numbers larger than the judicial system could handle. At the end of 2000, officials reported that 226 persons were held on charges of treason, none of whom were children (U.S. DOS Feb. 2001, 8). The government maintained its policy of "protected villages" with UPDF detachments nearby as a means of protecting civilians and denying support to the LRA. The government failed to provide adequate security to villages targeted by rebel attacks. In January 2000, the President Museveni signed a 6-month amnesty for rebel fighters. The amnesty was renewed for an additional 6 months in July, however, by year's end, the government had just begun implementation of the amnesty provisions that provide for repatriation and resettlement of former rebels (U.S. DOS Feb. 2001, 9).

This response was prepared after researching publicly accessible information currently available to the RIC within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

References:


_Last Modified 06/14/2002_