



**REPORT**  
**Cross border conference on security**  
**in the border region of DR Congo,**  
**Sudan and Uganda**  
Arua, 29 September – 3 October 2008



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## Preface

Since long security issues in the border region of North East DR Congo, South West Sudan and North West Uganda are interconnected. Security issues easily spill over from one country to the other and the countries and regions share a history of mutually receiving refugees. The same tribal communities live on all sides of the borders and there are extensive cross border informal economic networks.

IKV Pax Christi has been working in this border region for over 6 years and several cross border initiatives have been organized in the past.

A number of cross border issues were identified the past years that needed joint solutions. It was also discovered that on most of these issues, barely any contacts existed between the three border zones. As far as contacts were there, they were often hampered by the language difference.

This pushed us to organize a conference that was held from 29 September up to 3 October 2008 in Arua in North West Uganda addressing all cross border security issues prevailing in the region. As such this was a follow up of an equivalent conference five years back concerning the same region.

Target group of the conference was civil society and church representatives from the three border regions. The objectives of the conference were three fold. Firstly, the conference was aimed at establishing contact between grass root actors on peace and security of the three countries and border zones. The second objective was the drawing of a profound joint context analysis on all issues identified. Thirdly, the objective was that a joint plan of action would be drawn up on each of the issues addressed. The final result was a very rich conference, which gave a lot of information on important subjects to all participants and creating vivid debates, both on the context analysis and on the action plans. For most subjects joint cross border working groups have been established, giving follow up to the recommendations.

We hope you find the report useful in your daily work and that conference and report contribute to solutions on security issues prevailing in the region.

Joost van Puijenbroek  
IKV Pax Christi  
November 2008

## Opening Remarks

### **Rt. Rev. Frederic Drandua: Bishop of Arua**

The Bishop observed that the three countries in this region have experienced conflict for many years. Instability in the DRC and in Uganda dates back to the 1960s and in Sudan, rebellion against injustice perpetrated by the North against the South dates as far back as 1956. The root causes of these conflicts include poverty and idleness. Idleness leads to armed occupation while poverty drives people to extreme measures. Easy access to small arms exacerbates the situation. Conflicts in one country spill across the borders causing instability across the region.

The Bishop further observed that it is possible to stop the conflicts if the will is there. It is possible to stop the trafficking of small arms and bring the rebel groups to the table for dialogue. Security is a concern of all people in the region and it is therefore the responsibility of all the players, including the civil society, faith based organizations, governments and all other stakeholders to look for a common solution. He commended the effort of IKV Pax Christi in organizing the cross border conference and noted that it was a step in the right direction.

### **Joost Van Puijenbroek: IKV Pax Christi Programme Manager, Great Lakes Region**

Joost gave a short background of the international Pax Christi movement. He explained that the movement started at the end of World War II with the primary goal of uniting the French and the Germans after three consecutive extremely bloody wars. Pax Christi is a laic catholic movement with members in many different countries now. Pax Christi Netherlands merged with the ecumenical peace office of the joint council of churches in the Netherlands to become IKV Pax Christi.

Five years ago, a similar conference was held in Arua at a time when the civil war in Sudan and DR Congo was still going on. Positive developments are among others the fact that the civil war in Ituri is now almost over, a newly elected government of South Sudan has been installed, the comprehensive peace agreement has been signed in Sudan, Sudanese and Congolese refugees have returned home and Arua has become an economically booming town. Negative developments concern the continuous proliferation of small arms in the area and the exploitation of oil and other natural resources as a potential source of conflict. Also, two follow up conferences were scheduled to take place in Yei and in Dungu but they both had to be cancelled due to insecurity. Mr. Van Puijenbroek then explained that the objective of this meeting was to analyze the issues facing the region, to come up with priorities and strategies to tackle those issues and formulate an action plan.

### **Mr. Savio Camilo: Deputy Chairman LC5 Arua District**

Mr. Savio extended a warm welcome to the participants on behalf of the Ugandan Government. He also assured the participants of their safety while in Arua and added that the conference had been cleared at all levels. He further expressed his gratitude that the conference which was a follow up of the 2003 conference was taking place. The objective of bringing Civil Society Organizations and Faith Based Organizations together to work towards sustainable peace in the region was a very noble one.

He observed that the three countries in the region share territorial space with some communities spread across the borders. The region also shares socio-economic problems and it is therefore important for the three countries to join hands to look for joint solutions to these problems. Issues that cause conflict and insecurity should be identified and tackled. All stakeholders including civil society organizations and religious institutions should work closely with the communities if sustainable peace is going to be achieved in the region.

The 2003 conference has had a lot of impact in the region including reduction of the sale of arms in Sudan. There has been an improvement in relationships across the region including relationships between civilians and soldiers. Mr. Savio Camilo concludes that he hopes that the current conference will have the same impact and that security in the border regions of the three countries will improve.



*Participants of the conference*

## 1. Security Context

### Security Context Ituri – Eric Mongo Malolo, Réseau Haki na Amani

Ituri is in the north eastern region of the DRC. It is a vast region covering about 50,000 sq. Km. and it comprises five territories. It is an area with a multi ethnic population and diverse vegetation and terrain. It is also an agriculturally fertile area and rich in natural resources. Economic activities include agriculture, cattle farming, fishing, mining and timber industry. This kind of rich environment provides potential not only for development but also for conflict.

Ituri is emerging from one of the most violent periods in its history and is currently enjoying a fragile peace. Although conflict has existed in this region for many years, it has flared up in the last 10 years. Land has been the main source of conflict and accessibility of small arms has made it worse. The issue of identity has also contributed to conflict and the political elite has used this to manipulate the communities. The effects of these conflicts have been adverse and far reaching, chief among them being a massive loss of lives. Destruction of the socio-economic structure and breaking up of the communities are other consequences.

Ituri has shared strong cultural and commercial links with Uganda. Illegal networks of coffee, tobacco and other contraband goods have existed with Uganda. Links with Sudan have not been possible due to the civil war in Sudan. However, there have been border disputes with Sudan and the presence of armed groups on both sides has been creating conflict.

In 2004, the National Congolese army was deployed in Ituri and a disarmament programme put in place between 2004 – 2007. In 2005, the first administrative authority was appointed again and in 2006 elections were held. The population had high expectations of the elections bringing about change but they were disappointed. The presence of the National Army has helped limit resurgence of violence although it creates problems for the local population like theft, rapes and illegal exploitation of natural resources.

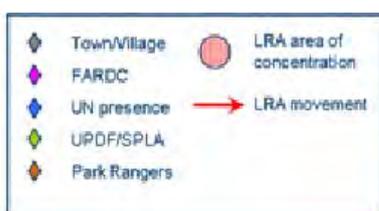
The overall security situation has improved but new problems are emerging. There is a lot of mistrust between the communities and an inability to disarm most of the communities. The presence of small arms coupled with banditry is negatively impacting on them. The land problem remains unresolved. There are communities which are unhappy about illegal moving of boundaries thus encroaching on their grazing rights. The other issue concerns people who fled the war and are unable to reclaim their land when they come back. Weak government structures, increase in taxation and poor governance make the situation worse. The war in Kivu also seems to be slowly spreading to Ituri. There are some former combatants who have not received their disarmament package and they pose a major threat. There is a gap in the disarmament programme since it just targeted combatants and not civilians. There are also mixed feelings concerning the trial of perpetrators with some people feeling that the issue is not being handled fairly and some people are being victimized while others walk free. There is therefore a lot of tension and the likelihood of conflict flaring up is very high. The root causes of conflict have not been tackled; the fire has been put out but the embers are still burning.

### Security Context Ituri – Jacob Mogeni, MONUC

The security situation in Ituri has improved significantly over the past years. While five years ago seven armed groups were still active in Ituri, today they are all dismantled. The three main sources of insecurity which remain are the LRA, the ADF NALU and the FRPI.

The LRA has been actively moving across borders, in particular in the DRC-CAR-Sudan border area, causing insecurity for the population and resulting in clashes with military and

UN forces. In September 2005, LRA forces first entered DRC soil and established their base at Garamba National Park during December 2005 – January 2006. On 23 January 2006, the LRA killed 8 Guatemalan UN peacekeepers. Since then, several LRA attacks have taken place inside DRC, the latest being the LRA attacks near Dungu, on 17-18 September 2008. The Juba Peace talks between the Government of Uganda and the LRA, mediated by the vice president of GoSS, Riek Machar, led to a formal cessation of hostilities on 26 August 2006 and to the gradual signing of agenda items throughout 2006, 2007 and 2008. In April 2008, Kony refused to show up for the signing of the CPA. Efforts to sign a peace agreement continue.



Map 1 LRA movements

By July 2007, MONUC started a gradual build up of forces, commencing with airfield improvements and the establishment of a forward operating base at Dungu, mainly to provide low-level military pressure to encourage the peace talks; to monitor the LRA presence in DRC and to prevent further advance into its territory and to prepare for further measures should the peace talks fail. Recently, internal fights within the LRA brought about the killing of the second in command of the LRA leadership, Vincent Otti.

The Allied Democratic Front (ADF) is a Muslim fundamentalist group formed in 1996, fighting against the Government of Uganda. The National Army for the Liberation of Uganda (NALU) was created in the 1980s. It also aims to overthrow the Government of Uganda. The Government of Uganda offered amnesty in 2004 to the combined ADF NALU. The group consists for 60 % of Congolese, most of them foot soldiers. The commanding officers are all originally from Uganda. There are currently no negotiations taking place with the ADF NALU. ADF NALU has camp sites in the Ruwenzori Mountains, bordering Ituri. In Ituri they have campsites in southern parts of Irumu territory. There are in total about 1000 soldiers dispersed over various commanders. ADF NALU has linkages with FRPI remnants, the following rebel group.

The FRPI is a Lendu-Ngiti armed group formed in 2003. It was for the largest part dismantled in November 2007. Cobra Matata and other top leaders are now in Kinshasa. But a remnant group remains. The current leaders are Mbadu Adirodu and David Mungangu. The FRPI operates within proximity of ADF/NALU.

### **Questions and Answer Session on the Security Context Ituri**

Although there is agreement on the general improvement of the situation (about one million refugees have returned) there is also agreement that the roots of conflict remain unresolved and a high number of tensions persist. Also, an important point of attention is DDR of civilian communities. Concerning the ICC there are mixed feelings. Those who have suffered most think they need to be brought to trial. Others think there is injustice, as not all those responsible are being arrested and some even have good positions in the government up to now.

Regarding the relations between DRC and neighboring states, Mr. Mongo replies that the major improvement is the eradication of armed groups through pressure from both DRC and Uganda. Armed groups have lost the support of the Ugandan government. Between ordinary civilians relations have always been good.

Briefly the LRA is discussed. The only objective of the LRA seems to be to terrorize people. It is just a terrorist group without any agenda.

The question is raised whether the ADF NALU is becoming a Congolese or remaining a Ugandan armed group as 60% of ADF/NALU are Congolese and what the Congo Government is doing about it. ADF/NALU started in Uganda and its focus was overthrowing the Government of Uganda. The estimate of 60% is based on interviews with deserted rebels. However, the Congolese do not hold command positions. It is the weakness of the Congolese Government that has enabled this and other groups to thrive in the country. A debate emerged on the high incentives rebel leaders sometimes receive while signing a peace agreement like mansions and government jobs. The question emerges whether this does not act as an incentive to take up arms in order to be rewarded to disarm? Mr Mongo replies that he agrees with the idea. It has been the people in power and the warlords who have struck those deals and civil society has never agreed with them. On the other hand, it is important to understand that in peace building there is always "give and take". The central problem is the motivation for fighting – rebels want money in the pocket. So economic incentives can work. When their economic needs are met, it is possible to disarm them. The alternative is not easier and it is therefore a tough choice that has to be made. The other option is to fight them, but what are the human costs and what if you cannot win?

## Security Context Sudan

### Security Context Sudan – Anthony Agyenta, Civil Affairs Unit UNMIS

Despite a committed agenda under the CPA to transform South Sudan into a peaceful region, insecurity persists due to the prevalence of armed groups and due to the retarded political and social transformation process. The North-South conflict is intertwined with South-South conflicts and local conflicts. Security Sector Reform (SSR) is central to the transformation of south Sudan. UNMIS has been mandated to assist and monitor this process. Besides withdrawal of forces and integration of Other Armed Groups (OAGs), SSR includes community security and arms control, enhancement of the law enforcement institutions and peace building and conflict management.

The Equatoria Region concerns Eastern, Central and Western Equatoria States. It is in total an area of 194,815 sq km. The total population is 2.510.000. Many tensions arise between IDPs and the host communities. IDPs constitute 12% of population and the main conflict issues between IDPs and host communities concern access to land and the felt dominance of the Dinka population. There are also antagonisms against the Muslim population but Muslims only constitute 0,2%. There are 41 indigenous tribes in the Equatoria region. Tribal rivalries are most persistent in Eastern Equatorian State.

At least 6 factions/militia groups emerged from the Equatoria region. Most notably is the Equatoria Defence Force (EDF) that was linked to insecurity in EES and CES. There have been disappearances of SAF and EDF aligned elements that are unaccounted for. All this has left a legacy of rivalry and deep mistrust of leadership. The lurking presence and alleged attacks of the LRA continue to disrupt communities, livelihoods and economic activity. SPLA/M occupied 65% of the southern areas during the war, but below there were forces to keep people divided. Transformation of civil service to SPLA/M created animosity between local people and SPLA/M. Military abuses generates mistrust among the communities towards SPLA/M. Abuses are linked to low motivation, delayed payment of wages, slow process of re-orientation and reintegration and disregard for civilian authority/ commanders within communities. In general, the communities do not or insufficiently recognize the power of civil authorities. Command structures are often felt as not responsive to local sensitivities.

There have been several responses in order to improve the security situation. The UN monitored and facilitated security sector reforms. More than 7.000 ex fighters have been trained and reintegrated into police, fire service, customs, immigrations and other services. Concerning governance there has been an effort to harmonize the parallel civil service (salaries and training). Also, a process of community priorities was started, which has helped to reduce the perceptions of corruption in the government.

Remaining security challenges are of a political and administrative nature. Adherence to military style approaches like bypassing institutions undermines the transition process from a military administration to civilian administration. Also political antagonisms are still very rife. Many incidents of harassment of smaller political parties are on the increase. Sometimes NCP-SPLM antagonisms can take to violent dimensions. Thirdly, there is a lack of political dialogue at the grassroots level ahead of the elections which renders the electoral process vulnerable.

On a social level, 21 years of wartime and of divide and rule tactics by the north have created deep divisions among southerners. These divisions are still rife causing deep mistrust of the other. A major task towards reconciliation lies ahead. Cattle raiding constitutes a main source of communal violence, deaths and tribal rivalries. It is driven by a gun culture, illicit trade and proliferation of small arms and intertwined with internal tribal rivalries like Toposa-Didinga-Dodoth. There is also an absence of an institutional mechanism of conflict management.

However, there are some initiatives worth mentioning. One of them is the civilian disarmament initiative that the GoSS launched in June 2008. It creates opportunities for galvanizing local and cross border leadership commitments to joint actions. Also there is the opportunity of a willing and motivated civil society to be tapped into conflict management with a grassroots approach.

## **Security Context Sudan – Father Thomas Bagbiowa, Tombura-Yambio Diocese**

### **LRA in Yambio, Western Equatoria State**

Western Equatoria state is one of the ten states in Southern Sudan. After the signing of the CPA, relative calm has been achieved in the region and some NGOs and churches like the Catholic, Lutheran and Episcopal Churches are operating in the region. The long standing relationship between the Khartoum Government and the LRA affected the whole of the Equatoria region. After the destruction of the Khartoum Government forces in Torit, Yei and Magwe areas during the 1997 operations, the strength of the LRA was weakened. The LRA later assembled in Torit town and remained at defensive positions but the capture of Torit from the Khartoum Government in 2002 further weakened the LRA. The leaders moved to Juba leaving the soldiers roaming between Eastern and Central Equatoria, committing atrocities and causing a lot of havoc. After the signing of the CPA, Juba became unsafe for LRA and this forced them to move to DRC through Yei. In 2006, the LRA started attacking local populations in Maridi, Ibba and Yambio before moving to the Garamba National Park. The Western Equatoria authorities were later involved in deliberations on LRA but the issue of LRA being taken to Western Equatoria has remained thorny with the local population to date. The LRA were settled and provided for at Nabonga while peace talks were going on in Juba but they remained divided politically and militarily. In October 2007, Kony's deputy Otti was killed. Thereafter, the LRA moved into Central African Republic (CAR), from where they have been launching attacks on areas bordering CAR like Source Yubu in Tombura County, E20 County, Yambio County, Nzara County, Nabonga and Nabiapa. The latest attack was in February 2008 and it was characterized by killing, looting and abductions. A recent visit by UNMIS and the Government of Western Equatoria to the Nabiapa area revealed that people from about 600 households have been displaced by the LRA attacks. For the problem to be resolved, it is important that the Governments of DRC, CAR, Sudan and Uganda are involved.

## Security Context Uganda – Captain Robert Kamara, UPDF

West Nile region comprises the districts of Nebbi, Arua, Yumbe, Adjumani and Moyo. The region is 500 km away from the capital. The border divides several tribes and so the region has people of similar tribal background. We can mention the Lugbara and the Kakwa. The region covers 15774 square miles. Current estimation of the population is around 2.473.000. About 9% are living in urban areas.

The West Nile region has been a conflict zone from 1979 up to 2002. In 1979 Amin was overthrown by the Uganda National Liberation Force (UNLF). Amin and many of his top officers were coming from the West Nile region. Revenge attacks took place and former soldiers re-organized and linked with other armed groups. The new Obote regime was also overthrown and the new regime of president Lutwa was ousted by the National Resistance Army and movement of current president Museveni in 1986. This was done with collaboration of rebel groups like the UNRFII. Later a disagreement emerged between NRA and UNRFII. It was only with a peace agreement in 2003 that the UNRFII finally emerged from the bush. But soon after the NRA took over power the LRA emerged and the subsequent war affected the whole northern area. The impact of the war was enormous: massive loss of lives, fear, food insecurity, loss of businesses, large numbers of IDP's, total disruption of social services like education, etc.

Currently, the region has been calm for the last 4 years. The biggest threat still comes from the LRA though. They are active in the border region with the DRC, at Garamba National Parc and in the Central African Republic. According to UPDF it is their intention to resume the warfare in Uganda. Currently they are busy with training, abductions and arms acquisition.



Map 2 border region DRC, Uganda, Sudan

Another threat comes from the ADF NALU and the Peoples Redemption Army (PRA). They have their camps in eastern DRC, Kivu and Ituri. Their strength is around 700. They occupy themselves with recruitment of soldiers, training. Another activity are missions and mobilising

resources for war. They are a terrorist organisation aiming a spread of radical Islamic fundamentalism. Next to the LRA, ADF NALU and the PRA there are other, irregular armed groups. They can be found especially in eastern DRC and southern Sudan but small pockets can also be found in Uganda. They are active in thuggery, robbery (notably of businessmen), poaching and other criminal activities.

Illegal arms is also an issue. The presence of small arms is an attraction to subversive groups and elements. Lately the UPDF has recovered large amounts of weapons in Northern Uganda.

Over the past period there have also been border disputes between Uganda and the DR Congo. DR Congo border posts have been changed at Vurra border post and at Goli border post. Other disputes occur, also on the borderline through the lake. They meet illegal roadblocks of the Congolese army. The border incidents with DR Congo pose threats to the Ugandan oil exploration. The border with Southern Sudan is very porous.

The presence of militia factions is due to weak administration, unprofessional armies, uncertainty of the CPA between Khartoum and Juba, presence of refugees from DRC and Sudan (which at times have been attacked) that are all causes for the current situation. The instability of our neighbors provokes a need for regional cooperation through the organisation of border meetings, exchange of information, military cooperation, support to repatriation of refugees as well as security to those still here, socio-econ cooperation, etc.

Captain Kamara concludes by saying that despite the numerous threats and challenges to peace in West Nile and the region (DRC, South Sudan) at large, their efforts together with the people will not be reversed by negative elements. Finally, the people of West Nile can rest assured that in UPDF together with the Civil Society organisations, they have reliable partners and together we shall enjoy sustainable Peace.

### **Questions and Answer Session on the Security Context Uganda**

One question centers around cross border police cooperation with Sudan. Recently, there have been clashes between the Ugandan Wildlife Police and the Sudanese police. Also there is the issue of cattle raiding. Cattle raiding should be abandoned as soon as possible as it is not allowed.

Another debate concerns the ADF NALU, PRA and other small armed groups. Although no peace negotiations have taken place with these groups it is important to note that the Minister of Internal Affairs has offered amnesty to all armed groups. The ministry is open for talks with all those who are willing to negotiate. In that sense the government is prepared to talk also with ADF/NALU, although there is also a role for the Congolese government as 60% of the ADF/NALU are Congolese. The Ituri administration might take an initiative on the issue.

A debate arises on the objectives of the MONUC. Is the objective to protect the people? Is the MONUC allowed to fight? If not, how can they protect the people who are threatened by armed groups. The matter is especially urgent for the people in Dungu territory. Mr. Mogeni of MONUC answers that MONUC is not a government. A UN mission is there to support a host government. The goal of MONUC therefore is to support the government of the Democratic Republic of Congo. When MONUC started in Dungu they had intelligence information saying that the LRA would move to Congo. This was the reason MONUC came to Dungu in the first place, to prevent that. The deployment started in 2007. Now there are 600 soldiers of the Congolese army deployed in Dungu. The recent attack took place 45 km from Dungu. There is no road, enforcements can only come through airlifts. MONUC will not

be able to engage the LRA directly. It is the responsibility of the government of Southern Sudan, the DRC and Uganda to come to a common strategy.

## **2. Regional Stability Pact on the Great Lakes - Hamuli Baudouin, National Coordinator of the DRC for the International Great Lakes Conference**

The International Conference on the Great Lakes Region is a United Nations regional initiative that was established in 2003 in response to the conflicts tearing the region apart. It was set up as an organization with thematic areas to reinforce the existing peace processes and find solutions to conflicts at a regional level.

The Great Lakes Conference initially comprised of six countries but five more have been co-opted since their issues are similar to those of the original five. The countries included in the initiative are Kenya, Uganda, Tanzania, Angola, Congo, Rwanda, Burundi, Zambia, Sudan, CAR and DRC.

The initiative is being implemented in three phases. The thematic areas of concern for the Great Lakes conference and its institutions are:

- Peace and security
- Democracy and good governance
- Economic development and regional integration
- Humanitarian and social issues

### **Phase 1: 2003 – 2004**

The objective of this phase was to jointly understand the problems in the region and formulate joint solutions. There was a need for cooperation at the regional level since the conflict in one country spills over to other countries especially because the countries are culturally linked.

Each country was called upon to designate a National Coordinator. The process is being supported by the European Union and a “group of friends” comprising 62 countries and headed by Canada. A Declaration made on 20<sup>th</sup> November 2004 in Dar es Salaam gave the process a framework and a vision. A conflict analysis revealed that conflicts in one country easily affect the other country which generates grave conflicts. Problems of poverty and under development are not handled properly by each government and regions which are far from the centre are forgotten, neglected and excluded by central governments leading to resentments and hostilities. Politics based on exclusion create frustrations and easily degenerate into armed conflicts. It was noted that there is weak democratic participation, violation of human rights on a large scale, etc. Also the illicit cross border traffic in small arms nourishes conflicts. Added to this is the (illegal) exploitation of natural resources. The analysis ended with the point that there is much mistrust between the different governments, handicapping efficient cooperation on these cross border regional issues.

These are some of the reasons that lead to armed conflict. There is therefore need for the different governments and their people to cooperate.

### **Phase 2: 2005 – 2006**

This was the phase for transforming recommendations, protocols and implementable projects which comprised the Regional Pact. Consultations were carried out within states as well as at a regional level, bringing together regional and international experts. Elaborations and negotiations by national experts was not easy since people were giving priority to their own countries. Nevertheless, an agreement was reached and on December 15 2006, the 11 member states signed The Pact on Security, Stability and Development in the Great Lakes Region which is a politically binding instrument. The pact contains the Dar es Salaam

Declaration, the protocols of the pact, four action programmes and the regional follow up mechanism.

### **Phase 3: Implementation of the Pact**

The Pact came into force in 2008 after the 8<sup>th</sup> instrument of ratification was deposited at the secretariat in Bujumbura. The secretariat is mandated to implement the pact and coordinate activities. Meetings are held after every two years starting from 2004 in Dar es Salaam, 2006 in Nairobi and the third one is scheduled to take place in December 2008 in Kinshasa. Due to the conflict in Kivu, it will not be possible to hold a summit in Kinshasa but instead, a Ministerial Conference will be held to address the issues of Northern Kivu.

The action programme on peace and security contains among others the following elements: strengthening of capacities concerning the proliferation and illicit traffic in small arms, joint management of the borders, disarmament and repatriation of all foreign armed groups that are in east Congo and fight against cross border criminality.

The action programme on democracy and good governance contains among others the creation of a regional center on the issue, facilitating a large variety of forums. Another line of action is prevention and repression of war crimes, crimes against humanity and crimes of genocide. A third issue is the legal and correct exploitation of natural resources.

The action plan on economic development and regional integration contains several actions on poverty reduction, the re-launching of the economic community of the Great Lakes Region and the development of (joint) infrastructure.

The action plan on social and humanitarian issues concerns especially the following topics: protection, assistance and long term solution on humanitarian issues, sustainable environmental management and repair of social services including promotion of Kiswahili as the language of the Great Lakes countries.

On all these issues protocols have been drafted and signed by all member countries.

Specific attention is given to the position of women in society and sexual and gender based violence. A forum is established and women groups need to use this to lobby for laws, policies, resources etc. The Centre for Democracy in Lusaka has an observatory role on gender issues.

The drafting of the pact has been done in a very participative way. Churches and all segments of civil society in all countries involved have been implicated in the drafting of the programme. This gives the pact a very large legitimacy. Civil society is also a participating party in realizing the pact in concrete actions. Recognised roles for civil society are prevention of conflicts (early warning, lobby, etc.), conflict resolution and strengthening of sustainable peace.

The pact on peace and security in the Great Lakes is a final document with a very large legitimacy as it results from an all inclusive process of consultation. Civil society can support a dynamic strengthening peace and security. This can be the case for this border region of Congo, Uganda and Sudan. Participants have to support this dynamic but should also make contact with national coordinating mechanisms within each Ministry of Foreign Affairs and the secretariat of the Conference in Bujumbura.

### **Questions and Answer Session on the Regional Stability Pact on the Great Lakes Lecture**

A debate starts on how fragile or even failed states are able to apply all the mechanisms involved. How can the protocols help prevent conflict? Also how can all these issues be implemented if there are so many external interests at stake.

This is a difficult issue. First of all international interventions cannot replace local interventions. If anything has to happen it needs to start at the local level and here lies a responsibility of civil society. The protocols give support to any initiative either from local

governments or from civil society or anybody else in addressing the issues. External interests like for example multi national companies are included in the pact. The pact requires that they work with the forces of market economy and abide by the laid down norms and regulations. The issue of fragile or failed states is a tough one. In the end it comes down to the responsibility of each and everybody to work towards peace in the country.



*Conference room*

### **3. The Case of the Ambororo**

#### **Situation in Garamba National Park – Luis Arranz, park director**

There's a big problem with poachers in the park, mainly on the north-east border. There were some 300 poachers active. According to Mr Arranz these were other people than the Ambororo. There are Ambororo but they were living in the southern part and these are mainly women and children, families. There used to be some 4000-8000. They are nomadic cattle herders. The Parc de Garamba has not experienced a lot of problems with the Ambororo.

The real problem is with poachers. A group that we call horsemen who are heavily armed and equipped organize poaching on a large scale. Between 2004 and 2005 some 4.000 elephants were killed for tusk. This was especially at the north east border of the Parc. Poaching by these "horsemen" only diminished when the LRA established themselves on the western side of the park.

#### **The Case of the Mbororo, Situation in Congo - Désiré Nkoy, Conseiller Technique Grands Lacs, IKV Pax Christi**

North East of the DRC has experienced several waves of cross-border migration of nomadic pastoralists called "Mbororo". They have penetrated the DRC in the early years of 2000 and have now settled in several areas in the districts of Upper and Lower Uélé. Situated in the far north-east of the Province Orientale in the DRC, the districts of Upper and Lower Uélé border with the Ituri district in the east and Sudan and CAR in the north. The population of the region is diverse: one can find Sudanese, Bantu and other racial groups. The Azande are in majority.

The Province Orientale has always been the stage of many types of war and conflict. The borders with CAR, Sudan and Uganda are very porous. During the period 1998-2003 the Upper Uélé district was successively occupied by three political military movements (MLC, RCD-K/ML and the RCD-National). This heavy recent heritage combined with the military past of the region, as well as the presence of foreign armed groups (SPLA and LRA) has left its scars on the population and has undermined the leadership position of local chiefs and local administration.

The Mbororo come from the Peulh group or the Fulani (Falatha), one of the most important ethnic groups of West Africa. They are living in at least eighteen states such as Nigeria, Niger, Guinée, Senegal, Mali, Mauritius, CAR and Cameroon. They are nomadic pastoralists who make a living out of cattle and pasture. To the Mbororo, the cow represents wealth but most importantly she provides guaranteed food security and existence. The principle reason for migration for the Mbororo is the search for good, vast and rich pastures and sufficient water resources. The vegetation in the Uélé districts largely consists of (wet) savannah and the population density is attractively low, leaving large areas uninhabited and uncontrolled.

