

Testimony of John Prendergast
Tom Lantos Human Rights Commission Hearing on the Lord's Resistance Army
June 19, 2012

U.S. efforts to end the Lord's Resistance Army, or LRA, are in jeopardy because of a major disconnect between the areas that the LRA is hiding and the areas to which the Ugandan army, the only force willing to undertake operations against LRA units, has access. Other shortcomings in the mission also put its potential success at risk.

The administration has taken some steps to fulfill a core objective of the *LRA Disarmament and Northern Uganda Recovery Act*, in particular "to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army." However, the deployment of U.S. military advisors to assist national militaries in ending the LRA must be combined with additional "political, economic, military, and intelligence support," as called for in the Act. Five major obstacles facing regional and international efforts to bring an end to the LRA crisis need to be addressed, if U.S. initiatives are to succeed in bringing about the apprehension of LRA senior leaders, the protection of civilians, and the defections of LRA combatants. In particular, the administration should use the authority and appropriations provided by Congress in the National Defense Authorization Act of 2012 and the State and Foreign Operations Appropriations Act of 2012.

ACCESS

The most critical obstacle to apprehending the LRA senior commanders and protecting civilians is that the only army pursuing the LRA is not able to access all of the areas where the group is believed to be currently or could move to. Of the loose regional coalition of national militaries fighting the LRA, the Ugandan army is the most capable army and the only one conducting offensive operations against the LRA. Its inability to access all current and likely areas of LRA operation has resulted in the formation of safe havens for the LRA and could lead to the development of additional refugees.

The first safe haven is the Democratic Republic of Congo, where the Congolese government ordered the Ugandan People's Defense Force, or UPDF, to halt its counter-LRA operations in September 2011. The Congolese government said that this was needed because of the then-upcoming November 2011 elections in Congo. However, the situation has persisted. The UPDF is unable to access parts of the Central African Republic, or CAR, as well. In the Summer of 2010, CAR President François Bozizé asked the UPDF to withdraw from its base in a key area in northeastern CAR, Sam Ouandja. According to recent field research conducted by the Enough Project, the UPDF is still unable to operate there and was ordered by local authorities to leave another critical town in CAR, Zemio in the southeast. Recent intelligence and allegations suggest that one or more LRA groups, including Joseph Kony, have returned to the Darfur region of Sudan. If this is true or if the LRA later moves to Sudan, this would effectively create another area off limits to the UPDF, given the tense relationship between the Ugandan and Sudanese governments. Lastly, in the very likely case that the LRA moves (or has already moved) into the northwestern corner of South Sudan where the borders of South Sudan, Sudan, and CAR meet, it is possible that the Ugandan army will not be able to deploy there as well, given that the South Sudanese government reportedly does not allow the United Nations Mission in South Sudan in that area. In order to effectively conduct military operations against the LRA, the Ugandan army must have full access to areas where the LRA is or is likely to move to.

TROOPS

Second, there is not a sufficient number of capable and committed troops deployed in LRA-affected areas to effectively apprehend the top commanders and protect civilians. The LRA operates in a vast area the size of Arizona that lacks roads and airstrips and is dense jungle terrain. However, the forces currently deployed number approximately 1,700 – hardly enough to carry out both offensive operations to apprehend LRA senior commanders as well as operations to protect civilians and gather on-the-ground information about the LRA throughout that area. Moreover, only approximately 900 are UPDF troops, and Uganda has deployed its most capable forces to Somalia for the African Union mission there. To succeed, the operations against the LRA must have more capable and committed troops. A related problem is that a clear strategy does not appear to be in place for protecting LRA abductees who are likely to be on the front lines during the military operations and protecting civilians from reprisal attacks by the LRA.

INTELLIGENCE

Third, the U.S. military advisors, national militaries, and United Nations peacekeeping missions lack the intelligence capabilities required to obtain reliable information in real-time about the LRA's whereabouts and activity. Two recent examples illustrate this clearly. In late April 2012, it became apparent that the U.S. and the national militaries did not know where Kony was. While the U.S. placed him somewhere north of Djema in CAR, the Ugandan commander leading the UPDF forces pursuing the LRA reportedly asserted he was in Djema, a UPDF spokesman said he was moving into Sudan, and the chief of the Ugandan army placed Kony in South Sudan. And last week, after it was reported that the LRA had attacked park guards in Congo's Garamba National Park, a top official with the U.N. Stabilization Mission in Congo, or MONUSCO, told my Enough colleague that the attack was not the LRA but a Rwandan militia or the South Sudanese army. What is clear is that the military operations cannot achieve their objectives without enhanced intelligence capabilities, including more surveillance aircraft, additional night flights, and human intelligence provided by local communities.

TRANSPORT

Fourth, the national militaries lack transportation capabilities, such as helicopters, to rapidly respond to real-time intelligence. The dense jungle terrain and lack of passable roads make it even more critical that the militaries have sufficient helicopters and other transport. Without these, the national militaries are unlikely to be able to react rapidly to the LRA's movements in order to apprehend the leadership and protect communities. Improvements in the area's road and airstrip infrastructure would go a long way toward improving access for the military operations, humanitarian assistance, and promptly returning combatants who have escaped from the LRA.

DEMOBILIZATION AND REINTEGRATION

Finally, initiatives to encourage LRA commanders and fighters to leave the group lack sufficient resources and commitment. In large areas of Congo and CAR, there are no FM radio stations broadcasting "come home" messages to LRA combatants and no places for them to surrender. The recent dissolution of Uganda's Amnesty Act, which previously enabled LRA fighters who renounce rebellion to return home, and the trial of a mid-level LRA commander, Thomas Kwoyelo, are discouraging current LRA from escaping. Furthermore, targeted efforts to reach out to commanders encouraging them to defect do not appear to be underway. Military operations to protect civilians and apprehend the LRA's senior commanders must be coupled with robust initiatives to get LRA commanders and rank-and-file fighters to defect.

To ensure that the U.S. military advisors and the military operations against the LRA can succeed, the Obama administration, working with the AU and UN, should urgently:

- 1) Broker agreements between Kampala and Kinshasa, Bangui, Khartoum, and Juba to secure full access for the Ugandan army to all areas where the LRA is or could become present. Ensure accountability for any human rights violations or natural resource exploitation committed.
- 2) Secure a sufficient number of capable and committed troops under the AU umbrella, including highly trained special forces to apprehend the leadership and additional troops to protect civilians and gather on-the-ground information. Develop and implement a clear civilian protection strategy, particularly for protecting LRA abductees during military operations and protecting communities from reprisal attacks by the LRA.
- 3) Provide enhanced intelligence capabilities to ensure that the U.S. military advisors, the national militaries, and the U.N. peacekeeping missions have reliable, real-time information about the locations and activity of the LRA.
- 4) Provide additional transportation assets, including helicopters, to enable the national militaries to respond rapidly to intelligence leads using the National Defense Authorization Act of 2012 authorization, and improve vital roads and airstrips using the State and Foreign Operations Appropriation Act of 2012 appropriation.
- 5) Maximize efforts to promote defections by expanding the coverage and programming of existing FM radio stations and supporting new stations, establishing additional locations for LRA to safely surrender, and engaging with the Ugandan government and other partners to reinstate amnesty in Uganda and reach out to LRA commanders.