We now estimate the number of Mbororo present in the North East of the DRC to be around 15.000 to 20.000 people, including women and children, with a number of cattle of around 150.000 to 200.000. The presence of the Mbororo poses a cohabitation problem for the people of the region. The relationship between the Mbororo and the local communities is imbalanced and difficult. According to the indigenous population the Mbororo are aggressive and pose a security problem because they carry small arms. Conflicts arise over various issues. Their cattle destroy much of the cultivable lands. Secondly, they make game hunting almost impossible as traps are destroyed by the Mbororo. A third problem is water pollution by the cattle. According to the local populations, the Mbororo abusively exploit the natural

resources of the region. The Mbororo live totally secluded from the local population. Barely any contacts exist. If contact takes place it is made difficult as they do not speak the local language. In a number of cases the population is forced to move, forced by fear and the ecological degradation of the environment.

The presence of external armed groups on Congolese soil in combination with the presence of the Mbororo increases the insecurity. The DRC authorities are barely present in the field. There is no serious capacity to secure the borders. There is no national security system for prevention and rapid response. Most dangerous is, however, the fact that there is no contact whatsoever between the local population and the Mbororo. This gives plenty of room to demonize the image of “the other”. That demonization in a context of absence of state and absence of security, extreme poverty and proliferation of small arms can become a dangerous cocktail.

### **Questions and Answer Session on the Case of the Mbororo, Situation in Congo**

A debate starts on the need for peaceful coexistence versus the intent of some for repatriation. Regardless of anybody's position, it is a fact that repatriation is not something that will happen soon. If ever it might take place it can only take place under the umbrella of an international agreement with all the countries involved. After all, it is not clear where they should be repatriated to as it is a pan African phenomenon. We have to keep in mind though that there are protocols within the Great Lakes Conference concerning nomadic people. The DRC government should apply these rules. So there is an urgent need for reconciliation programmes as to avoid further clashes in the current situation. One comment suggested to investigate on possible positive aspects like increased economic activities. Concerning the exact figures of how many Mbororo there are, we have to keep in mind that they continuously move around, so figures change.

### **The Case of the Ambororo, Situation in Sudan – Anthony Agyenta, UNMIS**

The issue of the Ambororo in Southern Sudan is very sensitive. There is a general lack of awareness and information on the group. There is little idea where they come from. The Ambororo are usually well armed and they are believed to have links with the Khartoum government thus their involvement in the North-South conflict. This image is fuelled by the fact that they arrived in the region mostly in the immediate post-CPA period. The nature of their association with the SAF has never been substantiated though.

The Ambororo were first heard of in Southern Sudan in 2005. Their arrival in the region was in the period of the withdrawal of the SAF and the integration of other armed groups into either the SAF or the SPLA. Many unidentified groups carried out raids and created many incidents. The Ambororo arrived amidst these incidents which made them associated with armed groups. The issue came to the attention of the UNMIS but it has been difficult for the International Community to deal with it.

The Ambororo are nomadic pastoralists and they move around with huge herds of cattle. They are mainly found in the Western corridor. There is less competition with other pastoralist groups which avoids conflicts. On the other hand, the western region is mostly agricultural and it is not easy to avoid conflict with these communities. This is mainly due to the destruction caused to the crops of the predominantly farming communities by the huge herds of cattle. The main challenge the Ambororo face is therefore grazing land. There have already been a number of incidents of alleged destruction of farms and water sources.

There is very little contact between local communities and the Ambororo. They face a lot of discrimination and isolation from the local communities who attack them when they come close to them. Discrimination is often in the field of social services. The local population is also hostile to anyone seen to be supporting or assisting them including the government and humanitarian workers.

The Government is under a lot of pressure from the local population not to respond to the needs of the Ambororo. However, a UN supported programme has been put in place. The UN and partners are also involved in a programme to facilitate Ambororo's movement to safer areas, to resolve conflict and to arrange for compensation. The proposal is to move them from the Equatoria region to the Blue Nile State. In 2006 over 2000 Ambororos with more than 15000 cattle were assisted to settle in Blue Nile and Unity State. Other programmes followed in 2007.

Challenges that remain are the unclear posture of the local leadership in regard to recognition of the rights of the Ambororo to all forms of protection. What makes matters serious is the silence over issues of minority rights. It is of utmost importance to promote peaceful co-existence.

Concerning the repatriation programmes to other Sudanese states a number of risk factors remain. It is not clear whether the communities in the Blue Nile are ready to co-exist with the Ambororos since there has been resistance already. Secondly, there is the risk that Ambororo are pulled into cross border insecurity issues. For example, there are some allegations that they are supporting the LRA in Eastern Equatoria. Thirdly, there has been the call for civil disarmament in Southern Sudan. It is not clear how the Ambororos should be handled on this issue.

There is need for the silence surrounding the Ambororo to be broken. The issue needs to be discussed at the regional level.

### **Questions and Answer Session on the Case of the Ambororo, Situation in Sudan**

A vivid debate starts especially around the matter if the Ambororo are linked to the Khartoum government and around the matter of peaceful co-habitation with the local communities. The issue of the Ambororo has not been discussed with the Government and no consultations have been done between communities and the governments. For the UN, starting point is that it is a neutral body and treats every human being as having rights and in need of protection. There has been no evidence linking the Ambororo to Khartoum. The Ambororo moved to Southern Sudan due to the war in Darfur. It is not possible to tell whether they have any source of information. Adequate consultations with the local population about the Ambororo issue have not taken place. The issue needs to be dealt with as a human rights issue. They buy arms for self-protection. They are always on the move, partly as a result of the war which pushed them south, but mostly because they go where they can graze their cattle. Compared to West Africa the problem is much more severe here because of all the problems of the region like the 21 years of war, the armed groups, etc.

## **4. Informal Cross Border Economic Networks**

### **Kristof Titeca – University of Antwerp**

#### **Informal cross-border trade between North-Western Uganda, Southern Sudan and Eastern Congo**

“Somebody who grew up on a river bank, he will learn how to fish. Somebody who grew up on a border, he will learn how to smuggle”. (Trader Arua, 12-02-08)

In brief, the commercial relations are characterised by export to DRC and illicit re-import into Uganda. Goods arrive in Mombasa, enter Uganda ‘for transit’ to Ariwara, DRC, which means one does not pay Ugandan import taxes. From Ariwara the goods are smuggled back again across the border and sold all over Uganda. The same happens for goods produced in Uganda. Sugar for example, which is produced in the south, is exported to Ariwara, DRC and then smuggled back into the country again. With the result that sugar is more expensive in the south of Uganda, where it is actually produced, than in the north, near Ariwara!

Currently Ariwara market is one of the around 200 dispatching points (transit) for goods in the wider region (Sudan and Uganda). It is a starting point for smuggling business, facilitated through the weak and porous border. They concern Ugandans businessmen buying from Congolese traders or Ugandan traders who have shops on both sides of the border. Ariwara is far more a market for manufactured goods rather than for foodstuffs. This is due to the different border markets which have come into existence in the Congolese-Ugandan border region.

Next to Ariwara and other markets local border markets emerged and developed. Fish is the main informal export (smuggled) going from Uganda to DRC, worth 19,5 million USD per year (UBOS 2007: vii), with an impact on Ugandan prices.

Certain border markets are known for selling smuggled goods. For example, Lia and Kampala market (at Vurra border point the market on the Ugandan side is called ‘Kampala’, on the Congolese side it is called ‘Kinshasa’): timber. Here the timber is carried in small bundles by individual women. The women will not get arrested because they are only carrying a small bundle. Yet in this manner they carry tons of timber across the border. Total informal trade Uganda – DRC = 91.7 million USD per year.

Ariwara is called ‘Dubai’, because many goods sold there are manufactured in Dubai. It is a wholesale market rather than retail.

Major goods being traded to and from Ariwara are sugar and coffee. Sugar produced in Uganda is exported in DR Congo and then smuggled back into Uganda. In that way, local taxes are avoided and sugar from DRC is cheaper in Arua than in Southern Uganda, which is the place of production. It has occurred many times that there was a shortage of sugar on the markets in the south, while it was steadily produced right there. The way this trade was organised is comparable to the timber trade. Boys on motorcycles each carry some kilograms of sugar with them, working in groups of about 50 people. At the end of the day between 10,000 and 14,000 kg of sugar is smuggled daily into Arua!

Since 1994 Congo started to export coffee to Uganda. 10% of the coffee stays in Congo, the rest is exported. The Ugandan government is supporting this smuggling: coffee is one of Uganda’s top three export products! Bazaa continues being a collection point for coffee (for trading into Sudan), but in smaller quantities.

Congolese have taken over much of the gold trade. The miners sell to small-scale local (Congolese) traders, who sell to higher-level (Congolese) traders (Bunia, Aru), who then sell

to markets in Kampala, Bujumbura, etc. An average of 30 kgs of gold leave Ariwara market per week. Most of the gold enters Uganda illegally: 10 ton of gold leaves DRC per year of which only 10% is registered.

During the war (1998-2003), the UPDF controlled the entire gold trade chain, from the miners up to the high level traders. When the UPDF left Congo in 2003, this virtually did not change, except that the mining part of the gold chain went back into Congolese hands. Gold is Uganda's third top export product after fish and coffee.

Since 1979 there has been intense trade in the area – it contains a long history of cross-border trading networks. The rebel leader Jerome Kakwavu of the Congolese Aru based rebel group FAPC could easily tap into these networks. The involvement of Jerome Kakwavu in Ariwara market and international trading networks consisted mainly of taking in goods such as food, uniforms and weapons and exporting natural resources such as gold and timber. The effect on Ariwara market was a growing insecurity for traders outside of the rebel leader's trading network, security for those inside of the network. These traders inside the network could increase their international networks. The net result was that many Congolese left and many Ugandans settled themselves. This meant a win-win situation for traders and rebels. For these traders, war was no hindrance, but a space of opportunity and increasing profits. Also the UN Group of Experts on the Democratic Republic of Congo reported on that issue. Next to the trade did the rebel forces take complete control over the customs system, which allowed much of the revenue of the rebel forces to be collected through control over the revenue resulting from imports and exports in their area.

The CPA in Southern Sudan has had a strong impact on Arua town. It became a hub for business, as the Sudanese started to come down massively to Arua to fill up their shortages, especially in foodstuffs and construction materials. Prices went sometimes up by 50-200%! Basic organisation of the trade is that goods are bought in Ariwara, smuggled to Uganda and traded or smuggled to Southern Sudan. It is mainly Ugandan traders who are doing this. Sudanese traders are increasingly developing direct connections with international markets, so also Ugandan profits are declining. Uganda traders experience hard and insecure conditions in Sudan. Few Congolese traders are involved in the trade: Ugandans act as middlemen to bridge the language barrier.

There is an increase from 2004 onwards in the timber trade. Timber is provided by Congolese middlemen, who buy the timber at their places of cutting. Ugandans are still largely responsible for financing and equipment. The Ugandans then buy the timber in the no-mans land between Congo and Uganda. Trucks take the timber to a depot on the Congolese side of the border. Women and boys traffic the timber to a depot on the Ugandan side of the border and trucks take up the load again from there. About 2,000 pieces of timber are daily smuggled into Arua and Nebbi.

From 2004 on timber (teak) became a major export product from Sudan. Large areas of mature teak plantations in Yei, Maridi, Tambura and Yambio. Kenyan Company Civicon and SPLA were involved. In 2006 teak cutting and exporting has been banned by the Sudan. Particular border points are known to be 'easy' to smuggle; customs officials are bribed. Other smuggled goods concern motorcycles, beverages and cigarettes.



Map 3 Timber trade

In conclusion, Titeca tells an anecdote: "I went to talk to a Ministry official about the trade and I asked him about the rules regarding gold trade. He started to explain to me about all kinds of rules, regulations and fees, but in the middle of his story he stopped and said: "people along the border have established their own regime of trade. They regulate themselves by establishing rules and regulations which are different from the ones the government tries to imply." There is a lot of ambiguity and uncertainty with regard to the legal rules, the official law regarding the trade. Legal laws have been replaced by a 'moral economy'. The law has been replaced by the logic of 'Kitu Kidogo'.

Interesting case in point is here that certain goods are considered 'more illegal' than others, for example weapons and timber are considered more illegal than food and charcoal. What is considered 'illegal' is skipping border points. But under-declaring and covering up of goods with 'legal' goods is not. Also for example, it seems as though there are rather fixed accounts for bribes.

Traders sometimes ask help from 'brokers': these are army officers or government officials whom you hire to cover your under-declaration. In other words, (government) officials who have to guarantee the application of the law make sure traders are able to act outside of the law. In this context, Sudanese also hire Ugandan traders in order to be able to negotiate a better price with (also Ugandan) brokers.

A DFID report (DFID 2007: 36) on the trade in the Great Lakes area argues how eastern Congo is "de facto part of the east African polity and economic zone", as many goods are traded to its eastern neighbours, in this case Uganda. After this presentation, it is clear how

North eastern Congo, North-western Uganda and Southern Sudan are part of an intense economic trading network.

A question which one might ask in this context is, does all this cross border trade and this common 'moral economy' lead to a kind of transnational, regional identity, forged by a common sentiment of marginalization versus their respective capital centres: Northern Uganda vs Kampala; Eastern Congo vs Kinshasa; Southern Sudan vs Khartoum. His feeling regarding this question however is: no. Through trading the people involved feel actually more strongly that they are Ugandan, Sudanese or Congolese.

### **Questions and Answer Session on Informal Cross Border Economic Networks**

A multitude of questions arise, especially on the impact on peace and security. There are vast and historically embedded trading networks that have existed already for a very long time. They are supported by the population. In this context the concepts of "legitimate" and "illegitimate" are appropriate rather than the concepts of "legal" and "illegal". Weapon traders may be paying for school fees, road, etc. Therefore their trading activities are legitimate. When a new rebel leader enters the scene, he can easily tap into these networks. It's the perfect surrounding for a rebel group. The trade also breeds a lot of conflict between the traders.

There are more commodities traded in the same manner. Especially fuel needs to be mentioned. Also there is the issue of currency trade. The Ugandan traders have a slight advantage here as the Ugandan shilling is used all over. The main currency used is though the US dollar. Smuggling is much more dominant than the tax regime. The customs are more interested in getting some small money than in guarding the tax regime.

## **5. Proliferation and Illicit Traffic of Small Arms**

### **Summary of the International Conference on the Proliferation and Illicit Traffic of Small Arms in the border regions of Sudan, Uganda and DRC, held in Arua, February 2003 – Désiré Nkoy, Conseiller Technique Grands Lacs, IKV Pax Christi**

At the conference, the results of three studies were presented, focusing on Southern Sudan, the North-West of Uganda and the North East of the DRC. The objectives of that conference were to produce, present and exchange information on the cross border circulation of small weapons; to design joint strategies to combat the illicit arms trade and protect disarmament initiatives from interference by arms trafficking rings and to determine interventions to be taken by the international community in support of these strategies.

After the studies had been presented, the three countries met in their respective working groups and came up with numerous recommendations addressed to their specific governments, to the civil society and to the religious groups, among which was the strong urge to support cross border peace initiatives and to support the set-up of cross border lobby initiatives by regularly organizing cross border meetings.

The final conclusions and recommendation of the conference were included the set-up of cross border lobby initiatives and cross border meetings as well as a joint action plan. Furthermore, it was stated urgent to fight against the proliferation of small arms and light weapons and to support the process of DDRRR, as well as to heighten the attempt by governments to ensure the population's safety and to end the presence of the militia in the area. Finally, it was concluded necessary to continue with future research in order to view the possibilities to better engage all parties in the resolution of this problem.

### **Overview of SALW proliferation and illicit trafficking in the Great Lakes Region and the Horn of Africa - Camlus Omogo, IKV Pax Christi's Sudan Integrated Peacebuilding Programme**

Reports estimate the number of SALW in Africa to be about 30 million. The heaviest concentration of these arms, about 70%, is in the hands of civilians. 16% of the arms are held by the military and police and 2% by insurgents. It is difficult to get the statistics in the sub-region but the same distribution is to be expected. In Sudan alone, an estimated 3.2 million SALW are in circulation and a majority is within the communities.

Most of the SALW circulating in the region are manufactured outside Africa. The vast majority of SALW are old stock resulting from Cold War, coups and counter-coups that have characterized regime change in most countries in the region. However, countries such as Kenya, Uganda, Tanzania and Sudan have been manufacturing ammunitions and reportedly have the capacity to produce SALW.

The legal trade of SALW comprises 80%-90% while the illegal trade makes up around 10%-20%. However, reports indicate that a lot of SALW traded legally ends up being used illegally, for example through diversion by governments to non-state actors, violation of arms embargoes, violation of end-user certification, trade from government armouries, and theft. Arms are also smuggled across the borders. This is easily done due to a lack of or inadequate policies, legislations and/or commitment by governments.

In the sub-region, both legal and illegal SALW have been used in politically and ethnically instigated civil wars in DRC, Sudan, Uganda, Somalia and Burundi among other countries. They have also contributed in intensifying and prolonging conflicts, some of which have gone on for decades. SALW have also been used to commit grave violations of human rights like

genocide and other atrocities in for example Rwanda in 1994, DRC since the early 1990s, Darfur since 2003 and Northern Uganda since 1986.

Proliferation of and illicit trafficking in SALW has had a huge impact in the sub-region. States and civil society organizations have acknowledged the serious nature of the SALW problem and have come up with some interventions at the sub-regional level. Some of these are the Nairobi Declaration<sup>1</sup>, the Nairobi Protocol<sup>2</sup>, the establishment of National Focal Points and national actions plans and the destruction of over 150.000 SALW.

In the fight against SALW proliferation, there are still many challengers to face. Harmonization of laws to reflect the spirit of the Nairobi Protocol is yet to happen. Furthermore, there are no joint and cross border initiatives on border control, there is no control by the governments in the region of arms in civilian hands and there is a lack of up-to-date factual information on SALW.

The role of civil society in SALW arms control comprises, among others, research and documentation, action plans, public education and awareness, training and capacity building for civil society and government officials, etc.

Sub-regionally, civil society organizations have organized themselves under the auspices of the Eastern Africa Action Network on Small Arms (EAANSA) while at the international level, CSO initiatives on SALW are coordinated by the International Action Network on Small Arms (IANSA). EAANSA has representation in each member state through national chapters.

Some of the lessons learned so far include the observation that in order to handle issues of SALW, civil society needs institutional and technical capacity building as well as support. Secondly, the importance of networking cannot be overrated. It is important to collaborate both at the national level as well as across borders as opposed to a situation of competition among CSOs. In addition, to effectively tackle the problem of SALW, governments and CSOs have to work in partnership. The challenge is how to balance this partnership without the governments compromising the CSOs especially if CSOs are to carry out their advocacy role. The governments in these countries are therefore reluctant to allow CSOs to engage in issues of SALW.

### **Situation of Small Arms and Light Weapons in the Democratic Republic of Congo – Philippe Mwanza, Groupe d'Action pour la Démobilisation et Réinsertion des Enfants Soldats**

Small Arms and Light Weapons (SALW) are not the cause of conflicts in the DRC, but they do give them a much more fatal dimension. Armed violence is used to dominate communities or settle conflicts between or within states. It's been since the 1996 and 1998 wars that the DRC has been tangled up in this never-ending spiral of violence. In particular the focus should be directed at the causes which lead people to use small arms, namely poverty, injustice, bad governance and the availability of small arms.

At present, an estimated one million SALW are circulating illegally throughout the eastern part of the DRC only. Not only national and foreign armed groups are carrying these

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<sup>1</sup> Signed in 2000 by Burundi, Djibouti, DRC, Eritrea, Ethiopia, Kenya, Rwanda, Sudan, Tanzania and Uganda and later joined by Seychelles and Somalia

<sup>2</sup> A Protocol on the prevention, control and reduction in SALW in the Great Lakes Region and the Horn of Africa and border states signed in 2004 and ratified in 2006

weapons, also security agents are causing problems and in the entire country civilians remain in possession of SALW for reasons of self-defense. The state generally fails to gain control of this proliferation of SALW. The consequences are devastating, with large numbers of civilians dead or displaced, with recruitment of child soldiers and violence against women. The perturbation of violence has weakened state authority and has hindered the general economical development of the country.

The causes of the proliferation of SALW are threefold: historical (long time wars and the geographical location of tribes and ethnic groups in border zones), political (power struggles and bad governance) and social (social injustice and poverty). The most pressing causes are: the exploitation and control of natural resources, the porosity of borders, unfinished DDR and DDRRR processes, self-enrichment, general insecurity, the development of cross border war economies and a weak security system and state authority in general.

Several measures have been taken to combat the problem of proliferation of SALW so far. At national level, applicable laws were passed in 1985 (Loi 085), but these laws need to be revised. In July 2008 the National Commission for the Control of SALW (“CNC-RDC”) was set up. At the level of civil society, the Congolese Network of Action on Small Weapons (“RECAAL”) as well as a Consultative Forum for SALW and armed violence in the DRC (“CAVA”) have been created. 102.000 Adults and 30.000 child soldiers have been demobilized and 100.000 arms have been collected from individual citizens. Also, MONUC has made progress in the DDRRR process, whereas the Goma Initiative hasn’t yielded clear results so far. Congolese actors have also participated in international initiatives to combat the proliferation of SALW, such as the Action Programme of the Conference of the United Nations, the BAMAKO Declaration and the NAIROBI Declaration and Protocol and the SADEC Protocol on SALW.

The challenges which remain are finishing the process of DDR and shaping the new army, restoring state authority, reforming the other branches of the security system: police and justice, disarmament and repatriation of foreign armed groups, community disarmament and to reinforce the control of SALW.

As in the rest of the DRC, various types of SALW are circulating throughout Ituri and Haut Uélé. As our research suggests, these arms enter the region mostly through illicit, low profile cross border trade. Weapons are smuggled across the (Ugandan-) Congolese border at the towns of Mahagi or Bunia, or from Sudanese towns like Maridi, Yei and Yambio entering the DRC through Dramba, Faradje and Isiro. The smuggling happens by night and is done by traffickers on foot, by bike or by car. There are no big markets, only small trading points. Also, weapons have entered this area through refugees fleeing the wars in Sudan, Uganda and Rwanda.

At a civil society level, the following strategies to combat the proliferation of SALW can be proposed: promoting a culture of peace and tolerance and peaceful conflict regulation at a community level, engaging in action directed towards the improvement of security and governance and lobby the decision makers for the adoption and application of a new law on the possession of firearms, adapted to the current environment.

One can conclude that the control of small arms and light weapons is a priority for peace in the area. The violence in the eastern part of the DRC is mostly brought in by foreign actors – rebels whose motivations seem to be political-economical, making money, rather than really overthrowing governments. It is important that the leaders of our countries take these problems seriously and answer adequately to these challenges. The DDR process is not finished until also community disarmament is addressed. A precondition to all of this is that the communities should be freed from the armed groups, both external and internal, which are the foremost drivers of the circulation of small arms and light weapons in the DRC.

### **Situation of Small Arms and Light Weapons in Sudan - Chuol Gew Nhial, Deputy Director, Bureau of Community Security and Small Arms Control (CSSAC)**

The Comprehensive Peace Agreement (CPA) in Sudan has brought to an end a civil war spanning over two decades. Some of the achievements of the CPA are bringing about peace, creating an enabling environment for democratic transformation, the establishment of responsive institutions and the initiation of recovery programmes and planning for the development of post conflict Southern Sudan among others.

However, there are challenges to the implementation of the CPA of which the proliferation of small arms and light weapons is one of the biggest. Sources of SALW has been one of the sources of these arms, especially during the liberation struggle when they were knowingly or unknowingly transferring the arms to civilians. Other sources are the Khartoum Government and LRA. The porous and uncontrolled borders with Ethiopia, Kenya, Uganda, DRC and CAR have also facilitated easy access to SALW. It is estimated that in some communities especially in Eastern Equatoria and Jonglay (sp), the holding of SALW is 2-4 per a young man.

The President of the GoSS decreed on 30th of June 2008 that all the civilian in the Southern Sudan be disarmed within 6 months period, which is a very ambitious exercise. There are many challenges to this disarmament exercise, chief among which is the time frame, which is too short. The other challenge is difficulties involved in carrying out simultaneous disarmament, which is being perceived as forceful, across the country. There is also a lack of cooperation and sabotage from the North which is encouraging arming of civilians in the south to cause instability.

So far we have learned the following lessons:

- Proliferation of small arms and light weapons aggravates insecurity among the communities and it therefore requires a global solution
- Gun holding by civilian has become a part of culture. Guns give men prestige and in some communities, a young man without a gun cannot even approach to girl.
- The wide spread and misuse of small arms is a complex problem that requires coordination by a wide range of institutions, expertise, and action in a variety of fields. There are factors such as acquisition of wealth, security, protection, bribery and corruption that are involved which makes the problem very complex.
- Interventions need to address regulation, control and reduction of the harmful impact of small arms that are in circulation.

The Bureau for Community Security and Small Arms Control (CSSAC) was established by the GoSS to coordinate comprehensive responses to civilian insecurity and support non-coercive arms control activities in the Southern Sudan. It is also a focal point for Arms Control in the Region and the secretariat to coordinate the efforts of institutions that are concerned with community Security. It is responsible for formulation of policies such as disarmament policy. CSSAC collaborates with local government, law enforcement agencies, traditional authorities, women, youth, elders, religious groups, CBOs, NGOs and international organizations.

### **Situation of Small Arms and Light Weapons in Uganda – Father Vurra, Justice and Peace Human Rights Commission, Diocese of Arua**

Among the most significant developments since the last conference in 2003 has been the remarkable return of relative calm in the region; with it the reduction in the abuse of SALWs by both security agencies and rebel militias. Until five years ago, one of the major challenges that almost crippled development and peace in this region was the UNFF 1, UNRF II and WNBF insurgencies which affected part of Arua, Yumbe, Moyo and Koboko Districts. Another phenomenal event at the time was the LRA insurgency of Northern Uganda, including Adjumani District of West Nile Region. During that period, our major insurgencies (UNFF 1, UNRF II, WNBF and LRA) shaped most of the debates proliferation and abuse of SALWs in the region. SALWs constituted the bulk of weapons used in all the previous insurgencies that operated in the West Nile Region.

Decades of armed conflicts in the region have led to the demystification of the gun, thus making it an easy-to-own and easy-to-use object of survival for some individuals and criminal gangs. To date, gun-related crimes are still very rampant. This points to a possible illicit source and proliferation in the region mainly across the borders with Sudan and the Democratic Republic of the Congo (DRC).

Another remaining problem is gun abuse by elements within the security organizations. The latest trends in crime involving SALWs in the region implicate individuals who have a good knowledge of the gun.

On a civil society level, several activities have been undertaken, among which the set up of Action Networks on Small Arms have been set up at regional (RANSAs) and district levels (DANSAs). Most districts in West Nile operate such institutional arrangements. Another development was the launch by the Justice, Peace and Human Rights Commission of Arua Catholic Diocese in June 2007 of a six-month project to fight the proliferation of SALWs in Arua district. Some illegal guns were turned to Local Councils, religious leaders and the Police as a direct result of this intervention.

Among the great challenges in this battle against arms proliferation is the low capacity of CSOs to tackle this battle. Despite the attempts made to train and sensitize CSOs, there is still inadequate knowledge and appreciation of what constitutes their precise role in this struggle. Their plans of action are rarely implemented and follow-up is often lacking. Secondly, there is also lack of apt records within the security agencies of incidents of abuse of SALWs. The Police Force is not adequately equipped with relevant modern communication paraphernalia such as Internet and computers to facilitate standard information management practices. Thirdly, despite the prevailing peace in West Nile region, the situation remains highly volatile. The porosity of the borders makes the region highly vulnerable to gun trafficking. Finally, poverty also remains a big impediment to our efforts to rid the region of illegal guns. In this a condition of poverty people adopt different coping mechanisms, including aggravated robbery and gun trafficking in order to survive.

As we plan to intensify our efforts to rid the region of SALWs, we need to identify and utilize to the maximum every opportunity before us. One of these is the relative peace now prevailing in South Sudan and in Northern Uganda, including West Nile region.

A second aspect I consider important is the demystification and civilianization of the SALWs issues by the security agencies, especially the Police. The establishment of a National Focal Point within the Police Force has greatly facilitated civil-military cooperation on this issue.

Thirdly, the thriving cross-border trade between South Sudan and Uganda plays a very crucial role in enhancing productive relationships between the two communities, while at the same time providing possibility for meaningful employment for young people in the West Nile Region. It is incumbent upon us to seize this development and lobby with governments at both national and district levels to put in place infrastructures and policies that will boost productivity in sectors such as agriculture and trade in order that this trend may be sustained.

I would finally like to make some recommendations on how to move forward:

- We should intensify and strengthen our regional approach to the issue of SALWs in the Sudan-DRC-Uganda triangle.
- we should generate and share information on movements of arms across our borders. In this we need to set up our own intelligence systems among the local population to help us track the trends and take appropriate action.
- We should encourage CSOs working in West Nile region to take peace building seriously. We need to explain the relevance of peace building to their objectives and allow them come on board voluntarily.
- There is a need to build capacity of local communities to deal with disputes in a peaceful manner. In this we must pay special attention to ex-combatants and deserters and local communities in areas that were once battlegrounds for different fighting groups. We must support profound and long-term alternative livelihoods programmes for such groups and communities as part of the struggle against gun trafficking and misuse.

### **Questions and Answer Session on Proliferation and Illicit Traffic on Small Arms**

A debate arises around the right of self defense of communities in a situation of absence of state protection. The reason behind circulation of small arms is lack of government protection. The International community and humanitarian organizations are also partisan and do not base their decisions on fairness. The humanitarian organizations for example resist the ejection of Mbororo by the local communities. Local communities therefore arm themselves in order to protect themselves. Generally the feeling is that the international system, the international controls and local governments are not sufficient and as such to blame for the proliferation of small arms. The international systems are weak and governments take advantage of existing loopholes. Governments are also creating situations that make demand for SALW high.

The current disarmament programme in South Sudan is being planned carefully since a similar previous exercise was not very successful. Generally it is felt that border regions are dumping grounds for small arms and light weapons and that this situation calls for concerted efforts from all sides.

## 6. Foreign Armed Groups, Case of the LRA

### The LRA Situation in Garamba National Park – Luiz Arranz, Park Director

The Garamba National Park is around 100.000 m<sup>2</sup>, bordered by 3 hunting reserves to the east, south and west of the park area. The LRA mainly moves around in the hunting reserve in the west. The Park controls mainly the southern part of the park itself – the northern part is abandoned because of the South Sudan war. Despite of the LRA presence in the area, there still is an abundance of wildlife in the park but much less then before. A while ago the last white rhinoceros was seen but we don not even know if it is still there. With regard to criticisms concerning investing in wildlife in a context of poverty and conflict according to Mr Arranz these things are interlinked: if they can protect the wildlife, than the social-economical and security situation can also improve.



Map 4 National Parc de la Garamba

Regarding security the central issue is that everyone in the area has weapons, except the rangers. If they would be better armed maybe they could stop actions of violence. But they are armed only to scare off poachers, not to fight the LRA. The LRA has been around for the past four years, mainly in the north. There haven't been very frequent problems between them and the rangers until some recent incidents. Every year they do a census to check on the animal population. In March 2008 they stumbled upon an LRA settlement. They had burnt down a car and shot some people. It was the same area where MONUC was attacked 2-3 years ago, involving some killings as well. It is mainly since this year that the LRA has started to attack, but these killings are taking place mainly in the area of Dungu – Lima, Duru, Yambio. Many have been killed or abducted, though it's hard to say how many.

Last Sunday on the 17<sup>th</sup> of September spontaneous demonstrations were held in Dungu against MONUC, protesting the fact that MONUC isn't interfering while the LRA is attacking civilians. People are getting very upset with MONUC. Since last Sunday MONUC helicopters

have started flying over the park, so that is at least a sign of their presence in the area. Last Monday Mr Arranz was in Dungu, and what I found was terrible. People have nothing. In Kiliga for example, a village of some 500 houses, there's only a church left.

They have always informed the DRC authorities and MONUC about any violent actions they came across, but there has largely been no response. Except last time when they reported the LRA to be moving to the Central African Republic, MONUC asked us to monitor the movement ourselves. So this indicates again how difficult the circumstances are and how much is lacking for the problem of the LRA to be resolved.

### **The LRA Situation in Duru – Father Ferruccio, Parish priest of Duru, Diocese of Dungu Doruma**

The LRA of Joseph Kony can be compared to a beehive: it is a busy organization. According to reports some 1.500 people are involved. They are well organized, well armed and all activities are weaved around the personality of Joseph Kony. As long as he's alive, it will prosper.

The first time I saw the LRA active in my area was in February 2006. They were cutting their own roads through the bush – some forty combatants. They were asking civilians for directions: where is Namanga, Bitima, Yambio, how many kilometers is it to the Central African Republic. Every week some 50 to 100 combatants were going back and forth this trail. They were going to Sudan to hold razzias, kidnap women. Some Congolese women I met had escaped and had hid in a hollow tree. The FARDC



*Fr Ferruccio Gobbi*

were alerted and seemed to be moving towards Duru to protect the population, but unfortunately they turned out to be molesting the population more than that they were helping them. The LRA were saying: they have nothing against the Congolese, but they hate the Sudanese because they chased us out of Sudan.

Then in 2007 the LRA started to do raids mainly in CAR, taking many prisoners – from CAR, but also from Sudan, Uganda, everywhere. They forced their prisoners to work for them, except the children, who are trained to become soldiers. At night they force them to sleep covered with a top, fixated with heavy stones, so they can't escape.

I do not agree with the Garamba Park Director, because in my view the LRA are also settling within the camp itself, not just in the hunting areas. All the bases of the LRA are located within the large territory of our Catholic Parish of Duru. Everywhere they settle themselves, the population takes off in order to escape from their regular exactions. This is also how from our chapels, 13 have disappeared.

It was in the night of 15 to 16 December 2007 that the LRA demanded 10.000 US dollar and all our computer equipment. I was in the office when it happened, The message they sent out was 'we are against Kabila because he called upon MONUC to fight us'. They stole one Thuraya – and later when I looked at the invoices I could see they had made over 200 phone calls to different places. They also tried to take the solar panels.

In the months after the attacks of December 2007, several other attacks in the area occurred in the area. Numerous atrocities were committed by the LRA, for example on the 1<sup>st</sup> of March when a young Congolese man was killed while he was fishing.

LRA groups are moving back and forth, going over to CAR and coming back with hostages. Some manage to escape. They tell about how they have to work at night planting sweet potatoes and beans. One of those who had run away said: 'I'm 32 years old and I spent 20 years of my life with Kony. I got married in the camp. When I tried to flee, they killed my wife.'

Ftr Ferruccio ends by asking where do all the Thuraya phones come from, what is the international community doing, where is the Congolese government, where are the NGO's helping the communities in the repairs after there raids. The truth is that they know where Kony is, where the LRA bases are located, where military leaders are. Knowing where they are, we only need the action.

### **The State of the Negotiations - Nuno Tomas, Assistant to Chissano, UN Office for LRA affected territories**

Mr Nuno gave a full overview of the history of the peace negotiations. In 2004 the Government of Uganda referred the LRA-conflict to the International Criminal Court (ICC) and in October 2005 the ICC published arrest warrants against five members of the LRA Leadership: Joseph Kony, Vincent Otti, Okot Odhiambo, Raska Lukwiya and Dominic Ongwen. The Vice President of Government of Southern Sudan, Dr Riek Machar, met with Joseph Kony in April 2006. President Museveni responded positively to the invitation and on 14 July 2006, peace negotiations started between delegations of the GoU and the LRA.

A Cessation of Hostilities (CoH) was signed and appeared to hold. However, it was clear that, while the LRA had been in a hurry to come to a Cessation of Hostilities, it was less in a hurry to sign a Final Peace Agreement (FPA). The main difference between the parties was that the GoU didn't want to negotiate much else than a 'soft landing' for the LRA, while the LRA and its delegation wanted a full political settlement that would address the inequality between Northern and Southern Uganda. After almost four months of talks, the LRA made a statement saying that it would no longer continue the talks.

In December 2006 a 'Special Envoy of the UN Secretary General (SESG) for LRA affected areas, former president of Mozambique H.E. Joaquim Chissano, was appointed. The talks resumed on 26 April 2007 and led to an immediate signing of several difficult agenda items. However, the LRA entered into grave internal problems which led in October 2007 to the execution of Vincent Otti, 2nd in command of the LRA. After the death of Vincent Otti, the LRA became again elusive, and refrained from contacts with the outside world.

The LRA, after 1,5 years of respecting the CoH, became active again and incidents (mainly in DRC) started occurring again. A serious deadline for the talks to be finalized emerged: 30 January 2008. Shortly thereafter, Kony fired his chairman of delegation, Martin Ojul, and replaced him with Dr Matsanga.

On 30 January, talks resumed and at a very high speed, all remaining sub agreements and implementation protocols were signed. However, it became increasingly clear that while Dr

Matsanga said he was discussing the agreements with Kony, he was in reality operating on his own. In the first three months of the year, the LRA started abducting again on a considerable scale. On 10 April, finally, a signing ceremony was organized in Ri Kwangba. Almost 200 people were transported to the place, including 40 journalists, but Joseph Kony did not turn up.

Through intermediaries, they learned Kony still had questions about the agreement, particularly concerning how matters of justice would be handled (formal or tradition), his personal security and welfare and that of other LRA senior commanders, and how DDR would be put into operation. Since then, Kony has failed to turn up at any meeting and all contacts with other LRA commanders ceased as well.

In the meantime, while the LRA had respected the Cessation of Hostilities relatively well throughout 2007, as from January 2008 more and more grave incidents have occurred. Some hundreds of abductions and tens of killings, accompanied by widespread looting and human rights violations, leading to the displacement of tens of thousands of people.



*Paul Allertz and Tomas Nuno*

So what next? A military option would only be possible if all the three countries were to be involved in the intervention, but unfortunately they are not able to agree. President Kabila is interested in the LRA being driven out of DRC and he does not care about where they go. Also, President Kabila is relying on MONUC which can only give logistical and not military support. Uganda is interested in seeing the LRA sign the final peace agreement and disarm. Central African Republic has no capacity to address the LRA problem; it is grappling with its

own rebel problem. And Southern Sudan is not convinced that such an option would work. The fear is that if attacked, the LRA will flee to Southern Sudan.

A political solution remains difficult, as all communication between Kony and the outside world has been cut. However, one can think that he was interested in peace, but his immense mistrust and the ICC arrest warrants hanging over his head made him intensely dubious of assurances given.

As long as Kony feels other options are open to him, as long as he can venture into the CAR, Sudan, DRC, and possibly Uganda, he is unlikely to sign the FPA. However, this agreement remains the best and only way to serve the interests of the Ugandan people and both parties. Dialogue should extend not only to Joseph Kony, but to other members of the LRA as well. Also, they should call upon both the Government of Uganda and its international partners to implement as swiftly as possible the 'Peace, Recovery and Development Programme' (PRDP) for Northern Uganda, to strike at the root causes of the conflict and to present to a weary population the first fruits of peace. And finally: all the 'LRA-affected areas' in the region have in common their remoteness, collapsed infrastructure, extreme poverty, and absence of

the rule of law. As long as this is so, there will be safe havens for rebel groups. This situation must therefore be changed.

### **The LRA Situation in Uganda – Lam Cosmas, JPC GANAL**

When we talk about intractable conflicts, then the LRA is a case in point. It is complex, difficult to understand and the magnitude of their impact is felt far and wide from Northern Uganda, Southern Sudan, the deep forests of the DRC to the Central African Republic.

At a cross border peace meeting in Nimule in 2005 among LRA affected communities in Northern Uganda and Southern Sudan, the participants were asked what the LRA was like and their responses were;

- A cult which bears all the characteristics of any cult in the world;
- LRA has authoritative leadership exerting complete and total loyalty from followers,
- They kill any real or imaginary disloyalty; indeed killing and blood itself are characteristics of the cult
- They are heavily armed and trained in military skills
- They engage in sex rituals thus abductions, rape and defilement
- Other characteristics include spiritualism, seclusion from the rest of the world, indoctrination and surrendering everything including their life at the mercy of their leader. They claim to receive revelations from prophet Kony.

Consequences and impact of LRA are destruction of lives and property in the three countries, abduction of children and forceful recruitment in the rank and file of the LRA and displacement of thousands of the population into internal camps in Acholi, Lango, Teso & Madi (Aringapi), in Southern Sudan and DRC.

Since the start of the peace talks to date there is no threat from LRA in Northern Uganda but the aftermath effects in terms of a violent gun culture, returned child soldiers and thugs masquerading in the country side and towns are still being felt. Communities in Southern Sudan and the DRC are however not enjoying the same peace being enjoyed in Northern Uganda. Up to February 2007, the LRA continued to terrorize, loot and abduct in Magwi County, Eastern Equatoria state. The bulk remained holed up in forests of Garamba National Park. There is the risk that militias and other armed groups who have an interest in opposing the CPA in South Sudan can cause instability, especially by allying with the LRA.

Despite the bleak picture Mr Lam Cosmas sees some space and opportunities for NGO actions:

- Cross-border socio-economic activities should be encouraged to promote social interaction and trade among the communities.
- The UPDF, the SPLA, MONUC and the DRC Government should all play their role in dealing with the threat of insecurity posed by the LRA.
- There is need for collaboration and cooperation between the governments and civil society organizations in Uganda and South Sudan in addressing emerging security and relational issues.
- The prevalence of Small Arms and Light Weapons due to the long period of violence and their impact on the community participation in development should be addressed.
- The role of religious and cultural leaders in community reconciliation and peace building.
- A move from “National” to “Human Security” is a concern for the wellbeing of the population in the region.
- Investing in peace – understanding the parties and their “world” (material, symbolic & social) is necessary

- In dealing with the problem of LRA, a multi track approach is paramount involving governments, ordinary citizens, religious leaders, commerce and businesses, professionals, activists

### **The LRA Situation in South Sudan – Bishop Paul P. Yugusuk, Shalom Sudan**

*By Bishop Paul P. Yugusuk, Shalom Sudan*

The presenter lived and worked in Oluboland in Southern Sudan, an area that was occupied by the LRA for 12 years. He was a frequent victim of LRA attacks and narrowly survived some of their ambushes and his presentation was therefore based on personal experience.

In South Sudan, the twenty one years of civil war presented a fertile ground for many armed groups, some of which were funded or supported by governments from within Great Lakes and Horn of Africa region. One such armed group is the Lords Resistance Army (LRA). According to the study on the Nature, Extent and Impact of LRA Atrocities in Oluboland by Shalom Sudan, the LRA entered Southern Sudan from Northern Uganda in 1996. They settled in Kubi village in Oluboland which is approximately fifty miles South East of Juba. The people of Southern Sudan came to understand the Lord Resistance Army as an inhuman and satanic terrorist group. The Olubo community also viewed the group as a cult that adores and worships evil.

Unlike other areas of Southern Sudan which were liberated by the SPLA from the civil war that rocked Sudan for decades, the area occupied by LRA was not liberated until the group eventually left South Sudan and moved to DRC recently. The community therefore had to devise methods and mechanisms of survival which unfortunately included arming themselves to the teeth for self defense. This explains the proliferation of arms in Oluboland. The local community also moved to live on mountain tops from where they could easily spot the LRA and prepare for defense.

The LRA began attacking the local population and eventually moved to locations in Oluboland which were under the control of the Sudan Armed Forces. The group actually stayed right behind Khartoum Government troops and this made it very difficult for the SPLA to attack them. Indeed, it is widely believed that the LRA had the full support and protection of Khartoum Government. This made it very difficult for the Uganda People Defense Force (UPDF) who specifically went to Southern Sudan to pursue the LRA to uproot them. In terms of community security, the UPDF provoked the LRA to move deeper into the villagers to attack the villagers even more.

The affected communities will always remember LRA for having caused the kind of human suffering that is beyond human imagination. The LRA totally disoriented, disorganized and tampered with the socio-economic and political set-up of an entire generation.

Shalom Sudan has put some interventions in place which include counseling services, peace building activities, conflict transformation activities and an orphanage programme for victims of LRA. In carrying out these activities, Shalom Sudan has been building on the existing social structures. A decision making committee was established made up of elders who are examining critical issues of security. Peace Committees (traditional peace makers) were established, made up of elders, that deal with issues of social conflict. In this regard there is a programme called "Village to Village Reconciliation" in which peace committees facilitate reconciliation processes. Community Small Arms Committees (Traditional Village Defenders) were established. These committees focus on issues relating to small arms control and management. These include awareness raising on the problem of arms proliferation and viable processes of disarmament. Finally a Community Policing / Home Guard Project was set up. The community policing programme addresses issues like theft, reporting suspected cases of banditry and intended poisonings.

Bishop Yugusuk mentions that challenges are among the absence of any state authority, weak capacities of local committees and NGO interventions overlapping with the traditional set up of a village. He concludes by saying that any solution to the LRA problem lies in the commitments and involvement of all the countries in the region. Second to that, communities should determine their strategies and before major peace programmes are initiated in communities, a study of the social traditional set up should be done.

### **Questions and Answer Session on Foreign Armed Groups, Case of the LRA**

A vivid debate and question followed. One question concerned all the means the LRA had, especially the Thuraya phones, but also major per diems, airtime allowances, etc. There is an indication that this richness led to the internal split within the LRA. It is acknowledged by some that the LRA has important supporters, especially in the diaspora. The LRA receives support from all these people. Also the peace process indeed helped the LRA re-establishing themselves again. With the per diems the negotiating delegations received they were able to resume farming which made them independent from food aid.

A debate followed on what is called “ the military option”. Some wonder how realistic this option is. A fact is that the resources are not there for the military option. The problem is that the ICC is actually hindering the political process. The- government of Uganda should go back to the ICC to ask to have Kony moved from the prosecution. Another option is that the Security Council provides a one year suspension. In general the Northern Ugandan delegation is against the military option as this could lead to an explosion of violence. There may be some latent LRA cells that could become active again. Also, it was stressed that many Acholi are against the military option because their own children are in the bush with the LRA. It is necessary not to kill the political process and to keep trying to engage Kony. In their perspective it is important to associate religious and cultural leaders and traditional justice systems, like the Matofut. The Matofut stands on the premises that someone who is guilty acknowledges that ‘I did it’. But Kony refuses to engage in this, he knows it too well. Others do not agree with this. It is said that the Matofut is a reconciliation process whereby two conflicting parties drink from a common bowl. But this doesn’t apply to the LRA. Indeed all agree no simple solutions exist. Regarding the fact that there is profound mistrust by Kony many things have been tried like active involvement of civil society, churches, cultural leaders, etc. Mr. Nuno informed the meeting though that Kony did agree during the first meeting to come to court provided it was in Uganda.

The question was raised on border crossings by the UPDF. This should only be done after permission of the Congolese authorities. A regional approach of UPDF, SPLA and FARDC is necessary. Finally the position of the UN and of MONUC is asked. MONUC is there to help the government of the DRC, but it will not tackle the LRA. The same goes for the UN. It could be raised at the Security Council, for example a plea to send an army specifically to deal with the LRA. But that means a member state of the Security Council should raise the issue.

## 7. Oil Exploitation

### **Situation in the DRC: the Case of the Albertine Rift**

**Abbé Eric Abedilembe, Justice and Peace, Diocese of Mahagi-Nioka and network Haki na Amani**

Five oil deposits have been discovered so far in the Albertine Rift: two deposits are underneath Lake Albert and three deposits are on the Semliki river plain. All five are situated on the DRC as well as the Ugandan side of the border. At the two Albert Lake deposits the exploration phase has already arrived at an advanced stage, while at the other three sites the exploration has only just begun. On the Ugandan side commercial exploitation will start next year; on the Congolese side however they have not even started the exploration yet. Bilateral agreements have been signed to secure productive bilateral relations. Fortunately, the cooperation between the two countries has been positive.

The DRC Government (Department of Oil) signed its first contract on the exploration and exploitation of Lake Albert in June 2006 with the company TULLOW and apparently a second was signed in January 2008. In July 2007, a governmental delegation visited Ituri, including a representative from TULLOW. Then facts started to become troubled as rumors spread. For example, it seemed that some equipment was brought in by military which people said were linked to the company Divine Inspiration which had won the tender for deposit 2. Secondly, the objectives of a mission of provincial representatives to Kinshasa were never clearly explained. Thirdly, in April 2008 Kinshasa newspapers published some figures on what companies supposedly were offering to win the tender (250.000 dollar a year by Divine Inspiration and 5 million for the first and 1 million for the following years by TULLOW).

Clearly, there was a severe lack of information provided to the people regarding the kinds of contracts signed, where the drilling would take place and how much the communities would profit from it. A lot of talk was going on about conflicts between two companies, TULLOW and Divine Inspiration. The whole issue generated a division between Ituri, national and provincial representatives.

In response, in April 2008 members of civil society and political representatives of the Oriental Province went to Kinshasa to demand more information from the Government. Since then, they have not stopped pressing for more information through petitions and declarations demanding that the questions of the population be answered and warning for a possible outbreak of war due to the oil issue. The National Parliament then decided to suspend all contracts. In August 2008 a Congress on Oil was launched in Kinshasa, where a code of conduct for oil exploration was accepted.

At the moment, people are cooperating again, but if we are not careful the exploitation of oil could throw Ituri back into a cycle of violence. Violent incidents and killings have already taken place on both sides of the conflict. The borders are not being respected by both states, especially at the disputed island of Rukwanzi. Some of the oil companies operating on the Ugandan side have been known to be financing some of the tribal factions in Ituri, thus financing the interethnic war in Ituri. In one of such incidents, on the 3<sup>rd</sup> of August last year, a clash between the FARDC and the UPDF led to the death of 4 people, including a British engineer.

According to local sources, armed forces from the UPDF have been seen on Congolese waters and soil. Such a presence is a threat to the security of the local population at the border. Another worrisome fact is that FARDC navy forces have been seen gathered in Uganda without the presence of local authorities. A final problem is that oil companies appear to be corrupting local authorities (traditional chiefs) in order to have their way, herewith disadvantaging the common good.

These kinds of incidents could very well lead to new economic wars as Ituri has seen in the past, especially around the gold exploitation. It's all a question of how to manage this second "Zone of Common Interest". We'll have to find ways to contribute to the consolidation of peace, which we already paid a high price for, while respecting borders and taking into account the needs of local communities.

The local population has expressed some doubts about whether the exploration of oil will really lead to a sustainable development of the area. They are wondering:

- Will the headquarters be located in Beni or Bunia – has this question already been answered?
- Are exploitation rights being licensed according to the right market principles (tendering)?
- How will the local population be mobilized, organized and involved in order to defend their rights?
- Has a research of the social-environmental impact of oil exploitation been planned for yet and when will this study take place?
- How will the social projects profiting the communities be organized? How big will their share be and what does the law say about this?
- How will the social projects be managed, how will the local community be involved?
- What has been foreseen regarding job creation and recruitment policies favoring the local population?

From all what has been said one can gather that it is the Congolese state and the local community who is going to loose from the exploitation of oil in the Albertine Rift. The local community is not involved in the drafting of the plans and its needs will not be taken into account.

Lake Albert constitutes a basin of oil, right underneath the waters which separate the two states DRC and Uganda. The exploitation of this oil involves some big issues not only economically but most importantly also politically and socially. The population has high hopes regarding the economical and social development this might bring to the region. While the Congolese state is still in the phase of negotiating the contracts with petrol companies, on the other side of the border in Uganda the work is moving forward. The numerous incidents linked to the oil exploration make it clear that Lake Albert is a Second Common Interest Zone, which requires careful diplomacy in order to forge harmonious development in the region. The population of Ituri has been divided over various conflicts for a long time, one of which is the exploitation of natural recourses. Due to the oil business it is now again faced by the risk of internal divisions, which in turn would again delay socio-economical development in the area.

## **Situation in Uganda**

### **Isaiah Owiunji, WWF-UPCO**

World Wide Fund for Nature's (WWF) Mission is to stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature.

WWF Projects in Uganda include: Oil and gas development in the Ugandan Albertine, Albertine Rift Forest Project, Lake Albert Project, Environmental Movement to the South, Rwenzori Project, Semliki Project, PEMA.

Project 1: Oil and gas development in Uganda

This is a regional project conceived by WWF – Norway and Partners in EARPO. It is part of the Oil for Development (OfD) Initiative funded by NORAD. It will be implemented concurrently in Madagascar, Uganda and the Eastern Africa Marine Ecoregion (EAME) range states of Kenya Tanzania, Mozambique. The objectives of the project are:

- To produce preliminary country status reports on petroleum development in Uganda.
- To conduct petroleum workshops and meetings to discuss environmental issues and civil society engagement; build capacities and raise awareness
- To work with stakeholders to integrate environmental concerns in petroleum related development.
- To address cross-cutting activities such as cross border issues and mechanisms for information sharing.

What has been achieved so far?

WWF has produced country status reports for oil and gas development. We continue to organize and facilitate various meetings and workshops on oil and gas development in Uganda. We have been providing available information on oil and gas to different stakeholders. We are contributing in the sensitivity atlas mapping process. We have actively participated in the recent public hearing on the location of the EPS and together with other CSOs submitted our concerns to NEMA and issued a press statement about this.

A public hearing on EIA for the location of the Early Production Scheme (EPS) took place on 29th July. No decision of location has been taken yet but the production is expected to start in 2009 (Tullow). The EIA process for offshore drilling on Lake Albert has commenced and will include sensitivity mapping and oil spill modeling (Tullow). The government has suspended the awarding of new oil and gas exploration licenses until modern legislation is made. And on the 5<sup>th</sup> of September 2008 CSOs held a meeting in Kampala that included representatives from DRC, South Africa, Nigeria to share the oil and gas development experience.

Generally it can be concluded that oil and gas development has various benefits, including: the generation of revenue; employment for Ugandans; infrastructure development in the oil and gas development areas; attainment of self sufficiency in energy needs; provision of safe water to the communities; provision of power through the construction of the thermal generators at the EPS; and the creation of business opportunities.

Also, some potential sources of conflict in developing the petroleum sector in Uganda can be identified, including:

- Concerns of pollution on Lakes Edward, Albert and the Nile that could spark trans-boundary conflicts
- Issues of non compliance by oil companies that is beginning to manifest
- Unmet expectations of poverty reduction from the oil revenue
- Uncoordinated distribution of Corporate Social Investment initiatives e.g. Facilitation handouts to community leaders
- The local communities have very low levels of education and skills (may be difficult to source labor locally and expectations will not be met)
- Spatial conflicts resulting from fishing grounds, land ownership, cultural and tourism issues (This has started to have impact).
- Poor or lack of cooperation on oil and gas exploration and development among the neighboring states
- Inadequate mechanisms for public participation, access to information and access to justice especially for unrepresented voices such as the minority groups, the poor, the vulnerable and natural resources dependent local communities.
- Contested borders areas between Uganda and DRC are a source of conflict and insecurity for the local communities in the two countries as exemplified by the Rukwanzi Island incident, as well as by the attack and capture of a Heritage oil vessel, one of the oil companies that operates in Uganda on August 13 by Congolese army. In the attack, a British employee of the company lost his life prompting the company to temporarily suspend its operations in Uganda.

It is important that political will at all levels of government structures is strengthened. Good working relations between government and civil society organizations need to be ensured and a culture of good neighborliness needs to be encouraged. Channels and access to information for all stakeholders on petroleum sector development should be improved, e.g. by forming a platform consisting of CSOs, legislators, private sector and other interest groups. Systematic involvement of CSOs as partners in the oil and gas development processes should be encouraged. Awareness on the links between environmental management, land use and economic development should be increased among the neighboring countries. The attention to cross border issues should be increased and cooperation should be enhanced. There is a need for assistance in data collection and information that can be made readily available for decision making and monitoring. Transparency in dealing with issues of oil and gas development should be ensured. The various protocols signed between Uganda and DRC on boarder conflicts, particularly, to address the Rukwanzi Island boarder tensions, as well as the various joint agreements on the exploitation of shared resources should be implemented. And a joint environmental and disaster fund should be established to cater for any environmental damage that could result due to oil and gas development

International Alert published the Conflict Sensitive Business Practice (CSBP) toolkit developed in conjunction with UN Global Pact and International Institute for Sustainable Development. The toolkit provides practical solutions to the problems faced by industries and host countries. The aim is to promote a clear regulatory environment for companies operating in conflict prone areas. In summary, CSBP therefore offers practical two way conflict analysis tools, review of regulatory environment, flashpoint issues and facilitates improved stakeholder relations.

### **The Experience of a Network: The Case of Sudan** **Peter Justin, ECOS/SCC**

In its meeting held in December 2000, the Sudan Ecumenical Forum raised some concerns about issues which they thought their international partners would be able to play a role in addressing them. Of the different issues discussed, one issue that was said to be needing immediate attention was the issue of oil.

Partners responded positively, which resulted to the formation of the European Coalition on Oil in Sudan (ECOS). The initiators of ECOS broadened their network, resulting in the current membership of about 80 European organizations. They came forward with a plan of action, which resulted to the setting of Business Principles and benchmarks. These are aimed at giving some guidelines to oil companies wishing to invest in Sudan. The coordination role was assigned to Pax Christi NL.

The Business Principles were drafted based on international (UN) legal principles, conditions stated in the Comprehensive Peace Agreement (CPA) and voluntary business principles. The following five ECOS Business Principles were established:

- Within the company's sphere of activities and influence, promote, respect and protect human rights and fundamental freedoms, including social, economic and cultural rights and interests of the indigenous peoples, minorities, and other vulnerable groups.
- All business activities are assured to be conducive to peace and equitable development, and to the realization of the provisions and purposes of Sudan's Peace Agreement
- No discrimination on the basis of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, while actively

promoting that the local population sees itself equitably represented, at all levels, in the local work-force.

- Combat bribery, extortion and all other forms of corruption.
- Within the company's sphere of activity and influence, promotion of transparent and accountable public financial management.

The impact of ECOS' campaigns was reasonable at international level. Some oil companies have been seen to change their attitudes in conducting business in the oil industry in Sudan. Total Oil company has been seen to actively engage the local population in areas of its operations in order to contribute to sustainable development. ECOS has been able to document some evidences on the impact of oil production on populations in certain areas. However, the impact of ECOS' campaigns "on the ground" was minimal. This was due partly to a lack of consistent partners.

The lessons that can be learnt from the ECOS experience are: a coalition can be managed by minimal personnel; starting a coalition can increase the chances of getting funds for achievable projects; it can also be an effective means of sustainable networking as long as there are willing partners at both ends; yet it can be time consuming and tedious; and a good partnership requires a clear Terms of Reference.

### **Questions and Answer Session on Informal Cross Border Economic Networks**

There are major concerns around the fishing communities. Although oil is an important resource, people in this area have been making a living out of fishing. Are there strategies to protect the fishing resources? Will the communities who have been fishing in Lake Albert be allowed to continue? It was mentioned that the Congolese had asked at several occasions for an environmental impact assessment but this has not yet been done. On the Uganda side it is mentioned that the environmental impact assessment is ongoing and the community will be involved while the dissemination of the findings takes place. A strategic impact assessment is also being done and it will lead to the formulation of a National Oil Policy.

Concerning exploitation not much is known yet. What will happen in the Albertine corridor after the drilling? Will a pipeline be connected to the ocean? The government of Uganda and oil companies say they will deal with the issue of what will happen after oil exploitation when that time comes. The issue will however be looked at during the strategic impact assessment.

Concerning network it is being asked with what strength ECOS is managing. This is two part timers. Another important network and important principles to adhere to is EITI. Congo is a member of IETI. Uganda is preparing to join EITI (publish what you pay) and the African Energy Institute is representing Kampala in the process

## 8. Results Working Groups

### Working group on Mbororo

The issue of Mbororo is a growing social, economical and political phenomenon.

The social dimension concerns issues like conditions for co-habitation, relationship with the communities and with authorities, access to health services, access to education, immigration, displacement of the local population, insecurity and stereotypes and demonization.

The economic dimension concerns destruction of natural resources and devastating desertification, food insecurity, inadequate food supply to local population, poverty, prices of commodities rise due to the fact that the Mbororo buy in US Dollars, land is being occupied, crops are being devastated due to grazing, fertile land is being destroyed, natural resources are being exploited such as poaching of game, illegal gold or diamond trade. As a result there is a conflict of livelihood between the two groups, farmers and cattle owners, nomads versus agriculturalists.

The political dimension concerns repatriation, border crossing without ID's, small arms proliferation, relationship with and disrespect for local authorities and civil identification.

Regional dimensions concern the connection between the Ambororo, LRA and other armed groups. The Ambororo are perceived to be a problem for security in Congo, Sudan and CAR.

As for the actions to be taken, the workgroup came up with the following ones:

- Creation of local forums or barzas of Ambororo and local communities for analysis of the problem, getting to know each other and to look for identified problems. Discuss on the issue of access to land. This should also contribute to a common perception of the Ambororo issue by other civil society actors
- Relief to the regions affected, support for the health and education system
- Monitoring of incidents
- Local mediation of conflicts and incidents
- Engaging government in implementation of their agenda to promote justice, peace and human rights
- Implement a rapid response mechanism
- Dialogue and lobby with government on implementation of regional instruments, laws and programmes
- Networking amongst civil society of Sudan, DRC and CAR in view of regional aspects of the issue
- Inform and sensitize local population on the Ambororo issue and their background in order to address stereotypes and demonisation of the Ambororo by the local population. Avoid scape goating of all problems to the Ambororo.

The following persons and institutions are identified as responsible for certain actions:

- Civil society, especially churches, to work together with local chiefs on local forums, assistance, monitoring and mediation.
- Civil society to create a cross border network concerning the cross border concerns.
- Civil society plus international partners to engage authorities on the issue
- UN system and international organizations to provide financing and logistics support to forums, local assistance.
- UN and international organizations to facilitate capacity building of local civil society and support, exchange visits to other countries concerned.
- UN and international organizations to disseminate regional tools, protocols, relevant information

The group recognized that the problem is having a regional character. Solutions go beyond the current approach based on repatriation alone. The issue demands a regional solution. Nomadism, as mode of life, should be regulated on the basis of respect for host community, culture and interest. Circulation of arms among civilians should be regulated as it becomes an issue connected to nomad movements.

The report of the group is finished with a vivid debate on looking at the Ambororo as a threat and looking at the Ambororo as an economic opportunity. One participant is wondering where the Ambororo get all their dollars and arms from. Who are the people supporting them. Can't we find strategies to cut their supplies? The answer lies in the nomadic nature of the Ambororo. They are nomads, pastoralists who move from one area to another to find pasture. Many are illiterate. All they need to do is bring their cows from one place to another, protect their cows. It happens that they need other things to eat, so they sell their cows in local markets. There they get dollars – because they have noticed they can use dollars everywhere. A problem arises though when they are active in an area of armed groups, then they have access to and also a need for weapons.



Another participant remarks that major parts of Congo are sparsely inhabited. It would be a good thing if people would come there and settle with their cattle. So its in the national interest of Congo if these people would come. What needs to be done is proper organization and regulation of their entrance

*Working group on Mbororo at work*

and movements within the country. Also, it is important that settlements in border areas are avoided as it will contribute to illicit border crossings. Stressed is again the need to discuss the land and water issue. Both are scarce commodities and access should be regulated. Concerning repatriation the meager results of past experiences are mentioned again. Repatriation alone is not a solution. There have been cases where people were flown from one area to another, then find that they have nothing there and thus go back again. From the DRC to CAR, from CAR to Sudan, etc. It is a problem of human rights. There is need for a global solution.

## Working group on Informal Cross Border Economic Networks

The main issues are legality versus legitimacy, organized smuggle on either sides of border (sugar, coffee, etc.), the gold trade and the timber trade.

A priority area is organized smuggling on either side of the border. The group identified different actors involved: businessmen (big/small), Anti Smuggle Unit, Civil Society, Governments and power bearers. Generally the sentiment is that big traders take the major part of profits and that it is a kind of school on trade where the smaller businesses grow within it. The Anti Smuggle Unit should address the issue but violence from their side is unanimously rejected. The following lines of action are identified:

- Training in Conflict Sensitive Approaches targeting Anti Smuggle Unit, businessmen, CSOs
- Strengthening existing institutions (Chamber of Commerce, Revenue Authority, Leaders, Authorities)
- Form cooperatives / trade unions for stronger bargaining power
- CSOs should provide business training including aspects of social responsibility
- Institutionalize favorable trade policies
- Promote transparency in cross border business

Lobby and Advocacy directed at local and central authorities, politicians, power holders concerning the issue of favorable trade policies, transparency, working methods of Anti Smuggle Unit are the main identified strategies.



*Working group on oil at work*

A second priority is education. The group emphasizes that there is a high school dropout in favor of cross border trade. Business seems to be more lucrative on short term benefits compared to long term school benefits. Parents do not sufficiently appreciate education the consequence being a high level of illiteracy.

The following lines of action are identified:

- Sensitization of the population on importance of education
- Skills training.

A third priority is illicit trade in gold and timber. It is acknowledged that on the Congolese side customs control is weak, and on the Ugandan side this is the case as well. Both countries should strengthen their customs regulations and capacities. The groups recommends the formation of a joint border police. Another recommendation is the creation of a common regional market. It is recommended that the Great Lakes Conference looks with more detail

into this recommendation. Another recommendation is to increase knowledge on the issue. The group emphasizes the need for further research on the informal economic networks to fill the gaps. Also, a discussion takes place which currency should be used in the border region of the three countries. Another matter raised is the issue of employment. If we consider the informal cross border trade as bad, what alternative do we have especially for the youngsters involved. They have been doing trade for a long time. Maybe a small study is needed to see who benefits from the trade now.

From the plenary a question arises whether the group has been able to address the issue of money laundering. Does the group recommend forbidding it, legalizing it or regulating it? There's a legitimacy dilemma. It's not according to law, but all actors perceive it as legitimate. Is there a possibility to start a reflection on that issue – the aim is that the trade is to benefit the entire region and in a manner that is transparent for all. How can we address that situation? The response of the group was that trade is not necessarily bad, but it is illegal. The group had discussed the issue of legality versus legitimacy. The facilitator mr Titeca adds to the discussion that concerning the currency issue, usually the currency of the strongest country is used by all. That is different from imposed by a country. He also informs the participants that trainings are already offered to small traders, although not sufficient considering demand. The OPEC boys are already benefiting from a programme.

## Working groups on LRA

In relation to the LRA, the discussions in the workgroup identified a number of issues with possible action to be undertaken and those responsible for taking such actions:

1. Community security
  - a. The group observed that community security is not taken care of. The main aim should be the protection of human rights of citizens in the community. This could be addressed through proper engagement of the forces who have the mandate to protect, i.e. UPDF, SPLA and FARDC. Another option could be community policing in which the community itself is better equipped to contribute to its own security. The responsible actors were identified as the local community leaders and the respective governments.
2. Understanding LRA
  - a. For the group it was important to get a better understanding of what kind of group the LRA exactly is and what its needs are. To get such a better understanding, it was suggested to include testimonies of those affected by the LRA, mapping of stakeholders and assessing how far the LRA could be considered to be a cult-movement. It would be a specific workgroup activity for which it would be responsible and for which it would be important that information amongst the workgroup members from the 3 different countries is shared.
3. Military options
  - a. The option of a military option was discussed from the perspective of a joint military action to address the LRA problem. Such a joint military action should entail regional (cross border) and international responses as well as actions that should focus on safeguarding border security in the areas where the LRA is active. As for this issue, the workgroup proposed to engage in advocacy activities to address the respective governments of the countries affected by the LRA. Also the importance of involving the UN Security Council was mentioned.
4. LRA affected communities in DRC, Southern Sudan and Uganda
  - a. In the three countries, many communities are affected by the activities of the LRA. The workgroup observed that the needs of those communities were not or inadequately attended. Through assessment of the needs of the communities and its victims, but also through increasing awareness of those affected and sharing this information with others, the needs of those affected groups could be better served. This would involve a.o. the churches and civil society organizations. The working group expressed also its interest to engage.
5. International involvement
  - a. To stop external support to the LRA, the workgroup observed that it's important to lobby the international community (foreign governments; the ICC) and to engage with the (international) media. This could be the responsibility of churches, civil society organisations and the working group itself.

The workgroup proposed the following advocacy and lobby messages on:

1. Protection: the communities affected and being affected by LRA need to be given adequate protection.
2. Victims: the needs of the affected communities and victims need to be addressed by community leaders, NGOs, the respective governments and the ICC.
3. Eradicating LRA phenomena: to put pressure on the governments of the DRC, Southern Sudan and Uganda and to the UN Security Council for joined (military) action against the LRA.

After the presentation of the working group, various issues were raised by the participants of the conference. Some of them supported the proposals as presented by the working group, like the networking across the borders of civil society groups and to exchange information on the activities and movements of the LRA on the ground. One comment referred to the presentation made by Mr. Nuno (the assistant to the special UN envoy) considering the envoy's specific mandate to deal with Kony and the LRA.

### **Working group on Small Arms Light Weapons**

In this working group the following priorities were identified:

- Lack of awareness on the impact of SALW,
- Inadequate reporting on the presence of SALW,
- Lack of security - protection - from Gvt,
- Porous borders facilitate the trade / movements of SA,
- Arms groups disarmament – DDR,
- Civilian disarmament,
- Cultures that enhance possession of arms,
- Arms storage and disposal,
- Lack of Gvt policies on arms,
- Inadequate involvement of civil society on small arms issues
- Poverty

This can be attained by enhancing civil society participation through mobilization, sensitization, capacity building, institutionalization of CS. The lack of government policies can be tackled through consultations with the government and executing research by the civil society in order to be able to lobby more effectively. In order to reduce the illegal arms proliferation, it is important to raise awareness on their impact and to lobby for effective government security structures. The problem of the arms trafficking can be addressed by monitoring these activities and reporting on them, by lobbying for cross border codes of conduct.

The working group made the following recommendations:

#### Towards the government:

- To enact and enforce appropriate laws
- To work closely with civil society
- To protect the population
- To promote creation of employment opportunities

#### Towards civil society:

- To enhance networking with and across borders (nationality and regional)
- To share information, to raise awareness and public education
- To work with Government
- To promote creation of employment opportunities

#### Towards community leaders

- To promote a peace culture
- To collaborate with civil society

#### Towards religious leaders:

- To promote peace culture
- To collaborate with civil society

#### Towards partners:

- To support Small Arms programmes
- Lobby with their Government

#### Towards international governments:

- To ensure the implementation of agreements
- To collaborate with civil society.

#### Discussion

Yesterday we said that before the disarmament process finishes we should set up a community disarmament process. In Bunia we said exactly the opposite. First we need to disarm the militias, then the civil society. What is the decision of us here concerning the order?

Response: On who needs to be unarmed first: For now the DDR commission continues with the armed groups.

We have listed again all recommendations that have not been realized from 2003. We already had recommended to lobby governments to trace and register arms. We haven't been able to do that. Concerning civil society: the action needs to focus on information and awareness raising and training. We must also participate in governmental disarmament programmes. Community leaders and civil society should play a bigger role in this. The documentation and information on Small Arms could be elaborated. We could document relations and contacts between militias and how they trade their weapons.

Yesterday we were informed that in South Sudan. 2-4 guns average per male person. The common enemy is still there in many places. What strategy can you come up with to address that?

Response1: Situation in South Sudan is so complicated. We consider that there is no longer a common enemy.

Response 2: Regarding the common enemy. Issue of Disarmament is indeed very complex in the South. The North is arming parts of the society in the north, most people there have weapons. In the South therefore people don't understand why it's our government speaking about disarmament while in the north they are not doing that. What should the entire South do on the issue of disarmament?

It was also suggested that the governments should discipline the undisciplined elements in their respective armed forces. Furthermore, there was the observation that the issue of paramilitary groups was not sufficiently addressed and finally it was remarked that we should address the security issue through advocating governments on that matter and through working out community policing programmes etc.

## Working group on Oil

The following key issues are identified by the group:

Firstly the different stakeholders are to be identified. To be mentioned are the government of Uganda and DRC, the communities, civil society organizations, oil exploration companies (e.g. Tullow and Heritage Ltd.). Of all stakeholders the communities are least informed. It is therefore important that a public awareness campaign is started on policy and related oil legislations and all the documentation should be translated in the local languages.

Another key issue is the need for intergovernmental cooperation between Uganda and DR Congo. The group recognizes the fear that if the oil exploitation is not properly handled it can easily become a source of conflict.

A third key issue is the enforcement of environmental legislation among the communities affected by oil and gas at the border with DRC and Uganda.

The following actions are identified:

The identification of stakeholders in both countries- DRC and Uganda. Civil society organizations in Ituri and in West Nile – Uganda are asked to do this.

Secondly, the two civil society groups of West Nile and of Ituri are to meet with a certain regularity and form a coalition.

Thirdly, this coalition on oil of the Civil Society should disseminate information about oil to the public effectively

The coalition on oil should lobby for the transparency in policy and legislation with governments on behalf of the affected public by oil exploration. This should be taken as a key involvement of CSO's. This should be shared mutually between West Nile and Ituri region.

The working group defines as the objective of the coalition on oil to bridge the gap between the communities and other stakeholders in a way to protect the interests of the communities and the environment in oil exploration area. This should be done through the creation of a working group in Ituri and West Nile within the coalition of Civil Society Organizations in DRC (Ituri) and Uganda (West Nile). Institutional capacity of civil society on the oil issue should be improved. An important task is also monitoring and communication on progress in both countries.

The groups defines as it's lobby message the utmost need for corporation between the two countries in a way that should not lead to conflict. Affected communities should be taken care of (e.g, re-settlement and adequate compensation). The need for transparency and accountability in contract management. The group demands government to incorporate social responsibilities in the contract.

The group defines the following recommendations:

To the Government of Uganda and Democratic Republic of Congo:

- Recommend that the two governments to cooperate with all the stake holders involved in oil exploration.
- We recommend that the two governments intensively and sincerely collaborate on all aspects of oil exploration in the joint border of lake Albert so as to ensure a peaceful process.
- We recommend the two governments in the region to use the oil revenues for development.

To exploration Companies:

- Regarding the terms of contract, exploration companies should assume social responsibility to the communities.
- Ensure that potential conflicts do not exist.

To the civil society organizations

- Create awareness and educate the community on important public issues.

### To the Community

- Carry out inquiries with the relevant stakeholders and know their rights and responsibilities.
- Ensure their expectations are realistic.

In the plenary debate that follows after presentation of the group report major worries are expressed concerning the position of the communities. The issue of land rights especially is mentioned. The need for communities to organize itself in order to meet relevant



*Working group on oil at work*

stakeholders.

Also, rumors are taking their own lives and it is important that Civil Society analyses information on the situation as to stop rumors. Civil Society should also help the communities to manage information and bring it to the companies. There is need to set up studies to analyze the impact of oil extraction on the

communities. One participant mentions that Uganda should take more responsibility than the DRC, which has a lot of problems, but shouldn't exploit for its own benefit.

Worries concern equally the collaboration between the two governments. Wherever oil is discovered, problems follow. The disputed Rukwanzi Island in lake Albert is a dangerous sign. Transparency in all documents is necessary and they should be translated in local languages. Also, each government is independent. This means that each Civil Society needs to address it's won government next to cooperate with the civil society of the other country.

## **Final Declaration of the Cross border conference on Security**

IKV Pax-Christi  
Arua 30/9 to 3/10

### **Objectives**

The objective of the conference was threefold:

- Establishing contact between border NGO actors
- Improved knowledge on cross border problems among these NGO actors and a better understanding of the joint character of these problems
- An action plan per theme

The results of the conference is a profound context analyses of the cross border problems, an action plan drafted by the different actors of civil society in this three country border zone, a connection of these NGO border actors with the (inter)national political level and a systematic (joint) action on lobby.

### **Context analysis**

#### **Description of the security situation in the Democratic Republic of Congo**

The security situation in the DRC is fluid considering the several insurgent groups, militias and individuals who have for long perpetrated insecurity in the region. The dimensions are both local and external either to get safe haven as the case of the LRA, ADF/NALU and PRA from Uganda with intent to over throw the Government of Uganda; the Interahamwe from Rwanda that is opposed to the legitimate government of Rwanda and several local militia groups within DRC itself who are either opposed to the Government in Kinsasa or have other ulterior motives. The activities of these various groups are characterized by killings, looting, rape and abuse of human rights.

Though DRC has been unstable for the last 20 years, it is neighbored by 9 countries which equally have had turbulence in their own countries thus spilling over their conflicts into the DRC. On the other hand the mineral rich DRC continues to attract illicit traders with varied interests, that range from business men getting to exploit the rich mineral wealth, different rebel groups to exploit the presence of the natural resources to facilitate their movements and or external armed forces that take advantage of the weak state and exploit and loot what they can get within their means. These movements across the porous borders are commonly protected with the gun hence perpetuate proliferation of SALW in the region.

#### **Description of the security situation in Uganda**

The security situation in Uganda in general, and in Northern Uganda in particular, is becoming reasonably stable since the signing of the secession of hostilities between the Government of Uganda and the Lord's Resistance Army (LRA) which took place on August the 26<sup>th</sup> 2006.

We also appreciate the efforts of the government of Uganda and the LRA in seeking a political solution to the crisis in Uganda, and the roles of the different mediators.

It is unfortunate, however, that the peace talks seems not to be progressing as desired. Despite the fact that the Government of Uganda seems to be serious in negotiating for a political situation, the leadership of LRA seems not to be committed to that. Both parties are urged to exert more efforts and the political will with full commitments aimed at realisation of a sustainable peace in the country and the region.

There are concerns about the precise delineation of the border between Uganda and the Sudan and Uganda and DRC. The authorities of these countries are asked to seek a sustainable and lasting solution to these border issues.

## **Description on the security situation in Southern Sudan**

Despite the Comprehensive Peace Agreement in 2005, insecurity is still an issue of concern in Southern Sudan. The social, political and economic context in the South is determined by the gap between the north and the south of the Sudan. Furthermore there are ethnic tensions and cross-border problems that influence the lives of the population in Southern Sudan.

The insecurity is caused by armed groups, among which the LRA, originating from Uganda, operating in the Western Equatoria State more specifically in the Naba area. Other sources of insecurity are banditism, some operations of the SPLA, and resistant movements in Southern Sudan.

The porosity of the border favors the trafficking of small arms and light weapons, illegal trade of natural resources, but also the uncontrolled movement of the pastoralists Mbororo, which becomes a serious concern. This porosity has some serious consequences for the populations who suffer of theft, rape and other human rights violations. It also has significant consequences on the cross-border trade networks between the populations of Southern Sudan, Uganda and the DRC.

However, the progressive organisation of the administration and government in Juba establishes a feeling of appeasement. This creates opportunities for disarmament activities and the control on the circulation of small arms. There are however some concerns regarding the peace dividend. How to use the natural resources for a sustainable peace in the South? How to stimulate the government to use the resources are to the benefit of the populations that have been strongly affected by the decades of war.

## **Highlights of the problems and the key recommendations per theme:**

### ***The issue of the Mbororo***

We agreed upon the fact that a better common understanding of the Mbororo phenomenon is needed in order to enable sustainable solutions to the problems caused by the venue of pastoralists in the region Central African Republic, Democratic Republic of Congo and Southern Sudan. Some of the problems relate to the lack of comprehension and knowledge regarding the situation of the Mbororos which increases hostilities and tensions with the host populations.

We therefore recommend that

#### at the regional level:

A policy dialogue between the concerned governments is needed on the regional legal instruments and programmes responding to the management of pastoralists at the shared borders to ensure peace security and development for all the communities;  
Disarmament of the Mbororo and all civilian populations in the areas where there is cross border pastoralist migration, and prevent communities to get involved in violent conflict.

#### at the national levels:

provide humanitarian support to the communities affected by the displacement and damages to the environment and crops caused by the pastoral activities.

#### at the local level:

Information and sensitization is needed to fight against stereotypes and “demonization”;  
Meetings should be held between the communities to promote and strengthen peaceful coexistence;

#### Civil society organizations:

Should participate in the policy dialogue and actions that are decided by government to ensure that human rights are respected and peace is secured.  
Should engage with the traditional leaders in addressing the land issues and related conflicts;  
Should develop a network between DRC and Southern Sudan in order to exchange experiences and information regarding the peaceful coexistence between pastoralists and farmers.  
Should organize a dialogue with the Mbororo, listen to the local population as well as to the Mbororo.

### ***The issue of illegal cross border economic networks***

We agreed upon the fact that borders between three countries are porous which facilitates illicit cross border trade and the smuggling of natural resources like gold and timber. This is due to the inability of authorities to adequately enforce border control regulations.

We thus recommend the enforcement of appropriate legislation at the regional and international level.

The respective governments sharing common borders should develop policies to establish common border markets in order to ensure transparency in cross-border trade.

The respective governments are requested to take responsibility in ensuring the legal exploitation and marketing of their natural resources.

The respective governments recommends the formation of a joint border police.

The respective governments should create a common market and harmonize legislation

The civil society should lobby and advocate for government investments in education in order to provide alternative and sustainable livelihoods.

The civil society should also advocate for pro-poor trade policies and for strengthening of existing institutions.

Civil society should study further the issue of illegality versus illegitimate.

Civil societies of the three border regions should strengthen their cross-border networking in order to better face their shared challenges in the field of trade.

### ***The issue of the illicit proliferation and traffic on small arms***

We recognize that civil society has a limited institutional, financial and technical capacity to effectively address national and regional small arms concerns, most of which include policy gaps and lack of appropriate legislations on arms, the urgent need for disarmament, a 'gun culture' especially among pastoralist groups and lastly the porous borders that result in illegal economic transactions and cross-border arms trafficking and trade.

On the basis of these we recommend:

#### Towards the government:

- To enact and enforce appropriate laws
- To work closely with civil society
- To protect the population
- To promote creation of employment opportunities

#### Towards civil society:

- To enhance networking with and across borders (nationality and regional)

- To share information, to raise awareness and public education
- To work with Government, also in disarmament
- To promote creation of employment opportunities
- To fight the often prevailing gun culture

Towards community leaders

- To promote a peace culture
- To collaborate with civil society

Towards religious leaders:

- To promote peace culture
- To collaborate with civil society

Towards international governments:

- To ensure the implementation of agreements
- To collaborate with civil society.

***The issue of Foreign Armed Groups, the case of the LRA***

We regret that the presence and activities of the LRA in the region has heavily affected the population in each of the three countries and there is need to address the psycho-social and economic needs of these victims. It is noted that needs are still insufficiently identified and insufficiently met.

It is recommended that community security should be taken care of. The communities should receive adequate protection. This can be assured by the different state security actors as well as through community security.

To the three governments it is recommended to seriously and urgently join forces to address the LRA question; This should be done by all state and UN security agencies involved on the ground.

To the civil society it is recommended that they should constitute a cross border working group on the LRA in order to deepen the understanding of the intentions of the LRA; They should lobby for meeting the psycho-social needs of all the affected communities and develop activities to address them and they should develop a joint lobby strategy towards the three governments and the international community in order to urge them to take appropriate action.

***The issue of oil exploitation***

We recognize that there are challenges to making sure that the oil resources are to the benefits of the populations and not a source of conflict within and between countries. The issue of oil in the Albertine region/rift should be of high concern to the governments of Uganda and the DRC but also to the international community in general.

We thus recommend that:

To the governments of Uganda and Congo

We recommend that the two governments to cooperate with all the stake holders involved in oil exploration

We recommend that the two governments to intensively and sincerely collaborate on all aspects of oil exploration in the joint border of lake Albert so as to ensure a peaceful process. We recommend the two governments in the region to use the oil revenues for development

#### To the oil exploration companies

We recommend regarding the terms of contract, exploration companies should assume social responsibility to the communities  
Should ensure that potential conflicts do not exist and that oil revenues do not exacerbate conflicts in the region.  
Must ensure environmental protection

#### To civil society organization

We recommend they create awareness on important public issues  
They organize themselves in coalition per country and a cross country coalition

#### To the communities

We recommend they carry out inquiries with the relevant stakeholders and that they know their rights and responsibilities.  
We recommend communities ensure realistic expectations

### **Members of the declaration committee**

Democratic republic of Congo:

Mr Hamuli Baudouin

National coordinator of the DRC committee for the International Great Lakes Conference

Abbe Francois-Xavier

Kangonyesi, membre Commission Diocesenne Justice et Paix Dungu

Uganda:

Ms Ayikoru Joyce

Praford

Dr Opar Bernard

ACMHP

Sudan:

Peter Justin

ECOS

## Closing Remarks

### **Bishop Madi West Nile Diocese**

The Bishop apologized for not being able to join the process from the beginning due to ill health. He was happy with the recommendations reached and appreciated the fact that through the declaration, these recommendations would reach the outside world. He had witnessed the problems ailing the region including small arms, poverty, refugees, land mines, armed robberies etc. The big question is, what is wrong with Africa? Africa is in danger of extinction unless something is done. The continent is under threats from many different directions. It is vulnerable, lacks organization, social cohesion, suffers from disease, corruption, bad leadership, conflict, poverty etc. The continent seems to love conflicts in all spheres of life including the church.

He noted that bad leadership was a major cause of the problems facing the continent adding that it was a shame for people to be dying of jiggers in the 21st century. He emphasized the need for good leadership in all the institutions of the society including the church. A church that cannot take care of the poor cannot have the rich and a nation that cannot take care of the poor cannot protect the rich.



The Bishop thanked the participants for investing in the forum and observed that the declaration was a very powerful tool for dealing with the problems ailing the region.

### **Chairman LC5 Richard Andama Ferua – Chairman of Arua District, Vice president of association of local government in Uganda**

The Chairman expressed appreciation to the participants for their efforts in looking for solutions to the problems facing the region and Africa in general. He then added that he was happy to be associated with the process. He noted that the communities across the region were the same but they were being divided by a foreign culture and foreign languages. Such forums will help the people of Africa to identify the root cause of their problems and work towards going back to the African culture. The CSOs should work in partnership with the governments and since they are near to the people, they should play the role of enlightening communities. He affirmed that the government of Uganda is moving together with the civil society. The CSOs were partners in the Peace Recovery Development Programme (PRDP) which was initiated by the government to facilitate the recovery of Northern Uganda from an insurgency spanning over a period of about 22 years. The chairman then observed that change can start with one person and he gave the example of prophet Mohamed and Jesus Christ. He therefore called on the CSOs represented in the conference to be agents of change and preach the gospel of peace.

The people in the region should learn from past experiences and create their own power to bring about peace and development. They should learn to pursue power through democracy and not through the gun. Manufacturers of guns should stop using Africa as their battle field. Insurgency causes poverty, illiteracy, backwardness etc. Education is the torch, the key to

development. Give Africa a chance; If civilization started in Egypt, why is Africa still lagging behind? Africa should arise and tackle its issues as one united continent.

**Ambrose Ongw'en, chairman facilitator of the conference**

Thanked participants for being active, cooperative and working hard. He called on all those present to coordinate their efforts towards a target that can bring peace to the region and the world. He then observed that peace will not be brought about by those present in the conference, who are all products of all forms of violence but by our children. We should therefore invest in our children. mould them into agents of peace and social transformation.

**Vote of thanks**

*Paul Allertz – IKV Pax Christi*

He started by reminding the participants of the image of a young naked child walking into the bush in the video. He urged participants to carry that image with them and ask themselves what the future of that child is and what they can do.

He then thanked the LC 5, Bishop Madi, the Diocese of Arua, Justice and Peace Commission, Local Authorities, participants, logistics team and facilitator and wished everybody a safe journey back home.

## Annex

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- Annex 4 Security Context Analysis of Ituri and Haut Uele  
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- Annex 5 Security context Sudan  
By Anthony Agyenta, UNMIS (United Nations Mission in Sudan)
- Annex 6 *Presentation of security context in Uganda*  
By Capt. Kamara, UPDF
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By Kristof Titeca, University of Antwerp
- Annex 12 Small arms: Summary of conference 2003  
By Desire Nkoy, IKV Pax Christi
- Annex 13 Small arms: Regional Situation  
By Camlus Omogo, IKV Pax Christi, NGO Working Group Nairobi Secretariat
- Annex 14 Small arms : situation of SALW in DR Congo  
By Phillipe Muanza, Groupe d'Action pour la Démobilisation et Réinsertion des Enfants Soldats
- Annex 15 Small arms : Situation of SALW in Sudan  
By Chuol Gew Nhial, Community Security and Arms Control
- Annex 16 Small arms: Situation of SALW in Uganda  
By Ftr. Emmanuel Vurra, Justice and Peace, Arua Diocese
- Annex 17 LRA: state of negotiations  
By Nuno Tomas, assistant to President Chissano, UN office for LRA affected territories
- Annex 18 LRA: Situation in Duru

By Ftr Ferrucio, Justice and Peace Dungu diocese / parish of Duru

Annex 19 LRA: situation in Sudan  
By Bt Paul Yugusuk, Shalom

Annex 20 LRA: Situation in Uganda  
By Lam Cosmas, GANAL

Annex 21 Oil exploitation: Situation in DR Congo,  
By Ftr Eric Abbedilembe, Justice and Peace diocese Mahagi-Nioka and Haki  
na Amani

Annex 22 Oil exploitation: Situation in Uganda  
By Isaiah Owiunji, World Wide Fight for Nature

Annex 23 Oil exploitation: Experience of a network  
By Peter Justin, Sudan Council of Churches, European Coalition on Oil in  
Sudan

## Annex 1 Programme of the conference

### Programme of the cross border conference on security



#### Monday 29 September

Arrival of participants	all day
Registration	17.00 19.00
Welcome cocktail	
Introduction of each delegation	
House rules	
Explanation program	
Evening meal at Christ Centre	19.00 20.00
Shuttle to hotel	20.00 21.30

#### Tuesday 30 September

Breakfast at Christ Centre	07.30
<i>Opening remarks</i>	08.30 09.30
Prayer	
Rt. Rev. Frederic Drandua, Bishop of Arua	
Joost van Puijenbroek, IKV Pax Christi	
Mr Andama Ferua, LC5 Arua district,	
<i>Presentation of security context in Ituri</i>	09.30 10.30
• Mr Eric Mongo Malolo, Résea Haki na Amani	
• Jacob Mogeni, MONUC (Mission de l'Organisation des Nations Unies au Congo)	
break	10.30 11.00
<i>presentation of security context in Sudan</i>	11.00 12.00
• Oliver Michael, IPCS	
• Anthony Agyenta, UNMIS (United Nations Mission in Sudan)	
<i>Presentation of security context in Uganda</i>	12.00 13.00
• Mr Abaku Kibirai, Justice and Peace Commission, Arua Diocese	
• Capt. Kamara, UPDF	
Lunch	13.00 14.00
<i>Regional Stability Pact on the Great Lakes</i>	14.00 15.30
Mr Hamuli Baudouin, National coordinator of the DRC for the International Great Lakes Conference	
Break	15.30 16.00
<i>The case of Mbororo</i>	16.00 17.30

- Situation in Congo, mr. Desire Nkoy, IKV Pax Christi (30 min)
- Situation au Parc de Garambe, Mr Luis Arranz, Park Director (15 min)
- Situation in Sudan, Anthony Agyenta, UNMIS (30 min)
- Questions (15 min)

Interfaith prayer meeting for peace and reconciliation	18.00	19.00
Dinner	19.30	20.30
Shuttle for hotel	20.30	21.30

### **Wednesday 1 October**

Breakfast at Christ Centre	07.30	
<i>Informal cross border economic networks</i> Mr Kristof Titeca, University of Antwerp	08.30	10.00
Break	10.00	10.30
<i>Proliferation and illicit traffic on small arms</i>	10.30	12.30
<ul style="list-style-type: none"> <li>• Summary of conference 2003, Desire Nkoy, IKV Pax Christi (10 min)</li> <li>• Regional Situation, mr. Camlus Omogo, IKV Pax Christi, NGO Working Group Nairobi Secretariat (20 min)</li> <li>• Situation of SALW<sup>1</sup> in DR Congo, mr Phillipe Muanza, Groupe d'Action pour la Démobilisation et Réinsertion des Enfants Soldats)(20 min)</li> <li>• Situation of SALW in Sudan, mr. Chuol Gew Nhial, Community Security and Arms Control (20 min)</li> <li>• Situation of SALW in Uganda (Ftr. Emmanuel Vurra, Justice and Peace, Arua Diocese)(20 min)</li> <li>• Questions (30 min)</li> </ul>		
Lunch	12.30	13.30
<i>Foreign Armed Groups, case of the LRA</i>	13.30	16.00
<ul style="list-style-type: none"> <li>• State of negotiations (Mr Nuno Tomas, assistant to President Chissano, UN office for LRA affected territories)</li> <li>• Situation in Duru, Ftr Ferruccio, Justice and Peace Dungu diocese / parish of Duru</li> <li>• Situation in Garambe National Park (Mr Luis Arranz, park director)</li> <li>• Situation in Sudan (Paul Yugusuk, Shalom)</li> <li>• Situation in Uganda (Lam Cosmas, GANAL)</li> <li>• Questions</li> </ul>		
break	16.00	16.15
<i>Oil exploitation</i>	16.15	17.45
<ul style="list-style-type: none"> <li>• Situation in DR Congo, Ftr Eric Abbedilembe, Justice and Peace diocese Mahagi-Nioka and Haki na Amani (30 min)</li> </ul>		

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<sup>1</sup> Small Arms and Light Weapons

- Situation in Uganda, Isaiah Owiunji, World Wide Fight for Nature (30 min)
- Experience of a network (Peter Justin, Sudan Council of Churches, European Coalition on Oil in Sudan)(10 min)
- Questions (20 min)

Theatre group on peace and reconciliation	18.00	19.00
Video on LRA	18.00	19.00
Dinner	19.30	20.30
Shuttle to hotel	20.30	21.30

## **Thursday 2 October**

Breakfast at Christ Centre	07.30	
<i>Working groups per theme</i>	08.30	11.30
<ul style="list-style-type: none"> <li>• Foreign armed groups, case of the LRA</li> <li>• Illicit cross border economic relations</li> <li>• Proliferation and illicit traffic of small arms</li> <li>• Oil exploitation</li> <li>• The case of Mbororo</li> </ul>		
<i>Restitution to the plenary of action plan for each group</i>	11.30	12.30
<ul style="list-style-type: none"> <li>• Foreign armed groups</li> <li>• Illicit cross border economic relations</li> </ul>		
Lunch	12.30	14.00
<i>Continuation of restitution to the plenary of action plan of each group</i>	14.00	15.30
<ul style="list-style-type: none"> <li>• Proliferation and illicit traffic of small arms</li> <li>• Oil exploitation</li> <li>• The case of Mbororo</li> </ul>		
Break	15.30	16.00
<i>Declaration of the conference</i>	16.00	17.00
<i>Closing remarks</i>	17.00	17.30
Prayer		
Rt. Rev. Frederic Drandua, Bishop of Arua		
Mr. Ibrahim Abiriga, rt. Major, Resident District Commissioner		
Closing cocktail	17.30	19.30
Farewell dinner	19.30	20.30

## **Friday 3 October**

Departure of all participants

**Annex 2 List of participants and contact data**

<b>PARTICIPANTS CONFERENCE ARUA 30 SEPTEMBER - 2 OCTOBER 2008</b>				
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**Annex 3      Security Context Analysis**  
**By Mr Eric Mongo Malolo, executive secretary of Réseau Haki na Amani**

## **1. Introduction**

Le RHA est une organisation regroupant en son sein 8 associations et institutions religieuses engagées dans un programme de renforcement de la paix , de rapprochement et de réconciliation entre les différentes communautés de l'Ituri jadis en guerre.

L'analyse du contexte que nous allons vous présenter est élaboré sur base des différents éléments récoltés au cours des différentes activités réalisées sur le terrain à savoir: les sessions de formations, les barza communautaires, les rencontres de sécurité communautaire, les rencontres d'échanges entre nos partenaires à la base (ILP, ILSC, CLE, etc.)

Cette analyse va surtout faire ressortir les perceptions des communautés par rapport aux enjeux du moment.

## **2. Présentation socio – économique de l'Ituri**

### Données générales

- L'Ituri est l'un des 5 districts de la Province Orientale.
- Le district a une superficie de 65658 km<sup>2</sup> une population estimée de 3998054 habitants et une densité d'environ 72 habitant au Km<sup>2</sup> avec des terriroires qui dépassent les 200 habitants au Km<sup>2</sup> (Djugu et Mahagi), tandis que le territoire de Mambasa a moins 50 habitants au Km<sup>2</sup>
- Situé au Nord – Est de la RDC, l'Ituri partage une longue frontière avec deux pays voisins l'Uganda et le Soudan. Il partage aussi des limites avec le district du Haut – Uélé et aussi la province du Nord Kivu (Beni et Lubero)
- L'Ituri est composé de 5 territoires du nord au sud nous pouvons citer; Aru, Mahagi, Djugu, Irumu et Mambasa; 45 collectivités et 5 cités.
- L'Ituri possède les conditions physiques les plus diversifiées, partant des zones forestières qui constituent la grande partie du territoire de Mambasa, la zone de plateau qui constitue surtout les territoires de d'Irumu et d'Aru. Les zones de haute altitude sont présents dans les territoires de Mahagi et de Djugu.
- Sa population est constituée de 10 groupes ethniques dont les majoritaires sont l'Alur (27%), principalement concentré dans Mahagi, le Lendu (24 %) et Hema (18 %) dans les territoires Djugu et Irumu; et les Lugbara (12%) dans le territoire d'Aru.
- Le mouvement des populations a toujours été important. A l'interne, il s'agit des migrants volontaires à la recherche des terres agricoles, de l'emploi et des possibilités de commerce. Avec la guerre, il y a les déplacés, les retournés. Il y a aussi des migrants venus du Nord Kivu voisin pour la recherche des terres cultivables mais aussi pour le petit commerce et divers emplois.
- La végétation est caractérisée par les savanes herbeuses, arbustives et boisées; des petites forêt de montagne à certains endroits et une importante forêt équatoriale.

### Les potentialités

- Des productions agricoles importantes et variées, dans les domaines des cultures vivrières (haricot, maïs, manioc, arachide etc.), des cultures de rente (café, coton, tabac, etc.)
- L'élevage traditionnel de gros bétail avec le cheptel le plus important avant la guerre (environ 300.000 têtes)
- La pêche sur le lac Albert.
- Richesses minières importantes avec l'or (exploitation industrielle et artisanale), le diamant, le coltan , le pétrole, etc.

- L'exploitation des bois de la forêt et aussi des boisements des cyprès, chêne argenté, eucalyptus, etc.
- Ces richesses donnent à l'Ituri les potentialités des activités commerciales prospères, et d'un développement rapide si les conditions de paix et de concorde sont établies.

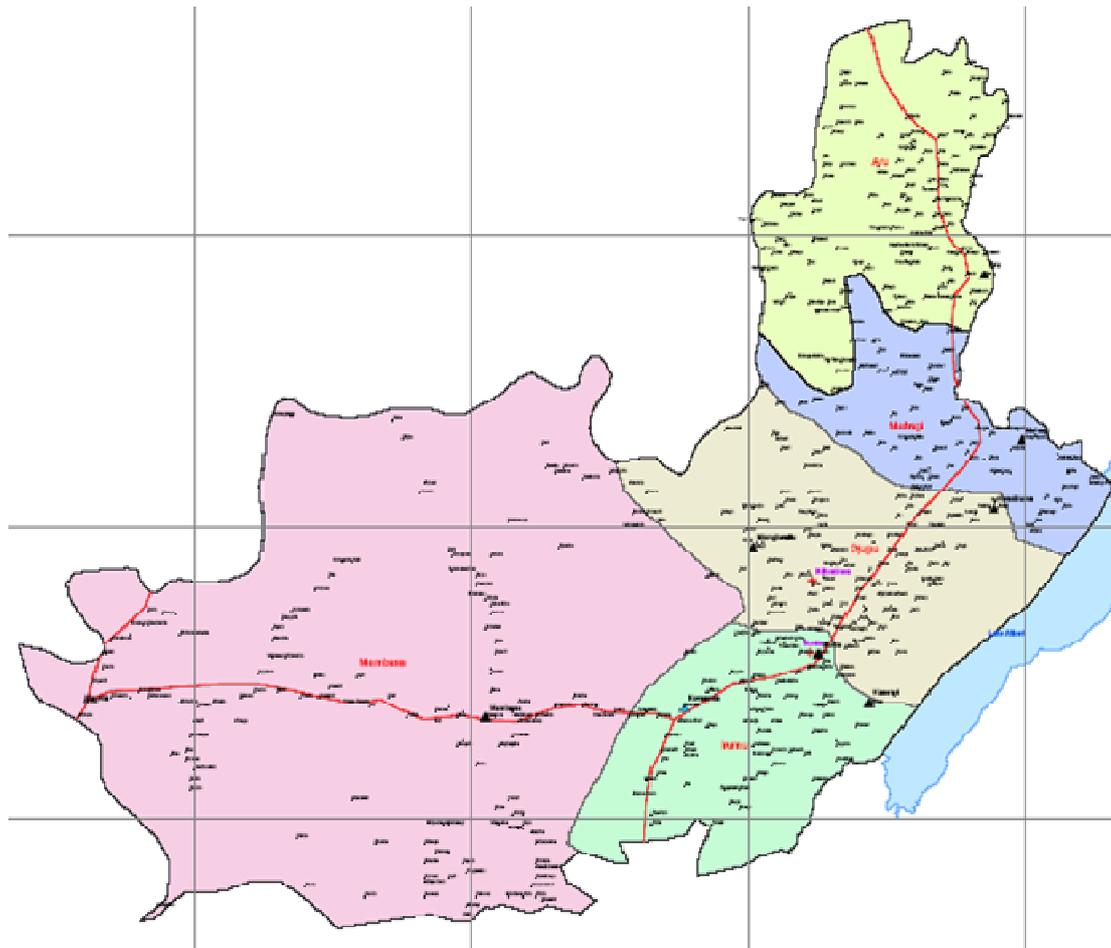
#### Le conflit interethnique

- C'est l'événement qui a marqué l'Ituri ces dix dernières années dont les conséquences sont encore visibles aujourd'hui. Ci – après ce que nous pouvons retenir de ce conflit :
- Depuis des décennies il existe en Ituri (territoire de Djugu et Irumu) un conflit entre les agriculteurs Lendu et les éleveurs Hema.
- Ce conflit a plusieurs facettes (problèmes fonciers, identitaires, complexes, etc.),.
- Ce conflit se manifestait d'une façon cyclique (environ tous les 10 ans), par des affrontements à l'arme blanche entre les membres de deux communautés (massacres, villages incendiés, etc).
- Dans le passé, les affrontements étaient vite matés par le pouvoir en place (du temps de la deuxième république).
- Le dernier conflit qui a démarré en 1999, a vite pris des allures nouvelles jamais vu par le passé. Il s'agit de :
- L'approvisionnement des communautés en Armes Légères et de petits calibres.
- La création des milices recrutant les jeunes des communautés pour la défense de la communauté (UPC, FAPC, FNI, FRPI, FPDC, APC, PUSIC).
- La généralisation du conflit qui a dépassé le cadre du conflit interethnique pour prendre des allures politiques, économiques et autres.
- La généralisation du conflit qui a dépassé aussi les limites des territoires d'Irumu et de Djugu pour toucher l'ensemble de l'Ituri.

Si le problème foncier a été l'élément qui a déclenché les violences, les autres aspects ci – après ont contribué à la généralisation du conflit:

- L'absence de l'état ; l'Ituri était administré par une série de rébellion qui était à tout moment miné par des crises internes.
- La manipulation des communautés par une élite politique, intellectuelle, etc. en mal de positionnement.
- L'implication dans le conflit des pays voisins, comme l'Uganda, le Rwanda, et autres.
- Les conflits dans les églises locales, a contribué à séparer les différentes communautés.

*Carte administrative de l'Ituri*



### Les conséquences du conflit

Les conséquences de ce conflit ont été catastrophiques pour l'Ituri:

- Les pertes énormes en vies humaines à cause des massacres, et des tueries massives de la population (plus 50.000 personnes ont perdu la vie)
- La destruction quasi – totale, du tissu socio – économique; plusieurs villages incendiés, destruction des églises, des écoles, de centres de santé, plantation et fermes ,etc.; surtout dans les territoires de Djugu et Irumu.
- Déplacement massif de la population fuyant les affrontements dans leurs villages, à la recherche d'une zone sécurisée; rendant cette population vulnérable.
- La fracture sociale, la population était divisée selon les éléments identitaires (Hema et Lendu, avec leurs alliés)

### L'aide humanitaire

- La communauté internationale a été en appui de l'Ituri pour secourir la population rendue vulnérable par les violences de la guerre. Première arrivée en 1999, cet appui est devenue plus importante en 2003, lorsque la crise fit plus grande.
- Bien qu'elle n'a pas touchée tout le monde, cette aide a beaucoup contribué à apaiser les malheurs des populations vulnérables mais aussi elle aidé, à la reprise des activités commerciales.
- La réhabilitation des routes a été un des éléments qui a eu un impact très positif dans cette assistance humanitaire car elle a permis en même temps, une création d'emploi, la possibilité d'apporter de l'aide aux populations enclavées, en plus de cela, la reprise des activités commerciales dans la région, elle a permis aussi la sécurisation des points les plus éloignés du district.
- Nous pouvons par contre remarquer que cet appui ne s'est pas attaqué aux causes profondes de ce conflit.

### 3. Situation politique de l'Ituri

#### Historique

2003 – 2004, Pour sortir du conflit interethnique avec tous les mouvements politico militaires qui existaient alors en Ituri, sous l'impulsion de la communauté internationale et du gouvernement Congolais, une administration spéciale intérimaire a été mise en place en Ituri. Pour rétablir la sécurité, l'opération Artemis a été menée, suivi du déploiement sur le terrain de la brigade de l'Ituri de la Monuc.

2004, les premières troupes de FARDC sont arrivées en Ituri , le programme DDR a démarré pour le désarmement des différents groupes armés.

2005, le gouvernement de Kinshasa nomme les autorités administratives du district de l'Ituri. La population s'enrôlent massivement pour les premières élections démocratiques de la RDC.

2006, les premières élections démocratiques se passent en Ituri sans aucun incident. Le peuple a voté massivement et fonde son espoir sur un nouvel élan à partir de ces élections.

#### Les élections démocratiques

Après ces élections tant attendues par les populations, on note aujourd'hui une certaine déception auprès des communautés car les élections démocratiques n'ont pas donné les changements voulus et tant attendus par le peuple. Cela a entraîné une perte de confiance des populations envers les élus qui visiblement n'ont pas fait des efforts palpables pour sortir les communautés de leur état de pauvreté et de souffrance.

La politique reste toujours confondu à des aspects de représentation identitaire et moins liés aux partis politiques. Les leaders politiques continuent à se baser sur des piliers identitaires pour justifier toutes leurs actions.

Les élections locales prochaines ne créent pas encore des motivations réelles dans la population. Seule le PPRD, parti présidentiel a commencé les premières sensibilisation par rapport à cette activité sur le terrain.

Le peuple semble avoir perdu confiance aux élections qui ne donnent pas des améliorations nettes à leurs vies quotidiennes.

### 4. SITUATION POLITICO – MILITAIRE DE L'ITURI

#### 4.1. Brève historique

La situation militaire de l'ituri est très liée à sa situation politique et surtout au conflit interethnique. De 1999 à 2004 l'Ituri est passé successivement sous l'administration des mouvements politico militaires ci – après:

- Le RCD Goma
- Le RCD K ML de Mbusa Nyamwisi
- Le FLC de Mbemba,
- L'UPC de Thomas Lubanga

Après il y a eu une multitude des groupes armés qui chacun se réclamaient l'administration d'une portion de l'Ituri, dans ce cadre nous citerons :

- L'UPC dans la ville de Bunia et aussi dans les territoires de Djugu et Irumu
- Le FNI, dans le territoire de Djugu, et Irumu;
- Le FRPI, dans le territoire d'Irumu;
- Le FAPC, dans le territoire d'Aru, et le FPDC dans le territoire de Mahagi
- L'APC dans une partie d'Irumu et aussi à Mambasa

L'évolution de ces différents groupes armés s'est réalisée avec l'appui des Ougandais, Rwandais et le gouvernement de Kinshasa qui ont été les principaux fournisseurs en armes et munitions.

Cette situation a entraîné une grande prolifération des armes dans les communautés et l'enrôlement d'un grand nombre des enfants dans les groupes armés de l'Ituri.

Le retour à la paix est arrivée avec les principaux événements suivants :

- Le déploiement de la force Artemis en 2003;
- Le déploiement de la brigade de l'Ituri de la Monuc à partir de 2004;
- Le déploiement en Ituri des troupes de la FARDC .

Le programme DDR menée sous la houlette de la communauté internationale a contribué largement à ramené un climat de paix en Ituri. Les 3 phases successives du DDR se sont déroulées de 2004 à l'année 2007. On doit signaler le fait que le DDR III se trouve maintenant dans la phase des projets de réinsertion pour le dernier groupe des miliciens.

#### 4.2. Situation actuelle

Aujourd'hui l'Ituri est sur le plan militaire toujours bien fourni. On dénombre :

- La brigade de l'Ituri de la Monuc dont les éléments sont petit à petit retirés pour le Nord Kivu voisin.

- La zone opérationnelle de FARDC avec plusieurs positions des militaires dans presque tous les groupements administratifs.

Cette grande présence militaire dans la région a eu des effets positifs parmi lesquels:

- La contribution à l'éradication des milices, présentement il ne reste qu'un groupe milicien résiduel de FRPI dans la région de Gety.
- La présence dissuasive de FARDC, aide à limiter la résurgence les violences entre les communautés de l'Ituri.

Tout cela entraîne le fait que la sécurité s'est nettement améliorée dans l'ensemble de l'Ituri.

Malgré les points forts de cette présence dans les communautés, il existe aussi des problèmes :

- Les affrontements entre les groupes armés et le FARDC créent des sérieux problèmes aux communautés qui sont ensuite victimes des pillages, vols, viols et divers autres formes de violences. Les derniers affrontements entre les FARDC et la milice résiduelles de FRPI ont continué au cours de cette année dans les collectivités de Walendu Pitsi et de Walese Vokuntu.
- Les tracasseries de la population civile par les militaires; il s'agit des barrières de collecte d'argent, des travaux forcés dans les camps militaires, de portages des biens des militaires lors de leurs mutations, etc.
- Les éléments de FARDC se sont aussi impliqués dans l'exploitation illégale des ressources naturelles on note surtout le bois, l'exploitation artisanale de l'or, le braconnage, etc.

#### 5. **Situation sécuritaire de l'Ituri**

En général comme nous l'avons dit dans le point précédent, la sécurité s'est nettement améliorée en Ituri ces dernières années. Malgré cette grande amélioration on note toujours des nouveaux problèmes qui peuvent être à la base de l'insécurité en Ituri.

- Au niveau des relations entre les communautés, la méfiance est encore grande entre les différentes communautés, la réconciliation n'est pas encore totale. Chaque communauté soupçonne encore l'autre de monter quelque chose contre elle.
- Le programme de désarmement n'a pas réussi à désarmer complètement les communautés. Il y a encore plusieurs armes dans les communautés ce qui est toujours une menace à la paix.
- Le banditisme à mains armées est de plus en grand dans les communautés et cela risque de créer des tensions entre les communautés qui étaient hier en conflit.
- Le conflit foncier renaît dans tous les 5 territoires de l'Ituri, et risque d'être aussi l'aspect qui va rallumer la violence en Ituri. Il se présente sous plusieurs formes à savoir :
- Les problèmes des concessions et pâturages collectifs, en général la population se plaint des concessions existantes pour des raisons ci – après; dans plusieurs cas les concessionnaires auraient déplacés les limites de leurs concessions pour les agrandir; le mandat accordé à ces concessions de 25 ans d'exploitation serait déjà

épuisé et les concessionnaires n'ont pas renouvelé leurs mandats; la plupart des concessionnaires n'ont pas les moyens de mettre en valeur leurs concessions comme exigé par la loi ils louent la terre aux populations locales ce qui est contraire à la loi; les populations locales remettent aussi en cause dans certains cas les procédures d'acquisition de ces concessions ou encore les pâturages collectifs.

- Les problèmes des parcelles dans les centres extra coutumiers entre les personnes qui étaient avant la guerre et qui ont fui les hostilités et les personnes qui ont occupé ces parcelles depuis la période de la guerre.
- Les problèmes de refus de retour des populations déplacées dans leurs terres qu'elles occupaient avant de fuir pendant la guerre. Dans la plupart des cas cela concerne les enclaves.
- Les problèmes des limites entre les entités administratives locales. Ces problèmes existent aussi bien entre les entités des différentes ethnies que dans une même ethnie.
- - Un autre grand problème est, l'exploitation des ressources naturelles qui ne contribue pas au bien être des communautés locales. Il existe de plus en plus en Ituri une tension au niveau communautaire sur l'exploitation des bois, de l'or et de l'exploitation prochaine du pétrole du graben Albertine.
- Tous ces problèmes sécuritaires sont aggravés par une mauvaise gouvernance qui se manifeste sur le terrain par :
  - la faiblesse de l'autorité de l'état;
  - la justice mal rendue ;
  - la police en nombre insuffisante qui tracasse la population;
  - la multiplicité des taxes ; les population se trouvent traquées dans leurs activités.

#### Les défis sécuritaires des prochains jours

- La propagation de la guerre du Kivu à l'Ituri;
- Le jugement des seigneurs de guerre à la Haye va créer quelle réaction dans leurs bastions ??
- La nomination récente des autorités administratives venues des autres coins de la RD Congo va provoquer quelle évolution en Ituri ??
- La Future province de l'Ituri et les prochaine élections locales vont donner quelle configuration politique et sécuritaire ??

## **6. Problemes transfrontaliers**

L'Ituri partage les frontières avec deux pays voisins à savoir l'Uganda et le Soudan. Avec ces deux pays, les Ituriens ont beaucoup des liens culturels. Depuis les années 90 les activités commerciales de l'Ituri sont en grande partie tournées vers l'Uganda. La guerre dans le Sud Soudans a rendu presque nul le commerce qui étaient bien actif avant. Maintenant les activités commerciales ont redémarré depuis les années ( 2007 – 2008).

En dépit de cela la proximité des frontières créent aussi des problèmes en Ituri, on peut citer:

1. La fuite des ressources par des activités de fraude au niveau des frontières; l'or , le bois et aussi les produits agricoles comme le café, le tabac, et autres produits vivriers, etc.
2. L'approvisionnement en ALPC des milices et différents groupes armés de l'Ituri. Cette situation a été surtout remarquée au cours des années de guerre, jusqu'à ce jour l'Uganda reste toujours la voie principale pour l'approvisionnement en ALPC.
3. 3. Les bandits à mains armées viennent souvent de l'Uganda pour semer la terreur dans les territoires voisins, Aru et Mahagi.
4. 4. Un des problèmes qui soulèvent des tensions ces derniers jours et qui a même créé des incidents armés sur le lac Albert est celui lié aux limites entre les deux états, comme cas nous allons citer: l'île de Rukwanzi, le cas de Vurra, le cas de Goli, Panzudu, pangere, Keresi, Rodo, Zoolo, Angaba et Mont Zeu. Avec le Soudan aussi nous avons enregistré au cours de cette année des problèmes de revendications frontalières dans la collectivité de Kakwa (Kengezi Base).

5. La présence des groupes armés de part et d'autre de la frontière . En Ituri on parle des NALU qui sont dans les chaînes de Rwenzori et qui auraient des connections avec des groupes armés locaux, présentement il s'agit plus des éléments résiduels de FRPI, qui ne sont pas très loin de la chaîne de Rwenzori. Le LRA, bien que non encore signalé en Ituri jusqu'à ce jour leur présence dans le district voisin du haut Uélé inquiète toujours l'Ituri a un certain niveau.

## **7. Conclusion**

Comme présenté l'Ituri sort d'une période de violence jamais enregistré avant de son histoire.

Le gouvernement de la RD Congo avec l'appui de la communauté internationale s'est beaucoup investi pour qu'aujourd'hui nous ayons un district plus ou moins pacifiée et sécurisée.

Malgré cela l'Ituri reste encore fragile. Avec tous les problèmes soulevés nous pouvons facilement basculé encore une fois dans la violence.

Aujourd'hui nous avons un contexte qui présente plusieurs éléments qui peuvent faciliter le retour de la violence en Ituri. Nous pouvons citer :

- La méfiance entre les communautés;
- La présence des armes au sein des communautés;
- Les facilités d'approvisionnement en armes dans les pays voisins;
- La renaissance des conflits fonciers;
- Les possibilités pour les groupes armés de se connecter avec des rebelles des pays voisins;
- Les convoitises des ressources naturelles;
- La mauvaise gouvernance et la faiblesse de l'état;
- etc

Nous pensons qu'il est vraiment de temps de s'attaquer de façon durable à tous ces problèmes pour s'assurer que la paix et la sécurité qui sont présent aujourd'hui en Ituri ne puisse disparaître dans les jours à venir.

Merci pour votre attention

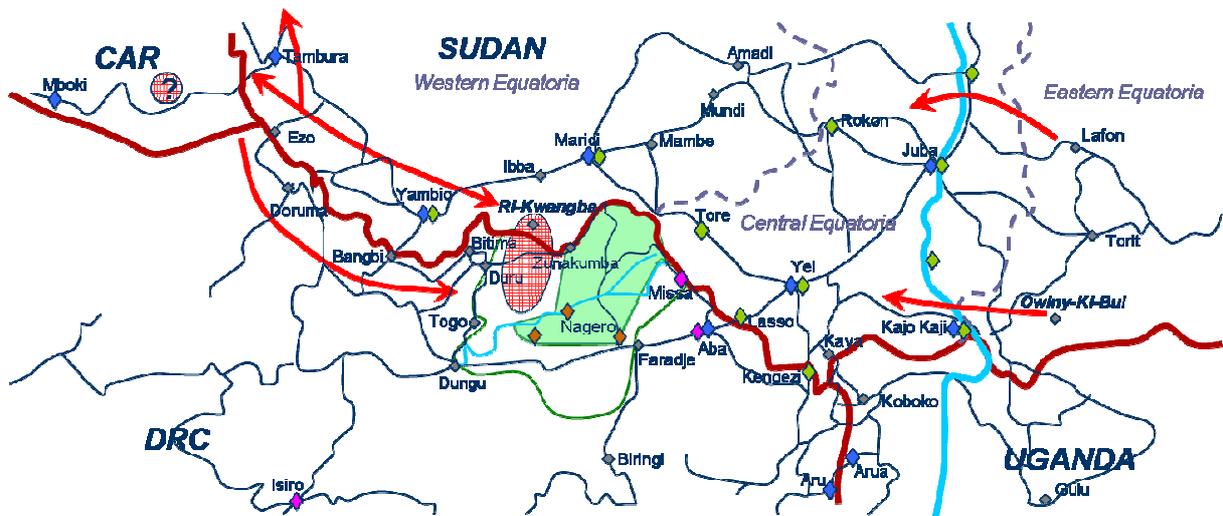
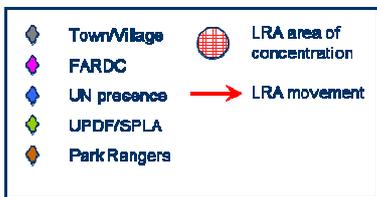
**Annex 4 Security Context Analysis of Ituri and Haut Uele**  
**By Jacob Mogeni, MONUC Political Affairs**

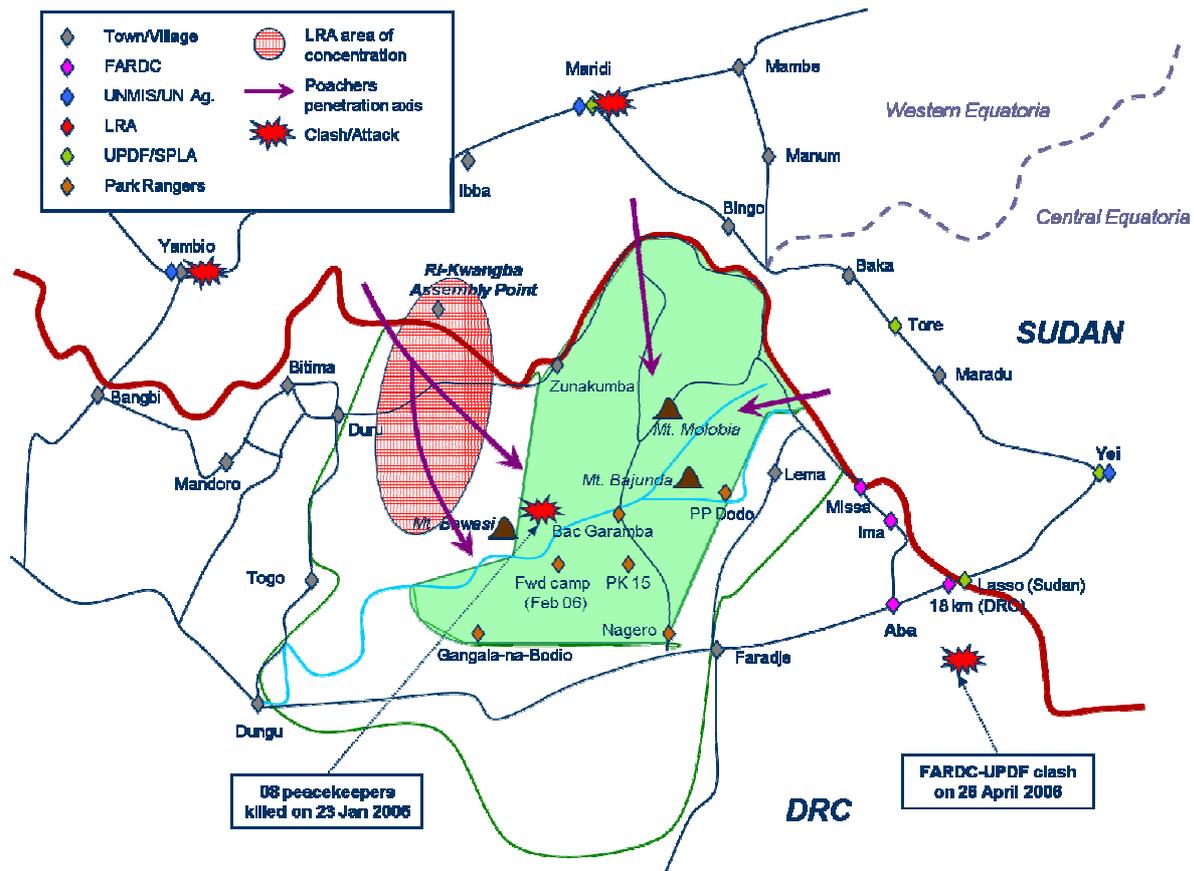
- Security situation in Ituri
- Armed groups significantly weakened
- Major threat remains LRA and ADF/NALU
- Remnant FRPI elements

**Lord’s Resistance Army (LRA)**

*Scope of Presentation*

- Areas of operation
- Brief history of LRA and ADF/NALU in DRC
- Update on the peace process
- MONUC strategy





### Brief History of LRA

- 18 Sept. 2005 - First entry into DRC soil
- 14 Oct 2006 – ICC announces 5 arrest warrants
- Dec – Jan 2006 – LRA establish bases at Garamba
- 23 Jan. 2006 – LRA kills 8 Guatemalan soldiers
- Feb – March 06 – More LRA attacks inside DRC
- Recent movements – CAR and Sudan
- 17 Oct 2008 – Latest attack near Dungu

### LRA Peace process – Juba talks

- 26 August 06: Cessation of hostilities
- 01 Nov. 06: Signature of 1<sup>st</sup> Addendum
- Negotiations stumble on 2<sup>nd</sup> Addendum
- 23 Nov 06: Appointment of SESG, Chisano
- 16 Dec 06: Signature of second Addendum
- Jan 07: LRA walks out of Juba talks
- Feb 07: Mass movement of LRA to CAR

### Peace process – continued

- 01 Mar 07: SESG Chisano meets Kony
- Peace talks resume. LRA return to Garamba
- 13-14 Mar 07: GoU and LRA meet at Ri-kwangba
- Between May 07 and March 08 – all agenda items signed
- July 2007 MONUC begins deployment in Dungu
- April 2008 – Kony refuses to sign CPA. LRA moves to CAR
- Efforts to sign a peace agreement continues

*MONUC Strategy*

- By July 2007 MONUC started a gradual build up of forces at Garamba Park area, commencing with airfield improvements and the establishment of a forward operating base at Dungu to:
  - a) Provide low-level military pressure to encourage Juba talks
  - b) Monitor the LRA presence in DRC, and prevent their further advance into its territory and any adverse consequences for humanitarian conditions
  - c) Prepare for possible further measures in support of FARDC against LRA in DRC should the talks in Juba fail

**Allied Democratic Forces / National Army for the Liberation of Uganda (ADF / NALU)**

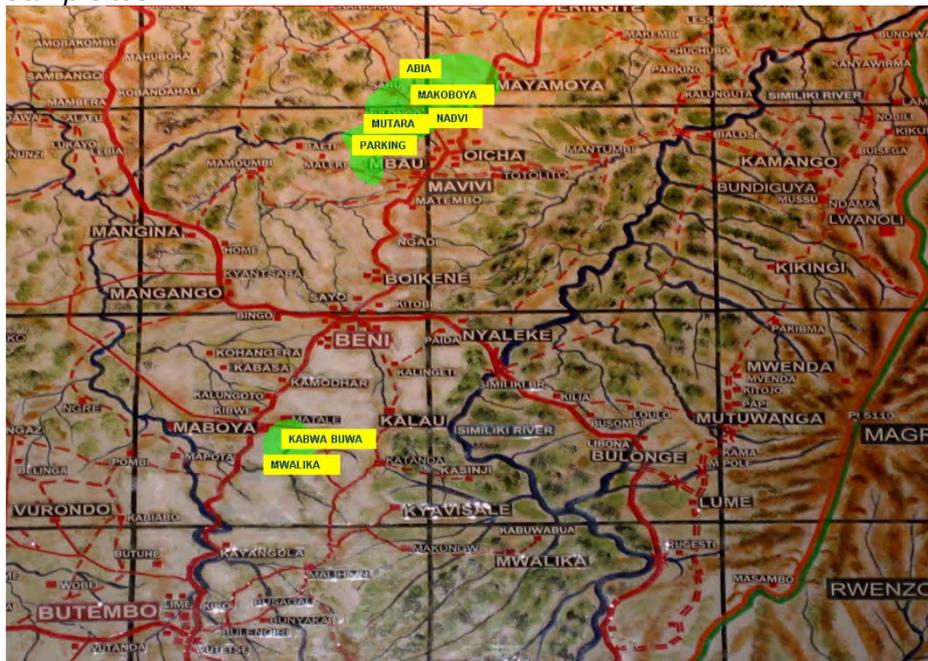
*Background of ADF / NALU*

- ADF - A Muslim fundamentalist group formed in 1996. Well connected
- NALU: Created in 1980s – also aims to overthrow GoU
- Fighting against the Ugandan Government
- Claims to be interested only in Uganda
- GoU offered amnesty in 2004
- Significant number remain with their families
- Consists of 60 % Congolese
- No current negotiations

*Area of operation*

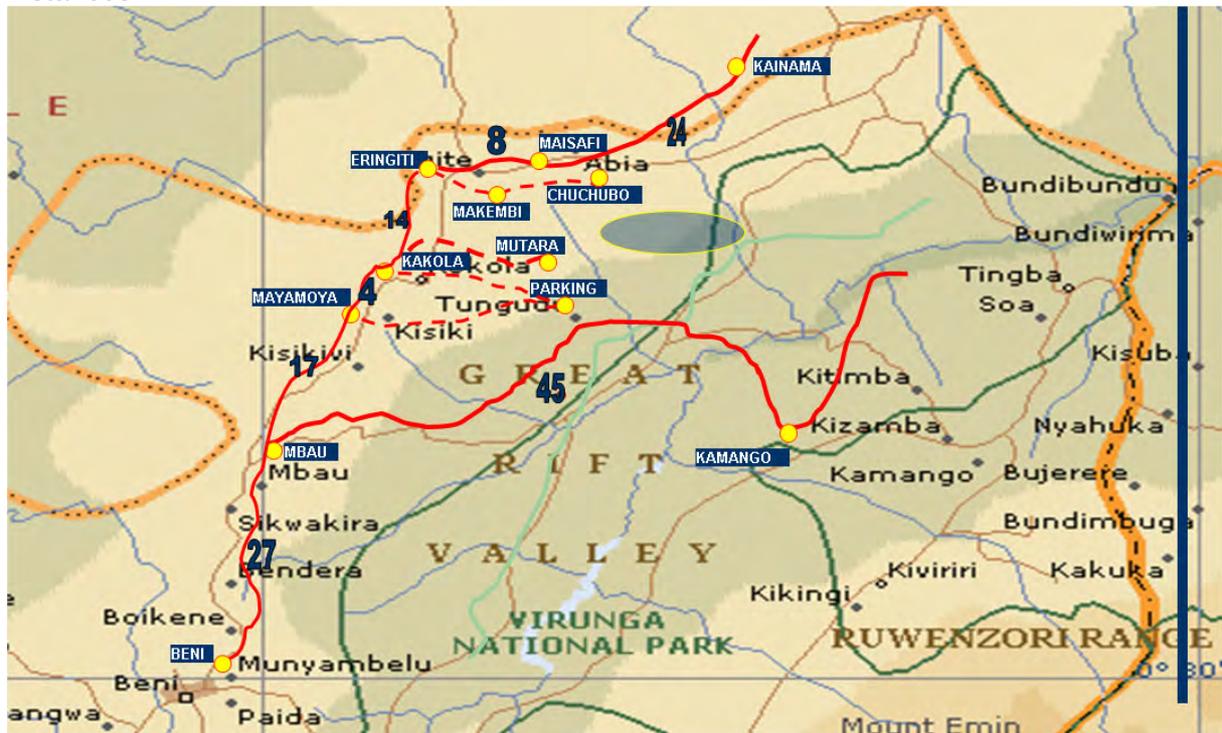
- Ruwenzori Mountains, bordering Ituri
- Southern parts of Irumu Territory ( Similiki area)
- Abia – commander Hudo Rukwage – 700
- Nadvi – Commander Feza – 80 to 100
- Makobooyo – Commander Brida – 100 to 120
- Mawalika – Brigadier Kato – about 120

*Camp sites:*



CAMP	CDR
ABIA	HUDO RUKWAGE
STR	800
NADVI	FEZA
STR	100-200
MAK OBOYA	BRIDA
STR	80-100
MWA LIKA	BRIG KATO
STR	100-120

Distances:



#### Linkages with FRPI

- FRPI – a Lendu group formed in 2003
- Dismantled in November 2007
- Cobra Matata and top leadership in Kinshasa
- Remnant group members remain
- Leader: Mbadu Adirodu and David Mungangu
- Operates within proximity of ADF/NALU

#### Natural resources and border conflicts

- Aru – Timber, coffee, mineral resources
- Mahagi – Oils resources
- Lake Albert – Oils resources
- Similiki River – Oil resources

## **Annex 5      Security context in South Sudan** **By Mr Anthony Agyenta, UNMIS**

### **Security Context Analysis; Southern Sudan cross-border Areas**

#### **Introduction**

Insecurity in south Sudan now constitutes a main challenge to the CPA. The region experienced multiple parallel conflicts during the civil war.

Despite a committed agenda under the CPA to transform south Sudan into a peaceful region, the multiplicity of conflicts rather complicate the phenomenon by getting deeply absorbed in the dynamics of the north-south struggle and the competing ethno-political interests that already plague the sub region. The effect therefore is the persistent deterioration of security, and a retarded political and social transformation process.

Security sector reform is central to the transformation in south Sudan. Under this component, engagements are much broader beyond the withdrawal of forces and integration of Other Armed groups (OAGs), to include the critical issues of:

- a. community security and arms control
- b. enhancement of the law enforcement institutions (through reforms and training)
- c. Peace building and Conflict Management (through capacity building of institutions)

The approach to the above is informed by the different security, political and social dynamics in the regions. The Equatoria region has a more challenging setting.

#### **South Sudan Equatoria region; a contextual risks analysis (2006-7)**

- The Equatoria region ( Eastern, Central and Western Equatoria States) sandwiched in one of the most conflict prone zones in the East and Horn of Africa.
- Total area of the three States: 194,815 sq km. (Sparsely population the hinterlands but concentrated in towns)
- Demography and security related dynamics: 2, 510,000 in total (2008 census results awaited) ;

1. 12% of IDPs between 2006-Jan 2008 of mostly of Greater Bahr-el Gazal, Jonglei concentrated in Eastern and southeast of Juba. IDPs-host communities tensions have been rife in Juba (over land grabbing); Kapoeta (over land, Dinka factor); Lobone, Nimble, Chukudum, Natinga, Dadapal, Narus and Yei,

2. 0.2% Muslims of northern extraction concentrated mainly in Torit (EES), Juba, and Terekeka ( incidents spark tensions),

3. Social characteristics: 41 indigenous tribes, the most ethnically diverse region but rife with animosities (Bari-Mundari, Azande-Moru/Dinka,; tribal rivalries most persistent in EES .

4. Livelihoods: 55% agro-pastoralists, mainly in the eastern and parts of the central Equatoria.

#### **Risk Issues cont. ; Governance**

- SPLA/M occupied 65% of the southern areas during the war, a substantial chunk, but these areas were out of touch with the centre and the underlying forces that worked to divide the people of the region (ref current legacy of frustration among local people, a threat to the political transformation process
- Military abuses/mistrust : linked to
- low motivation; delayed payment of wages,
- slow process of re-orientation and reintegration processes.
- Disregard for civilian authority
- Command structures not responsive to local sensitivities; eg. Chukudum, Lobone, Yei, Yambio where deployments have been were perceived as being protective of tribal interests.

## Nature of Responses to Improve the Security Situation

- UN Monitored/facilitated security reform:
- Process of professionalization of the SPLA through reorientation/training (5 assembly areas, refreshed more than 7,000 and reintegrated into police, fire service, customs, immigrations in the region.
- Special allocation of 60% of GoSS budget into the sector reform.
- Governance
- Harmonization of the parallel Civil service accomplished (salaries and training)
- Community-led priorities setting (this has helped to reduce the perceptions of corruption in the government

## Remaining security challenges:

### Political/Governance

- Over adherence to military style approaches undermining transition process to civilian administration. By passing institutions means neglecting the platforms and channels for inclusive decision making.
- Political antagonisms are still very rife; Legislature Executive. The internal malfunctioning of these institutions have become avenues for fomenting divisions which graduate out unto tribal rivalries.
- Lack of political dialogues at the grassroots ahead of the elections (instance of harassments of smaller parties on the increase; NCP-SPLM antagonisms assuming violent dimensions. )

### The Social dimensions

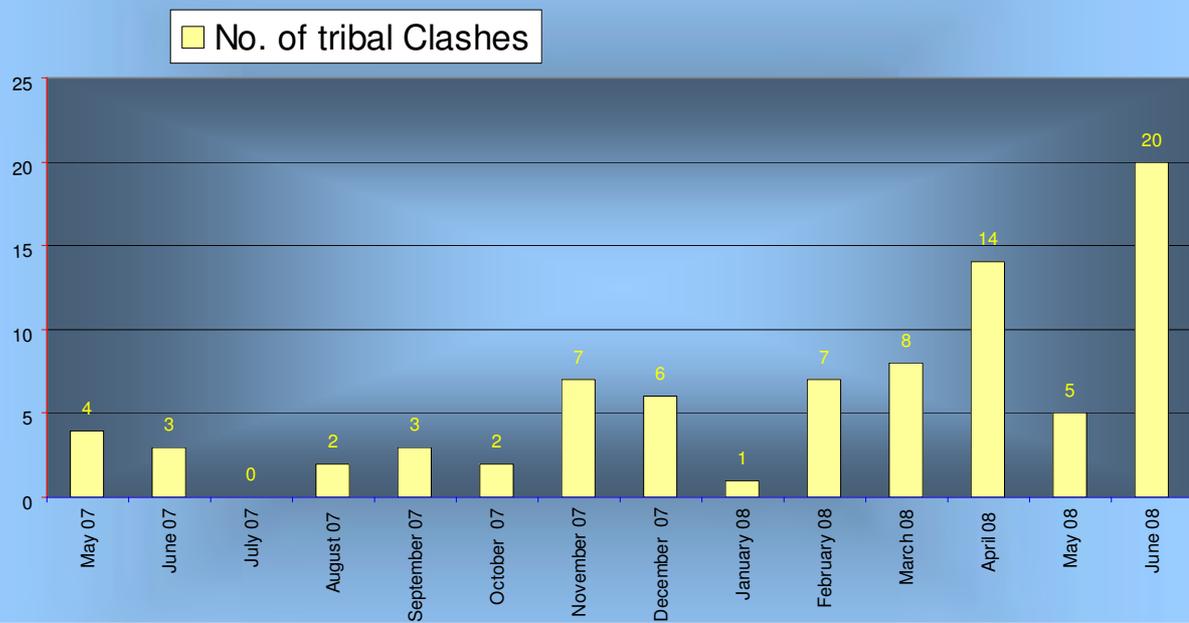
- The 21 yrs war of divide and rule tactics by the north created divisions among southerners. These divisions are still rife casing deep mistrust of the other; Challenges for reconciliation.
- The lack of exposure of wider segments of the region leaves majority of communities stuck in traditional norms and practices which have become sources of insecurity; *cattle rustling (main source livelihoods);*
- Cattle Raiding: a main source of communal violence, deaths and tribal rivalries; statistics of deaths resulting from cattle rading between My 2007 and June 2008;

### Other risks

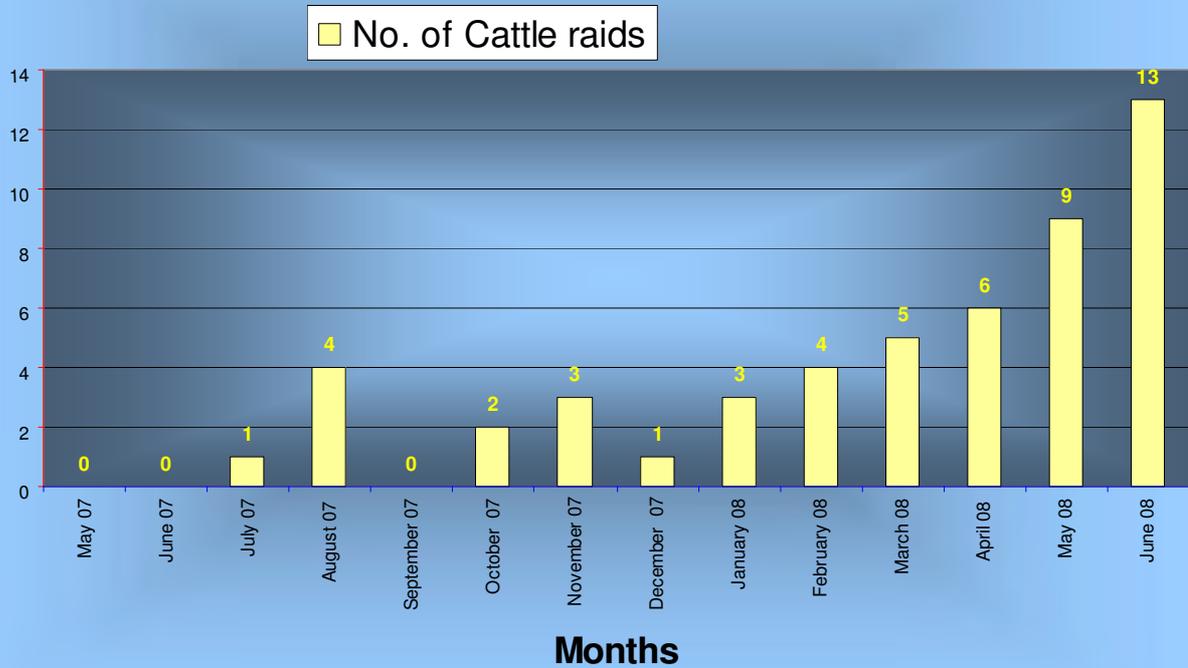
#### Lack of institutionalised approach mechanisms conflict management

Tribal clashes an cattle raiding 2007-2008:

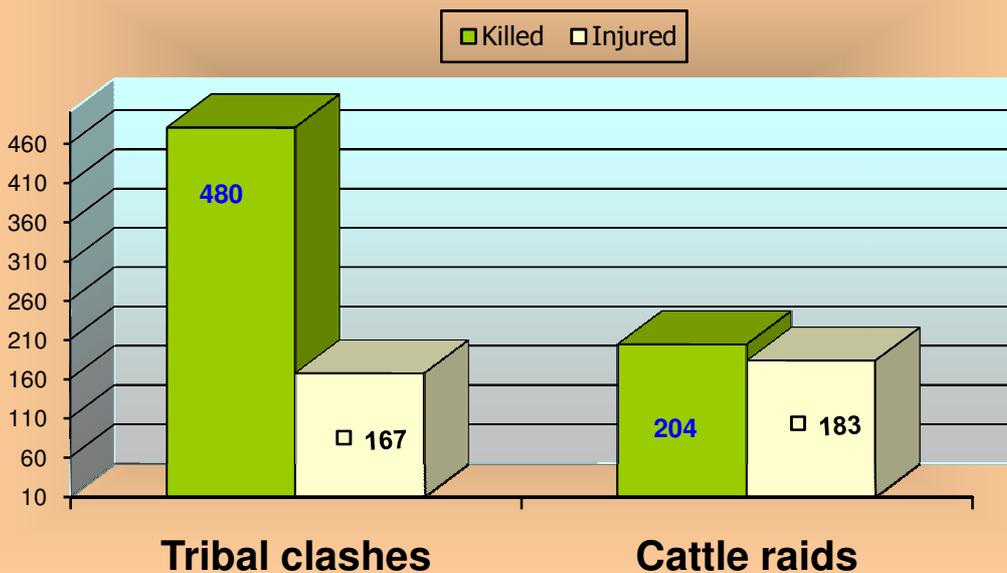
## Tribal clashes occurred during the period of May 2007 to June 2008



## Cattle raids occurred during the period of May 2007 to June 2008



## Casualties occurred during the tribal clashes and cattle raids for the period of May 2007 to June 2008



**statistics**

*Tribal clashes;*

-82; deaths 480; injured 167

*Cattle raids*

-51

-204 killed

-183 injured

### **The Cross border risks issues**

- LRA presence and insurgences
- Cross border cattle raiding
  - Driven by gun culture and arms trade
  - intertwined with internal tribal rivalries (eg Toposa-Didinga-Dodoth)
- Cross border arms trade
- The Ambororos syndrome

### **opportunities**

- The Civilian disarmament initiative of the GoSS (opportunities for galvanizing local and the cross border leadership commitments to joint actions)
- A willing and motivated civil society to be taped into conflict management from grassroots approach



## LRA Locations



## LRA

### ACTIVITIES

- Training, Abductions and Arms acquisition
- Intent is to resume war on Uganda

### ADF/NALU and PRA

- Strength. - 700 inc families.
- Armament – Basic assault weapons.
- Activities

Recruitment,- Collaboration,  
- New Camps,- Recce missions  
& mobilising resources for war.

### Intent

- Terrorism & Spread of radical
- Islamic fundamentalism

### Armed Militias

- Especially in the DRC and the S Sudan
- Thuggery and Robbery
- Poaching
- Other criminal tendencies

### Illegal Arms

- There is existence of illegal arms in the region
- Continued trafficking of arms from neighbour countries such as the Sudan and the DRC.
- Ex combatants and servicemen as a source
- An attraction to subversive groups and elements.

### Border disputes

- DRC borderline
  - Vurra border post
  - Goli post
  - Lake Albert waters
  - Roadblocks by Congo troops
- Southern Sudan
  - Porous borderline
  - Threats to our oil exploration

### **Regional factors**

- Safe Haven to our dissident groups
- Presence of Militia factions
- Weak administration
- Unprofessional Armies
- Uncertainty of the CPA btn Khartoum and Juba.
- Presence of refugees.

### **Juba Peace Talks**

Juba five point programme:

- Cessation of Hostilities Agreement signed on 26 August 2006
- Comprehensive solutions to the causes of the war signed on 02 may 2007 .
- *Accountability and Reconciliation Pact*
- Disarmament
- Reintegration

### **Govt Programmes**

- PRDP
- Infrastructural devp't
- Wealth for All and SACCO's
- Oil Exploration
- Regional cooperation
  - The Tripartite Plus commission
  - The Ngurdoto summit Agreement
  - Bilateral security commissions

### **Unstable neighbours**

- Regional cooperation
- Border meetings
- Exchange of information
- Military cooperation
- Support to repatriation of refugees as well as security to those still here.
- Socio-econ cooperation

### **Conclusion**

- In spite of the numerous threats and challenges to peace in West Nile and the region(DRC, S-Sudan) at large , our efforts together with the people will not be reversed by negative elements.
- Finally, the people of West Nile can rest assured that in UPDF together with the Civil Society organisations, they have reliable partners and together we shall enjoy sustainable Peace

**Annex 7      Regional Stability: Pact on the Great Lakes**  
**By Mr Hamuli Kabarhuza Baudouin, National coordinator for the DRC for**  
**the International great Lakes Conference**

La Conférence Internationale sur la Région des Grands Lacs et sa contribution pour la stabilité régionale

1. Une initiative des Chefs d'Etat des Pays de la Région des Grands Lacs
  - Elle a démarré en 2003 avec l'appui des Nations Unies et de l'Union Africaine en vue de:
    - Renforcer les processus de paix en cours dans plusieurs états avec l'appui de la Communauté internationale
    - Trouver des solutions aux causes régionales des conflits récurrents dans la Région
    - Créer les conditions de la reconstruction régionale et du développement
  - Les Etats membres: 11 Etats (RDC,Uganda, Rwanda, Burundi,Tanzanie, Kenya, Zambie,Angola, Congo, RCA,Soudan)
2. Les phases
  - 1ere phase 2003-2004
  - 2<sup>e</sup> Phase: 2005-2006
  - 3<sup>e</sup> Phase: depuis Janvier 2007, phase de mise en œuvre du Pacte
3. Les Thématiques
  - Analyse des problèmes et recherche des solutions dans 4 clusters:
    - 1.Paix et sécurité
    - 2.Démocratie et bonne gouvernance
    - 3.Développement économique et intégration régionale
    - 4.Questionnaires humanitaires et sociales
4. Première phase 2003-2004

Objectif: une compréhension commune des problèmes de la Région et formulation des solutions communes pour les régler ensemble

Sous la facilitation des Nations Unies (SE M. Ibrahima Fall RSSG/NU et Union africaine (SE M. Mamadou Ba)

  - Fondée sur le principe d'*appropriation* et de *partenariat*
  - Travaux préparatoires au niveau national et au niveau régional
  - Soutien politique, diplomatique et financier du Groupe des Amis
  - Adoption de la Déclaration de Dar es Salaam (20 nov.2004)
5. Concernant les causes et la nature des conflits dans la région
  - Les conflits dans un pays se déversent facilement sur les voisins et y entraînent des graves crises et même des guerres.
  - Les problèmes de pauvreté et sous développement ne sont pas résolus par les gouvernements, et des régions éloignées des capitales sont souvent oubliées.
  - Les politiques d'exclusion créent des frustrations qui dégénèrent en conflits armés et génocides
  - La faible participation démocratique, les violations des droits humains, la marginalisation et l'inégalité entre les genres..... créent la fragilité interne
  - Le trafic illicite des armes légères à travers les frontières communes alimentent les conflits

- L'exploitation illégale des ressources naturelles privent les états et les communautés de leurs ressources
- La méfiance entre les gouvernements affaiblit la coopération entre les états et les peuples.

## 6. 2<sup>e</sup> Phase 2005-2006

Objectif: transformer les recommandations en projets concrets et en protocoles dans un Pacte régional

-Sous la facilitation des Nations Unies (SE M. Ibrahima Fall RSSG/NU et Union africaine (SE M. Mamadou Ba):

- Consultations des parties prenantes au niveau national
- Préparation des projets et protocoles au niveau régional par les experts des 11 pays membres à travers les GTT
- Contribution des experts africains, internationaux et du Système des Nations Unies dans la région.
- Élaboration et négociation des composantes du Pacte
- Signature du Pacte sur la sécurité, la stabilité et le Développement dans la Région des Grands Lacs le 15 décembre 2006 à Nairobi.

## 7. Contenu du Pacte

- La Déclaration de Dar es Salam
- Les Protocoles
- 4 Programmes d'action
- Le Mécanisme régional institutionnel de suivi

## 8. 3<sup>e</sup> phase: Mise en oeuvre du Pacte

- Sous la supervision des Chefs d'Etat qui se réuniront tous les deux ans dans un Sommet. Le prochain sommet aura lieu à Kinshasa (était prévu en décembre 2008)
- Suivi de la mise en oeuvre par le secrétariat de la conférence établi depuis mars 2007 à Bujumbura et dirigé l'Ambassadeur Mulamula.

## 9. Programme d'action « Paix et sécurité »

- Coordination des activités et renforcement des capacités pour lutter contre la prolifération et la circulation des armes légères et de petit calibre illicites
- Gestion conjointe de la sécurité au niveau des frontières
- *Désarmement et rapatriement de tous les groupes armés se trouvant à l'Est de la RDC*
- *Désarmement et Promotion du Développement en zone 3*
- *Développement des zones frontières et de la sécurité humaine*
- Déminage et Action contre les mines dans la région des Grands Lacs
- Lutte contre le crime transfrontalier et le terrorisme

## 10. Programme d'action Démocratie et Bonne Gouvernance

1. Programme : Etat de droit, lutte contre les crimes contre l'humanité, Droits de l'homme et Participation équitable et autonomisation des Femmes, de la jeunesse et des Groupes vulnérables.

- a. Centre régional de Promotion de la Démocratie, de la Bonne Gouvernance, des Droits humains et de l'Education Civique qui va faciliter les Fora qui sont:
  - *Forum Régional sur l'Administration de la Justice et l'Application de la Loi, dans un Etat de Droit ;*
  - *Forum Régional des Femmes ;*
  - *Forum Régional Multifonctionnel des Jeunes ;*
  - *Comité consultatif pour les Groupes Vulnérables ;*

- *Forum Régional de la Société Civile ;*
  - *Forum régional Anti-corruption ;*
  - *Forum régional des Parlements*
- b. Initiative régionale pour la prévention et la répression des crimes de guerre, des crimes contre l'humanité, du crime de génocide et pour la lutte contre l'impunité dans la Région des Grands Lacs.
2. Programme : Gestion rationnelle des ressources
- a. Initiative Régionale de lutte contre l'Exploitation illégale des ressources naturelles
11. Programme d'action « Développement économique et Intégration régionale »
1. Coopération dans le cadre de la Réduction de la Pauvreté
- Mécanisme régional d'appui aux micro-crédits ;
  - Projet de bassins de développement transfrontalier ;
  - Projet sur la sécurité alimentaire.
2. Harmonisation et Renforcement des politiques d'Intégration régionale
- Relance de la CEPGL et ses agences spécialisées ;
  - Mécanisme régional pour la certification des ressources naturelles ;
3. Développement des Infrastructures
- Projet du Corridor Nord ;
  - Autoroute transafricaine (Mombasa-Lagos) ;
  - Projet du Corridor de Lobito ;
  - Projet du Corridor Sur ;
  - Etude de pré-faisabilité de l'extension du chemin de fer du Corridor Nord ;
  - Etude de faisabilité sur la réhabilitation et la navigabilité du Fleuve Congo ;
  - Réhabilitation et connectivité du barrage d'Inga ;
  - Etude de faisabilité sur l'oléoduc régionale ;
  - Projet de gaz méthane (Projet régional de gazoduc du Kivu) ;
  - Système de câble sous marins de l'Afrique de l'Est (EASSy) ;
12. Plan d'action « Questions sociales et humanitaires »
- Programme No. 1 : Protection, assistance et cadre de solutions durables sur les questions humanitaires et sociales (2 projets)
  - Programme No.2 : Restauration de l'environnement, réhabilitation des établissements humains, préparatifs et réaction en cas de catastrophes (1 projet)
  - Programme d'Action No.3 : Rétablissement des services sociaux fondamentaux, VIH/SIDA, paludisme et maladie infectieuses, développement des compétences, assistance et soutien psychosocial aux groupes ayant des besoins spéciaux: (3 projets) parmi lesquels le Projet sur la promotion du Kiswahili comme une langue de travail dans la région des Grands Lacs
13. Les 10 Protocoles adoptés par les Chefs d'Etat
- Il s'agit de :
1. Protocole de non-agression et de défense mutuelle ;
  2. Protocole Sur la Démocratie et la Bonne gouvernance ;
  3. Protocole Sur la Coopération judiciaire ;
  4. Protocole Pour la Prévention et la répression du crime de Génocide, des Crime de guerre et des Crime contre l'humanité ainsi que toute forme de discrimination ;
  5. Protocole sur la lutte contre l'exploitation illégale des ressources naturelles ;
  6. Protocole sur la zone spécifique de reconstruction et de développement ;
  7. Protocole sur la prévention et la suppression de la violence sexuelle à l'égard des femmes et des enfants ;
  8. Protocole sur la protection et l'assistance à apporter aux personnes déplacées internes

9. Protocole sur les droits de propriété des rapatriés  
10. Protocole sur la gestion de la Communication et l'information .

#### 14. Concernant spécifiquement la femme

- -La participation de la femme a été une exigence fondamentale durant le processus.
- -Le thème du genre a été une problématique transversale à tous les niveaux
- -3 résultats pratiques pour une dynamique femme :
  - Protocole sur la prévention et la répression des violences sexuelles faites à la femme et aux enfants
  - Initiative régionale de lutte contre les violences sexuelles
  - Forum régional de la femme
  - Observatoire sur le Genre

#### 15. Concernant la Société civile

- La Société civile a été impliquée dans la préparation du Pacte de Sécurité, de Stabilité et de Développement de la Région de Grands lacs qui a été adopté par les Chefs d'Etat à Nairobi en décembre 2006.
- Ici également, les Eglises, les ONG, les femmes, les jeunes, les représentants des médias, et des entreprises ont été consulté soit dans des réunions spéciales organisée par chaque groupe, soit dans les provinces, soit dans l'équipe pluridisciplinaire des experts régionaux.
- La Pacte est un document qui a une large légitimité régionale puisque issu d'un processus consultatif ouvert.

#### 16. Cadres et initiatives

- La société civile est partie prenante dans la mise en œuvre du Pacte.
- Les initiatives que le Centre Régional pour la Démocratie et les Droits humains qui sera installé à Lusaka a la responsabilité d'impulser sont :

1. un Forum régional de la société civile,
2. un Forum régional des Femmes,
3. Centre multifonctionnel des jeunes

#### 17. Rôles reconnus à la société civile

- *dans la prévention des conflits :*
  - rôle de veille et d'alerte
  - rôle de bon office
  - rôle de plaidoyer pour l'appui aux communautés locales par le gouvernement et la communauté internationale
- *dans le processus de résolution des conflits :*
  - Rôle de participation dans la négociation de la solution
  - Rôle de dénonciation des crimes contre l'humanité et des violations massives des droits humains
  - Rôle mise en confiance et même de pression sur les antagonistes
  - Rôle de monitoring du respect des accords
- *Dans le renforcement de la paix durable.*
  - Rôle d'appui au renforcement de confiance
  - Rôle d'appui à la réhabilitation des communautés
  - Rôle de participation et de mise en œuvre des politiques de reconstruction

#### 18. Un avenir d'engagement pour le changement

- La Pacte est un document final qui a une large légitimité régionale puisque issu d'un processus consultatif ouvert.

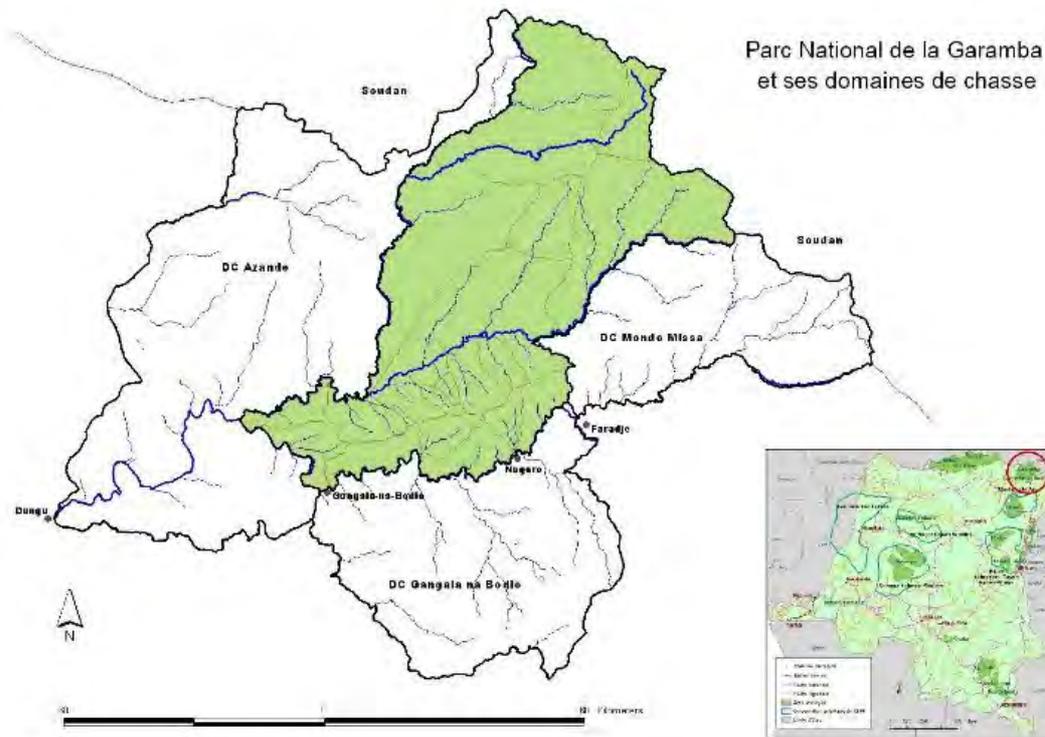
- Une dynamique soutenue de la société civile peut servir de moteur pour les initiatives de renforcement de la sécurité et du développement. Cela peut être le cas pour cette zone transfrontalière RDC-Soudan- Uganda.
- Il faut donc continuer l'engagement mais surtout aussi entrer en liaison avec les Mécanismes Nationaux de Coordination (dans les Ministères des Affaires Étrangères) et le Secrétariat de la Conférence à Bujumbura.

**Annex 8 Mbororo: Parc de Garambe  
By Mr Luis Arranz**

**Situation in Garamba National Park – Luis Arranz, park director**

There's a big problem with poachers in the park, mainly on the north-east border. There were some 300 poachers active. According to Mr Arranz these were other people than the Ambororo. There are Ambororo but they were living in the southern part and these are mainly women and children, families. There used to be some 4000-8000. They are nomadic cattle herders. The Parc de Garambe has not experienced a lot of problems with the Ambororo.

The real problem is with poachers. A group that we call horsemen who are heavily armed and equipped organize poaching on a large scale. Between 2004 and 2005 some 4.000 elephants have been killed for tusk. This was especially at the north east border of the Parc. Poaching by these "horsemen" only diminished when the LRA established themselves on the western side of the park.



**Annex 9      Mbororo: Case of DR Congo**  
**By Desire Nkoy, Conseiller Technique Grands Lacs, IKV Pax Christi**

1. Introduction

The issue at stake is the phenomenon of armed nomadic pastoralists, who have developed strategies of survival based on seasonal movements in search of water and pasture. Their presence has in certain regions increased the level of insecurity for local populations. It is in this context that the North East of the DRC has experienced several waves of cross-border migration of nomadic pastoralists called "Ambororo". They have penetrated the DRC in the early years of 2000 and have now settled in several areas in the districts of Upper and Lower Uélé. Recently the presence of the Ambororo in North East DRC is linked to the presence of some of the armed elements of the LRA (Uganda) and the SPLA (South Sudan). Therefore, IKV Pax Christi (Great Lakes Programme) and the Diocese of Dungu – Doroma set up a research project concerning the issue of the Ambororo in Upper and Lower Uélé.

2. Goals, objectives and methodology of the research

The main goal of the research was to get a better understanding of the phenomenon of the Ambororo in Upper and Lower Uélé, determine the bottlenecks and challenges and on the other hand explore the possible strategies to deal with the different problems. The research team put together a survey and explored a variety of research methods in order to collect data: the participative method, focus group discussions, direct observation and interviews. Data collection took place during March and April 2007.

3. Presentation of the Uélé regions affected by the Ambororo problem

Situated in the far north-east of the Province Orientale in the DRC, the districts of Upper and Lower Uélé border with the Ituri district in the east and Sudan and CAR in the north. The population of the region is diverse: one can find Sudanese, Bantu and other racial groups. The Azande are in majority.

The (former?) Province Orientale has always been the stage of many types of war and conflict. The borders with CAR, Sudan and Uganda are very porous. During the period 1998-2003 the Upper Uélé district was successively occupied by three political military movements (MLC, RCD-K/ML and the RCD-National). This heavy recent heritage combined with the military past of the region (1940-1945), as well as the presence of foreign armed groups (SPLA and LRA) has left its scares on the population and has undermined the leadership position of local chiefs.

4. About the Ambororo

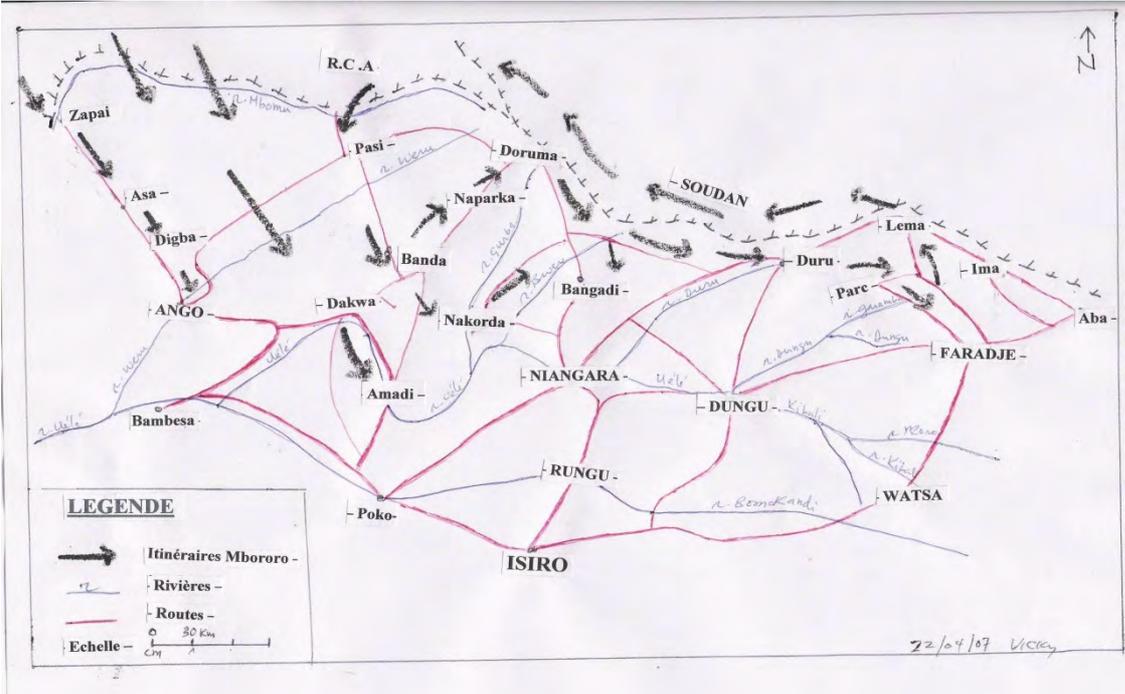
The Ambororo come from the Peul group or the Fulani (Falatha), one of the most important ethnic groups of West Africa. They are living in at least eighteen states, such as Nigeria, Niger, Guinée, Senegal, Mali, Mauritius, CAR and Cameroon. They are nomadic pastoralists who make a living out of cattle and pasture. To the Ambororo, the cow represents wealth but most importantly she provides guaranteed food security and existence. Like Pygmies, the Ambororo adapt easily to their surroundings. Traditionally they have been nomads, however recently they have started to settle down more, combining cattle keeping with agriculture. They suffer from relative marginalized and a lack of access to basic social services. A high level of illiteracy prevails among the Mbororo. It is in this context that the Ambororo have massively moved down to the DRC first in 1986 and then between 2001 and 2004. During the war, the MLC authorized their presence in the region with their cattle. In return it is said they had to pay royalties to the MLC as well as to some traditional chiefs.

5. Motives of migration

The principle reason for migration for the Ambororo is the search for good, vast and rich pasture and sufficient water resources. The vegetation in the Uélé districts largely consists of (wet) savannah and the population density is attractively low, leaving large areas uninhabited

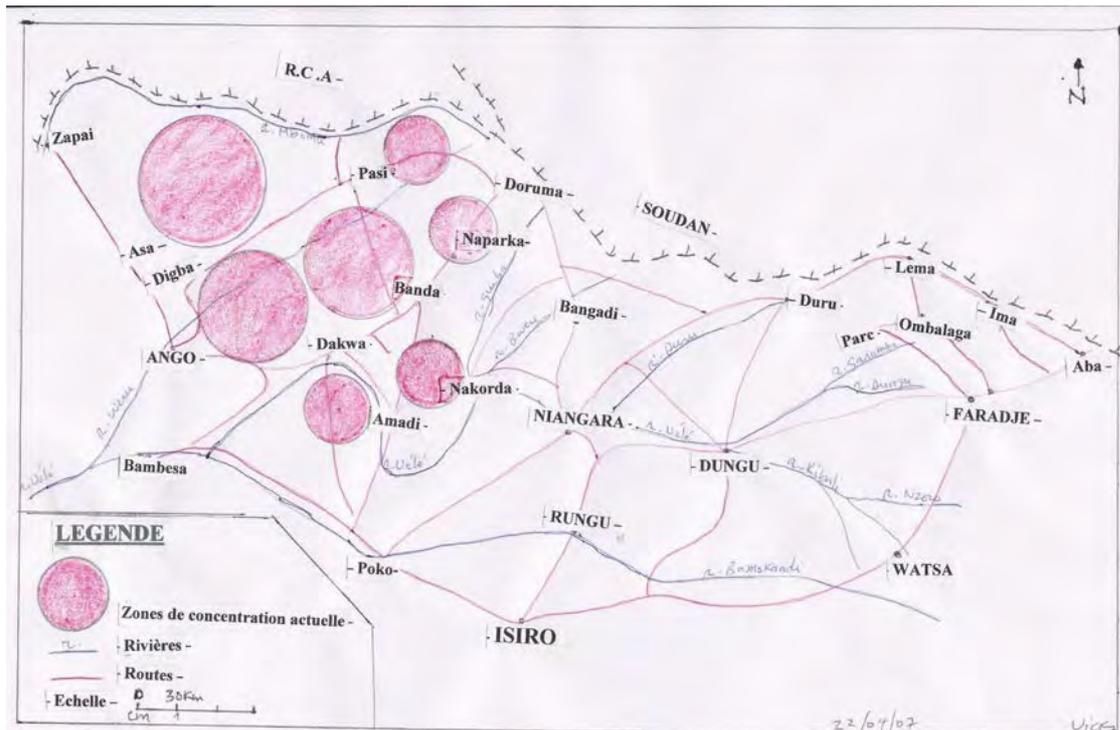
and uncontrolled. According to some Ambororo, the vegetation they encountered in the DRC, allows the cattle to give birth twice a year. They therefore have requested the interviewers to take their request to the DRC government '*...de leur octroyer des terres et des papiers d'identité*'. Another reason favouring the migration of the Ambororo is the complete porosity of the borders with Sudan and CAR.

6. Itinerary and current location of the Ambororo  
 The Ambororo have entered the DRC in several waves, coming from south Sudan and the Central African Republic.



*Itineraries of the Mbororo*

We now estimate the number of Ambororo present in the North East of the DRC to be around 15.000 to 20.000 people, including women and children, with a number of cattle of around 150.000 to 200.000. The Ambororo constitute a heterogeneous group, including large numbers of Arabs, Libyans, Sudanese and Tchadians speaking English, Arabic and Kisango (language spoken in CAR).



Map of current concentration areas of the mbororo

### 7. Relational dynamics

The presence of the Ambororo poses a cohabitation problem for the people of the region. The relationship between the Ambororo and the local communities is imbalanced and difficult. According to the indigenous population the Ambororo are aggressive and pose a security problem, because they carry SALW. Conflicts arise over various issues: the local communities feel that the Ambororo prevent them from accessing their natural resources, since the Ambororo:

- destroy all the community's traps they encounter in the bush under the pretext of protecting their cattle
- chase away the women who go into the bush to catch fish, saying they dirty the drinking water of their cattle
- destroy all the community's beehives they encounter because honey is poisonous to cows
- kill all herbivores they encounter in the bush in order to preserve the pasture for their own cattle

The Ambororo often steal or destroy the food reserves of the community and when the population tries to reclaim their goods, the Ambororo sometimes kill them.

### 8. Impact and consequences of the Ambororo migration

The presence of the Ambororo, the LRA and the SPLA in the North East of DRC generates various consequences in terms of security and on political, economical, environmental as well as socio-cultural/educational level.

Security-related and political aspects:

- The Ambororo keep permanent relationships with their countries of origin
- The DRC authorities do not have the capacity to determine exactly their number nor the extent to which they are armed
- The Ambororo live in remote camps, which could easily be used by a new armed movement
- The tense relationship between the Ambororo and the local communities constitutes a source of conflict which can lead to instability and insecurity

- According to the Ambororo, a child stems from the country where it was born. This concept of nationality doesn't correspond with the law in DRC.
- Because the Congolese Special Services who should control (cross-border) movement of people are entirely dysfunctional, the Ambororo are moving freely across borders, importing weapons and other materials and exporting stolen goods such as ivory, bushmeat, diamonds
- The Ambororo presence is currently prompting local populations to move, forced by fear and the ecological degradation of the environment
- The presence of external armed groups on Congolese soil in combination with the presence of the Ambororo increases the insecurity and is at the roots of the trafficking and illicit proliferation of SALW.

#### Economical aspects:

- The Ambororo presence is causing factor of famine. According to the local populations, the Ambororo abusively exploit the natural resources of the region, killing herbivores, poaching elephants and exploiting minerals such as gold and diamond
- The Ambororo who do not cultivate are causing food supplies to become scarce, making the prices go up. Since the Ambororo have ample financial means, they can still afford to buy anything, while the locals supplies empty up more easily

#### Ecological aspects:

- Two protected areas exist within the Uélé region occupied by the Ambororo, which are: Garamba National Parc and the Digba Reserve. Some Ambororo occupy certain spaces within or near these protected areas, which has negative impact on the environment, including the disturbance of ecosystems, the extermination of herbivores (elephants, buffaloes, antelopes, poaching).

#### Social-cultural/educational aspects:

- In general the education system in DRC suffers from a lack of quality and capacity. Staff is under-qualified, materials are lacking, salaries aren't paid. If the Ambororo would wish their children to have access to education –which by the way doesn't seem to be the case yet – the schools would not have the capacity to take them in. Also, cultural and linguistic barriers would not be favoring an integrated education system. On the other hand, considering the need for contact and improved mutual understanding, participation of Ambororo children in local schools might be helpful
- Because the local populations see their revenues diminishing, according to them due to the Ambororo who are preventing them from accessing the natural resources, they are no longer capable of paying school fees for their children.

#### 9. Analysis of the major challenges created by the Ambororo presence are

- The porosity of the borders on the North-East side of the DRC
- The absence of a national security system for prevention and rapid response
- The lack of respect of the migrants for authorities and the law
- The difficult and almost impossible cohabitation between the Ambororo, the LRA, the SPLA and the local communities
- The feeling of insecurity due to the migrants' use of SALW
- Movement of the population within their own country
- Exploitation of natural resources, development of imbalanced commercial relations with the local populations (prices going up)
- Installation of illegal markets with the Sudanese and Central Africans
- Epidemic risks due to the pollution of the environment and specifically the contamination of drinking water
- The disturbance of ecosystems caused by human and animal presence, leading to environmental degradation
- Lack of respect of protected areas (Garamba National Parc and Digba Reserve) leading to the extermination of protected species
- Insufficiency of the weak capacity of social services (health care, schools..)

## 10. Recommendations

- Security-related and political aspects:
  - Local level:
    - Organize barza communautaires with all local stakeholders, including Ambororo chiefs, in order to transform the current dynamics, generate a better knowledge of the other and discuss security issues, perceived and real
    - Provincial authorities need to raise awareness among local chiefs about the law on issues such as identification of foreigners and distribution of identity papers
  - National level:
    - Reinforce border control
    - Strengthen the capacities of the Special Services so they can map the Ambororo presence
    - Set up a inter-institutional, multi-sector team to objectively evaluate the dynamincs of the Ambororo presence in practice
    - Arrange negotiations on sub-regional, regional, national and international level to discuss solutions
    - Put in place a 'dispositive d'encadrement' to stimulate dialogue, exchange and the construction of pacific cohabitation with the local communities
    - Develop a national program to control cross-border movement of migrants
    - The authorities should define the rules, principles and criteria applying to migrants
  - International level:
    - Put in place a 'dispositif de suivi transfrontalier' between DRC, Sudan and CAR
    - UN and other international humanitarian institutions should support the governmental and community based structures in their attempt to understand and tackle the problems of the Ambororo migration
    - The international community should support the DRC in finding solution to the various problems mentioned in this report
- Relational dynamics:
  - Local level:
    - Churches and NGOs should stimulate the local communities to unite themselves and develop mechanisms of negotiation with the Ambororo
    - Churches and NGOs should stimulate barzas communautairs, as permanent spaces of dialogue between local chiefs and Ambororo chiefs
    - The Chefs coutumiers should open discussion with Ambororo representatives to talk about the security issues related to the availability of arms in the region
    - International NGOs and agencies of the United Nations should support local programs focusing on conflict transformation, peace work and community security
- Economical aspects:
  - Local level:
    - The political-administrative authorities should organize well controlled markets where goods can be sold according to the law. The Fédération des Entreprises du Congo (FEC) could play a positive role here

- Put in place a local commission, guided by the local chiefs, to define mechanisms to balance commercial exchange. May need to be preceded by intense awareness raising
    - Local NGOs should organize campaigns to raise awareness of local populations and Ambororo on legal arrangements concerning taxes
    - Local NGOs should help local communities in developing agricultural techniques that may allow these communities to profit from the presence of the Mbororo.
    - The political-administrative authorities should propose to the Government the provision of agricultural micro credit funds in order to encourage economical development
  - National level :
    - The government should encourage the provision of micro credit funds to farmers and pastoralists in order to enlarge production
    - The special services of the State should reinforce the capacity of the agricultural branches of the territories and the collectivities to provide the population with adequate agricultural means of production
    - The exploitation of minerals should be opened up to investors so it can be done in a regulated manner
  - International level:
    - The humanitarian agencies of the UN should develop a humanitarian aid program for the population of the Uélés.
    - The humanitarian agencies of the UN should support the local communities to improve their production
- In relation to health :
- Local level :
    - To raise awareness amongst the local population and the Ambororo on epidemic risks and on hygiene.
    - A specialized provincial team should conduct an evaluation regarding public health
  - National level:
    - Develop a health wing in the national multi sector program on the Ambororo migrations
  - International level:
    - The World Health Organization (WHO) should support the Government with the evaluation, development and putting in place of health related programs
- In relation to the environment:
- Local level:
    - Reinforce patrols in Garamba National Parc and Digba Reserve
    - Reinforce border control to detect and discourage illegal export of natural recourses
  - National level :
    - Develop an environmental wing in the national multi sector program on the Ambororo migrations
  - International level:
    - The agencies of the UN should support the Government in resolving the environmental problems related to the presense of the Ambororo

**Annex 10 Mbororo: Case of Sudan**  
**By Anthony Agyenta, Civil Affairs Officer, UN Mission in Sudan**

**Background**

The presence of the Ambororos in southern Sudan has generated several and mixed reactions among local populations and leadership alike. Similarly, humanitarian agencies, UN inclusive is all the more in a difficult position to influence any change in attitudes towards the group and to stress the responsibility of the leadership in this regard. Many challenges confront this group; ranging from discrimination, insufficient international attention to their plight and other forms of abuses. Despite these, the situation of Ambororos has not received the necessary attention it deserves.

The plight of the group first came to light (at least to the UN agencies) only in November 2005 when 13 Ambororo elders were innocently ambushed and massacred by locals in Kotobi; Mundri County in the south Sudan's Western Equatoria State. With the series of investigations that have been made, coupled with recent events related to their survival issues in the Equatoria region, the plight of the Ambororos is now becoming a central issue for the UN Mission, the humanitarian agencies, and partners operating in the region.

This paper briefly discusses the current situation of Ambororos in Southern Sudan; their presence, and the reactions among the local population. It also describes some interventions made by the Government of Southern Sudan, the UN, and partners. The second part of the paper examines remaining challenges including the cross border dimensions. The report concludes with recommendations for action.



\*Locations and Migratory Routes of the Ambororos, southern Sudan

**1. Community Perceptions of the Ambororos in southern Sudan**

Southern Sudanese have very little information about the Ambororo, especially their origins and presence in the region. Attention was first drawn to their plight only in the immediate post-CPA periods when their presence in some communities apparently became an issue, especially the threat posed by the Ambororo cattle to sources of livelihood to farming communities. Much has equally been speculated among southern Sudanese about the

group's association with the SAF, although the nature of that association has not been substantiated. In general, it is the time of their appearance in the region that raised the misconceptions which to date surround this group.

One of the immediate post-CPA challenges encountered in South Sudan and especially in the Equatoria region has been community security. The withdrawal of northern forces and the integration of Other Armed Groups (OAGs) into the SAF or the SPLA were almost marred by general insecurity. Unidentified groups carried out raids, ambushes in prominent towns in the Equatoria targeted to disrupt the peace process. The Ambororos appeared amidst these incidents, and therefore became major targets of all accusations of complicity in the insecurity. Moreover, a lot of speculations are made about where they secure their weapons from. It is quite a common practice among cattle keeping tribes and communities to keep weapons of all kinds for protection against cattle raiders, but the case of the Ambororos type of weapons has raised concerns among local populations and leaders alike who speculate that the group must be linked to and receiving support from external sources inimical to the course of Southern Sudanese.

### **General challenges Confronted by the Ambororo**

#### **1. Lack of Grazing Areas for their Cattle**

The Ambororos are generally in competition with most pastoralist tribes of southern Sudan over grazing areas. This partly explains their confinement to the western corridors of the Equatoria where cattle keeping is less. Linked to the competition over pasture is the threat of the usually large fleet of ambororo cattle to human livelihoods and scarce water sources which most communities jealously protect. There have already been incidents across the Equatoria Region where alleged destruction of farms and water sources by ambororo cattle have sparked tensions. In February 2007, the Ambororos presence in Kuda, northwest of Juba aggravated tribal relationships between the Nyangwara and Mundari, the latter being cattle keepers whose presence in the area was already a source of conflict (UNMIS civil Affairs, 2007). The north-east, central and south-eastern corridors of the Equatoria region have therefore been avoided by the group for fear of getting into clashes with marauding cattle raiders from the Mundari/Dinka (in Central Equatoria), the Buya, Toposa, Logir (in Eastern Equatoria states). The current patronized by the group are the southwest and western flanks of the Equatoria.

#### **Reported tensions/clashes between Ambororos and Communities in the Equatoria since 2005**

<b>Date</b>	<b>Location (Grid Codes )</b>	<b>Nature of clashes/tensions</b>	<b>Response mechanism</b>	<b>Details</b>
June 08	EZO 5'05'0"N- 27'28'0"E)	Direct confrontation with Ambororoscattle killed		Alleged dozens of ambororo cattle killed/likelihood of ambororos also killed but not reported.
April 08	Tambura-Nagero(5'36'0"N-27'27'0"E	Tensions caused by destruction of vegetation	Local Govt mediation	Negotiations with Govt of Greater Bhr-el-Gazal for safe passage through to Blue Nile
Jul 07	Maridi 4'49'0"N – 29'30'0"E	Destruction of vegetation/crops	UN-SPLA facilitated	Ambororos paid compensations to communities whose farms were destroyed by the cattle
Jul 07	Rumbek	Clashes with cattle keeping Dinka subclans	State & SPLA escort	215 (vulnerables) Women, children and aged flown ahead to Blue Nile and unity State
Sept 06	Kuda 5'09'0"N – 30'55'0"E	Tensions due to destruction of farms and water	SPLA-UN negotiate passage	1st batch of 600 Ambororos + 5000 cattle facilitated out of Central Equatoria

		points		
Nov 05	Kotobi 04'30'25"N - 034'09'42"E	Massacre of 13 Ambororo at a meeting	None	This incident first drew attention to the plight of Ambororos in southern Sudan

## 2. Discrimination

Amidst the rising tensions between the Ambororos and the communities in the various locations across the Equatoria, it has been very difficult to identify any appropriate channels of contacts with the groups and to establish a level of interactions between them and the local communities. This missing link which is largely created by the pressures from local communities to keep them out of sight has resulted in the group abandoned and discriminated against. Local leadership, and service providers alike have all (perhaps inadvertently) succumbed to local pressures and thereby denying the Ambororos access to basic services such as:-

- a. Health, potable water sources, and even education for the Ambororo children. Due to the limited access to the group, the humanitarian agencies have difficulties in ascertaining the health challenges, disease outbreaks and mortality rates<sup>2</sup>. The actual numbers of Ambororos in the region cannot be ascertained due to constant movements and their obsession to keep themselves out of sight.
- b. Economic activity (markets, livelihoods, etc). Ambororos access to markets is very restricted.<sup>3</sup> The group stays away from public gatherings, and markets for fear of abductions and of rousing further animosity.

## 2. The Responses/Interventions

### a. Government Response

So far, the Government of the Southern Sudan has not been forthcoming in declaring its position on the status of the Ambororos. The leadership has been very hesitant to discuss the Ambororos issue, while being careful of over exercise of their concern for the group. As all the allegations of Ambororos links with "anti-CPA elements" sound credible although unsubstantiated, local leadership are ready to buy into these allegations to maintain the confidence of their own.

Intervention so far by the Government of South Sudan is the facilitated movement of some segments of the group from volatile areas of the Equatoria into places such as Blue Nile State, in the Transitional Areas identified by the Ambororos themselves. With the assistance from the UN, a government-led Taskforce on Ambororos in the Equatoria region was established. The taskforce was meant to assess the plight of the group, community concerns, their needs, and appropriate responses. While the initial objective of the joint initiative with the UN was to encourage local mediation efforts between the Ambororos and affected communities, it became imperative to facilitate their exit from the region due to mounting tensions and resistance from local populations in Yambio, Tambura, Maridi, Mundri and Yei where they were being accused of destruction of farmlands and water sources, and even of allegedly causing mysterious disappearances of people.

### b. UN and Partners Responses

The UN's involvement in the movement of Ambororos was a part of its returns, Reintegration and Recovery-related conflict management and response mechanism. Since mid 2006,

<sup>2</sup> November 2007, Juba; 5 Ambororos were refused medical treatment at Juba hospital

<sup>3</sup> In October 2007; Ambororos seeking market for some cattle and passage through Maridi had to conduct all transactions through a middleman (a Dinka) in Maridi who decides/imposes the prices for the cattle.

the joint taskforce managed to mediate tensions in Ezo, Tambura, Maridi, and in Yei between the Ambororos and local. Over 2000 Ambororos with more than 15000 cattle have also been assisted out of the Equatoria region to settle in Blue Nile and Unity States. The process was negotiated by the Vice President of Southern Sudan, H.E. Riek Machar.

**Inter-agency Support mobilized by UN in support of the ambororo movement TaskForce;:**

Name of Agency	Nature of support	Other details
World Food Program	Food for the men and vulnerable	Over 100 women, children, aged and in each intervention
Food and Agriculture Organization(FAO)	Veterinary Services for cattle	Liaison with State authorities and agencies in each state the group passed through
MSF-Holland	Medical care to the vulnerables in the waystations	
IOM	Transportation by land and air for vulnerable groups	
UNMIS RRR Unit	General Coordination role	
UNMIS Civil Affairs	Mediation, conflict resolution in times of tensions with communities	
South Sudan Reintegration and Rehabilitation Commission(SSRRC)	Lead government Coordination Body	

**Facilitated Movements of Ambororo from the Equatoria since 2006**

**Phase I (2006 )**

- March 2006 : Movement of 65 males with 2000 cattle from Kuda, north west Juba through Lakes State to Unity State.

**Phase II (April-Oct 07)**

- Transportation of 100 vulnerables by air under IOM facilitation. The rest with over 6000 cattle escorted by the SPLA from Western Equatoria State through Warrap State in the Greater Bahr-el- Gazal and Unity States to Blue Nile State.

**Phase III (2007)**

- Following further tensions between the remaining Ambororo and the host community in Tambura area, (incidents of accidental killings) the Tambura Commissioner, managed to drive the Ambororo out of the region. Accordingly, the remaining Ambororo in Tambura area started its movement in May 2007. Heavy flooding of Yei River held them in Mundri with herds of cows, until November 2007. In December the group was escorted by the SPLA through Maridi, Tali, Rumbek to Ler in Unity State. Resistance from Blue Nile State compelled change of location to Unity State by the VP of GoSS .

**Outstanding Challenges**

- recognition of their vulnerability status

The unclear posture of the local leadership (GoSS, State and Counties) in regard to recognition of the rights of the Ambororos to all forms of protection is one key limitation to changing local perceptions and attitudes towards the group. What makes matters serious is the dead silence over the issues of minority rights as enshrined in the CPA and in the interim state constitutions. Instead, the state authorities are more willing in yielding to the sentiments of the people than they are prepared to promote any peaceful coexistence between the group and aggrieved communities when tensions arise<sup>4</sup>. In Western Equatoria, for instance, Ambororos are considered as a direct threat to State security and all efforts are made to ensure their exit.

## **ii. The assistance dilemma**

Many agencies including the UN, are willing and prepared to offer continuous assistance to the Ambororos. Unfortunately, these interventions have often been perceived differently by the local authorities who have made efforts to limit interaction as much as possible between NGOs and the groups. UN in this regard is torn between a negotiated process to change perceptions, which is more long term on the one hand, and a more active engagement to access and support the groups which might enrage both authorities and local communities.

## **SOME RISK FACTORS**

The Ambororo issue, if not carefully addressed, may risk getting entangled in some of the complex situations prevailing in the region, notably;

### **a. The Uncertainties in the destination areas**

#### **i. Blue Nile State**

Despite the assurances from the Vice President of GoSS of the willingness of Blue Nile authorities to receive the Ambororos, there is still encountered resistance from chiefs and local populations in the receiving state. Information indicated that no adequate consultations were made with the traditional chiefs and community heads, although they were aware of the arrival of the Ambororos and ready to receive them. Besides, with the rather sparse and arid geographical setting, Blue Nile State does not have the capacity to contain the numbers of Ambororo cattle. This has compelled current migratory routes southwards into Upper Nile State, specifically along Maban County (the population of this area do not keep cattle, however, are farmers).

#### **ii. Upper Nile/Unity States**

The movement of over 200 vulnerable, and about 90 Ambororo men accompanying about 6000 cattle to Unity state, (Leer specifically) was an alternative measure when there was mounting resistance allegedly from some local chiefs and communities in Blue Nile State against more arrivals during the last quarter of 2007. The Vice President must have reached this alternative solution probably because he hails from Leer and enjoys the confidence of his local communities. Nonetheless, confirmed information indicate that local communities were of the opinion that the Ambororo presence is only temporal.

### **b. The cross-border insecurity dynamics:**

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<sup>4</sup> The County Commissioners of Ezo and Tambura officially banned any form of activity and trade with Ambororo in attempt to expel the group from the region.

In the light of the persistent LRA syndrom in the subregion, and the obsession to lay blames on any available signs of issues with security implications, there is a greater risk of the amborors being dragged into the crossborder insecurity problems.

**c. The inter-tribal factors:**

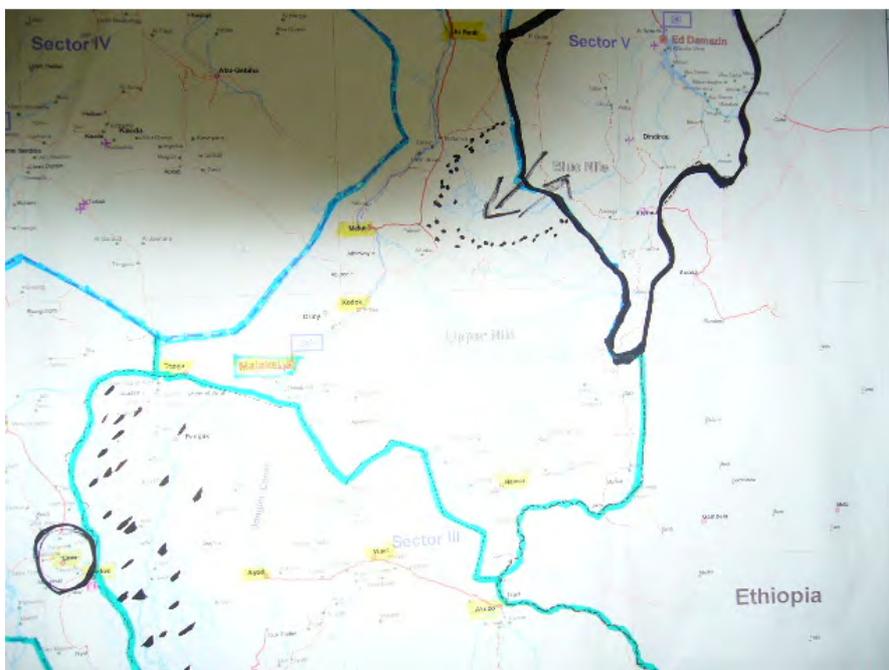
Inter-tribal animosities are still rife in southern sudan. A few mediation efforts between amborors and local communities have already shown that the group has often been a source of division between tribes over the nature of concessions, and compromises that can be made to settle disputes between amborors and local communitites.

**d. Implications for civilian Disarmament in the Region**

The President of Southern Sudan issued a directive in June 2008 for immediate disarmament of civilians. The process has since been dragging on due to expressed unwillingness among local communities to disarm, citing insecurity and the presence of armed groups as a major limitation. Ambororos have been referred in the western Equatoria region as posing a threat because they are believed to possess sophisticated weapons and allegedly seem to have better access to acquire arms.

**Conclusions/Recommndations**

- Breaking the silence over Ambororos: Intensify Advocacy on the rights of minorities should be done by civil society networks in the area.
- UN will continue to pressurize the GoSS to clarify position on the status of Ambororos in southern Sudan and the responsibilities of leadership in this regard
- Immediate establishment of a consortium among the countries where Ambororos are currently found to develop a mechanism for monitoring the protection of the groups in their respective locations.



Coping strategies of Ambororos in Blue Nile State

**Annex 11 Informal cross border economic networks**  
**By Kristof Titeca, Institute of Development Policy and Management**  
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“Somebody who grew up on a river bank, he will learn how to fish. Somebody who grew up on a border, he will learn how to smuggle”. (Trader Arua, 12-02-08)

*“Quelqu’un qui a grandi à côté d’une rivière, apprendra à pêcher. Quelqu’un qui a grandi à côté d’une frontière apprendra à faire de la contrebande” (Commerçant Arua, 12-02-08)*

**Situation in the late 80s**

***Situation à la fin des années 80***

“The Zairois bring gold from the mines in northeastern Zaire, which they sell in order to purchase local and imported manufactured goods, foodstuffs and fuel supplied by Ugandan traders. The Sudanese bring dollars which they sell to buy foodstuffs, clothing and especially coffee, smuggled in from eastern Zaire and Uganda. Ugandans supply imported manufactured goods and foodstuffs and buy gold and dollars which can be used to import goods or resold at a profit on the parallel market in Kampala. Small farmers from Uganda also trade in Ariwara simply to reap the profit differential of a higher demand for consumer goods and foodstuffs in Ariwara, and then convert their Zaire profits into shillings at the higher parallel exchange rate.” (Meagher 1990: 74-75)

*“Les zairois apportent de l’or des mines du nord-est du Zaïre, qu’ils vendent pour acheter des produits importés et locaux manufacturés, des produits alimentaires et du carburant fourni par les commerçants ougandais. Les Soudanais apportent des dollars qu’ils vendent pour acheter des denrées alimentaires, des vêtements et en particulier du café, en contrebande de l’Est du Zaïre et de l’Ouganda. Les Ougandais fournissent des produits manufacturés importés et des denrées alimentaires. Ils achètent de l’or et des dollars qui peuvent être utilisés pour importer des marchandises ou revendus à profit sur le marché parallèle à Kampala. Les petits agriculteurs de l’Ouganda font aussi du commerce à Ariwara simplement pour tirer profit de la différence entre un accroissement de la demande pour les biens de consommation et les denrées alimentaires à Ariwara. Puis ils convertissent leurs bénéfices du Zaïre en shillings à un taux de change parallèle plus élevé.” (Meagher 1990: 74-75).*

**Ariwara market**

***Marché d’Ariwara***

- Origin of Ariwara Market: 1979 war
- *Origin du marché d’Ariwara: guerre de 1979*
- Today: 400 pitches, 150 lockups, vendor population of 1,500
- '80s: three-country dynamic (Uganda, Sudan, Congo)
- *Années '80: commerce entre les trois pays (L’Ouganda, le Soudan et le Congo)*
- End of three-country dynamic: Two things changed
- *Deux choses ont changé:*
  - No more Sudanese (limited activity in Baza)
  - Plus de Soudanais (Baza)*
  - Congolese had direct access to Kampala
  - Congolais: acces direct à Kampala*

**Current situation in Ariwara market / *Situation actuelle au marché d’Ariwara***

- Dispatching point (transit) for goods in the wider region (Sudan and Uganda):
- *Point de distribution pour des produits dans la région (Soudan et Ouganda)*
  - Starting point for smuggling business, facilitated through the weak and porous border

-Point de départ pour des affaires de contrebande facilité par la frontière faible et poreuse

-Who? Ugandans buying from Congolese traders; or Ugandan traders who have shops on both sides of the border.

-Qui? Des Ougandais qui achètent des produits des commerçants congolais, ou des commerçants Ougandais qui ont des commerces aux deux côtés de la frontière.

- Market for manufactured goods rather than foodstuffs. Why?
- *Marché pour des produits manufacturés plutôt que pour des produits alimentaires. Pourquoi?*

#### Price differences smuggled goods / Différence en prix des produits de contrebande

<b>Prices of February 2008</b>	<b>DRC price</b>	<b>Arua price</b>	<b>Juba price</b>
Ugandan sugar (50 kgs) <i>Sucre d'Uganda</i>	68,000 – 70,000	74,000	96,000 – 98,000
Ugandan soap (24 pieces) <i>Savon d'Uganda</i>	18,000	20,500	33,000
<b>Batteries ('Tigerhead' box 240 pieces)</b>	66,000	76,000 – 78,000	88,000
Cooking Oil <i>L'huile de cuisson</i>	48,000	52,000	73,000
<b>Chewing Gum (Big G's)</b>	78,000	81,000	98,000 – 120,000
<b>Wax (roll)</b>	20,000	27,000	48,000

#### Neglected taxes

**Kithenke/Wax** : 50% import duty, 18% VAT and 6% withholding tax.

**Sweets**: 25% import duty, 18% VAT and 6% withholding tax.

**Cooking oil**: 25% import duty, 18% VAT and 6% withholding tax.

**Batteries, cigarettes and fuel** are contraband and prohibited exports. If coming from Malaba, the import duty is 35%; the VAT is 18%; the withholding tax is 6%.

#### Border markets / *Marchés frontaliers*

- Basic principle: Ugandans bring goods which are lacking in Congo, Congolese bring goods which are lacking in Uganda.
- 80s: Ugandans were bringing agricultural goods from Uganda to Congo. Currently: the other way around. Informal agricultural exports worth 8,9 million USD per year.
- *Années 80: Les Ougandais apportaient des produits agricoles de l'Ouganda au Congo. Actuellement: c'est l'inverse.*
- Congolese mainly export *Kithenke*, cooking and palm oil, timber, agricultural products, batteries, minerals (gold, diamonds, etc), fuel and cigarettes. Informal agricultural imports are estimated to be 8,9 million USD.

- *Les congolais exportent le Kithenke, l'huile de cuisson et l'huile de palme, bois, produits agricoles, des batteries, des minéraux (or, diamants, etc), le carburant et les cigarettes. Imports agricoles informelles sont estimées à 8,9 millions de dollars.*
- Ugandans bring fish, bicycle parts, papyrus mats, drinks (soda's, beers, whiskey, etc), cement, cosmetic products, shoes and electrical appliances.
- *Les Ougandais apportent les poissons, des pièces de bicyclettes, des tapis de papyrus et des boissons (soda, de bière, de whiskey, etc.), le ciment, les produits cosmétiques, des chaussures et des appareils électriques.*
- Fish is the main informal export (smuggled) going from Uganda to DRC, worth 19,5 million USD (UBOS 2007: vii), with an impact on Ugandan prices.
- *Le poisson constitue la principale exportation informelle (contrebande) de l'Ouganda vers la RDC, d'une valeur de 19,5 millions de USD (BOS 2007: VII), avec un impact sur les prix ougandais.*
- Reasons for coming into existence:
- *Causes d'émergence:*
  - Congolese reasons: general insecurity and Congolese wars
  - Les causes congolaises: l'insécurité générale et les guerres congolaises*
- Impact on Ugandan and Congolese markets: for example on Arua and Ariwara market. From the border markets, distributed to the wider region.
- *Impact sur les marchés ougandais et congolais: par exemple sur les marchés d'Arua et Ariwara. A partir des marchés frontaliers, distribués à l'ensemble de la région.*
- Certain border markets known for smuggled goods. For example, Lia and Kampala market: timber
- *Certains marchés frontaliers sont connus pour vendre des marchandises de contrebande. Par exemple, les marchés de Lia et Kampala pour le bois. Total informal trade Uganda – DRC = 91.7 million USD per year.*

#### **Ariwara market / *Marché d'Ariwara***

- Ariwara = 'Dubai'
- Impact of Sudanese peace agreement
- *Impact de l'accord de paix soudanais*
- Wholesale market
- *Marché en gros* Emergence of other markets: Beni/Butembo etc.
- *Autres marchés sont devenus plus importants: Beni/Butembo etc*
- Ugandans: dual feelings towards Ariwara
- *Ougandais: double sentiment à l'égard d'Ariwara*

#### **Major goods being traded to - from Ariwara / *Marchandises principales à être échangées à partir de Ariwara***

- Sugar / *Sucre*
  - Ugandan (Lugazi and Kakira) sugar + South African/Swaziland
  - Sucre d'Ouganda + d'Afrique du Sud/ Swaziland*
  - Smuggled into Uganda: sugar cheaper in Arua than in Southern Uganda (place of production)!
  - Contrebande en Uganda: le sucre est moins cher à Arua qu'à Kampala (lieu de production)!*
  - Daily: between 10,000 and 14,000 kg of sugar is smuggled into Arua!
- Coffee/ *Café*
  - '80s: coffee from Uganda to Congo
  - Années 80: le commerce du café se faisait de l'Ouganda vers le Congo*
  - 1994: liberalization: coffee from Congo to Uganda. Supported by Ugandan government, boycotted by Congolese government. Congo: 'OZACAF' should control all exported coffee, but exported to Uganda.

-1994: libéralisation: le café du Congo vers l'Ouganda. Soutenu par le gouvernement ougandais, boycotté par le gouvernement congolais. Congo: «OZACAF" devrait contrôler toutes les exportations de café, mais celui est exporté vers l'Ouganda.

-Major export product for Uganda!

-Export important pour l'Ouganda!

-Bazaa continues being a collection point for coffee, but in smaller quantities.

-Bazaa continue d'être un lieu de fourniture pour le café, mais en plus petites quantités.

### **Sudan – DRC trade: why via Uganda? / Commerce entre le Sudan et la RDC: pourquoi par l'Ouganda?**

- '80s: thriving trade between Sudan and DRC + limited border control + same ethnic group (Kakwa and Azande)
- *Années 80: commerce florissant entre le Soudan et la RDC + contrôle limité à la frontière + Même groupe ethnique (Kakwa et Azande)*
- Congolese war (1998-2003) and the second Sudanese civil war (1983-2005).
- Presence of armed elements in the area such as the LRA.
- *Guerre congolaise (1998-2003) et la seconde guerre civile soudanaise (1983-2005). Présence d'éléments armés dans la région, tels que la LRA.*
- Bad infrastructure: bad road network!
- *Mauvaises infrastructures: mauvais réseau routier*
- Tensions on the Congolese Sudanese border / *Des tensions sur la frontière Congolais*
  - *Soudanaise -SPLA associating itself with the RCD / Le SPLA s'associe avec le RCD*
  - *Attacks of SPLA on refugee settlements in Dungu in 1998/ Les attaques du SPLA sur les camps de réfugiés du Dungu*
  - *Congolese population: local defence militias / Population congolaise: les milices de défense locales*
  - *Kengezi Base: tensions between SPLA and Congolese troops / Kengezi Base de tensions entre le SPLA et les troupes congolaises*
  - *Agreement on 28th of February 2008 / Accord le 28 Février 2008.*
  - *Border points closed?? / Des points de passage frontaliers fermés??*
- Tensions between Congolese troops and UPDF
- *Les tensions entre les troupes congolaises et l'UPDF*

### **Gold trade / Commerce d'or**

- '80s: three-country dynamic (Uganda, Sudan, Congo)
- *Années '80: commerce entre les trois pays (L'Ouganda, le Soudan et le Congo)*
- Initially: Ugandans > Congo. Gradually Congolese > Uganda.
- *Au départ: des Ougandais > Congo. Peu à peu Congolais > Ouganda.*
- Ugandans: triple 'broker' for Congolese / *Ougandais: triple "courtier" pour les congolais*
  - *Protection against Ugandan security agencies / Protection contre les agences de sécurité ougandaises*
  - *Buying of gold / Achat d' or*
  - *Supply of basic goods such as sugar, soap, etc / Fourniture de produits de base comme le sucre, savon, etc*
  - > Ugandans monopolised information and contacts = high profits; major suppliers for Uganda!
- Profit range dropped for Ugandans ('Arua boys') / *Bénéfice a baissé pour les Ougandais ( 'Arua boys')*
  - *Many international players entered the business / De nombreux acteurs internationaux pénètrent le marché.*

-Congolese started having direct access to international markets / *Congolais commencent à avoir un accès direct aux marchés internationaux.*

-Few left in Arua + rare for gold to make stopover in Arua

### Current situation of the gold trade / *Situation actuelle du commerce en or*

- Basic principle still the same as in the 80s
- *Principe de base reste le même que dans les années 80*
- Difference: Congolese have taken over much of the gold trade (and Pakistani and Indians); setting up their own trade circuits
- *Différence: Congolais ont pris la plus grande partie du commerce de l'or (et des Pakistanais et Indiens)*
- Miners > small-scale local (Congolese) traders > higher-level (Congolese) traders (Bunia, Aru) > Markets in Kampala, Bujumbura etc.
- Average of 30 kgs of gold leaves Ariwara market per week
- *Moyenne de 30 kg d'or part de marché d'Ariwara par semaine*
- Most of the gold enters Uganda illegally: 10 ton of gold leaves DRC per year, only 10% is registered. Major cost licence.
- *La plupart de l'or entre en Ouganda illégalement : 10 tonnes d'or quitte le RDC par an, seulement 10% est enregistrée.*

### Involvement Uganda

- 1998-2003: Uganda
- 2003-.. : digging/production is back in the hands of the Congolese, but much of the rest of the chain is still in the hands of the Ugandans.
- Smaller traders (both Ugandan and Congolese) have difficulties, but remain implicated
- Gold is Uganda's third top export after fish and coffee.

### Current situation of the gold trade / *Situation actuelle du commerce de l' or*

Gold	2002	2003	2004	2005	
National production in tonnes (in tonnes)		0.002565	0.040	0.178	0.07
<i>Production nationale en tonnes</i>					
Export in tonnes (in tonnes)	7.589	4.16	<b>7.177</b>	5.921	
<i>Exportation en Tonnes</i>					

*2,82 million USD October 2004 > 7,86 million USD November 04 > 9,75 million USD December 04*

Value of production in tonnes (in million UGX)	44.436	846.480	3,766.833	1,940.424
<i>Valeur de la production en tonnes</i>				
Value of export in tonnes (in million UGX)	131,545.54	88,033.8	<b>151,879.456</b>	164,137.754
<i>Valeur d'exportation en tonnes</i>				

- Once Congolese gold enters Uganda, it becomes Ugandan – but: implication of Congolese traders!
- *Une fois que l'or congolais entre en Ouganda, cela devient ougandais - mais: implication des commerçants congolais!*
- Small scale traders slowly pushed outside of the gold trade
- *Les petits commerçants lentement poussés en dehors du commerce de l'or*

### **Rebel leader Jerome Kakwavu and Ariwara market / *Chef des rebelles Jerome Kakwavu et le marché d'Ariwara***

- Long history of cross-border trading networks!
- Involvement Jerome Kakwavu in Ariwara market and international trading networks: bringing in goods such as food, uniforms and weapons and exporting natural resources such as gold and timber
- *La participation de Jérôme Kakwavu dans le marché d'Ariwara et dans les réseaux commerciaux internationaux: fournir des biens comme de la nourriture, des uniformes et des armes; et l'exportation des ressources naturelles comme l'or et du bois*
- Effect on Ariwara: insecurity for traders outside of the trading network; security for those inside of the network.
- *Effet sur Ariwara: insécurité pour les commerçants en dehors du réseau commercial, la sécurité pour ceux qui sont dans le réseau.*
- Net result: many Congolese left, many Ugandans settled themselves.
- *Résultat net: de nombreux Congolais sont partis, des Ougandais se sont installés.*
- Win-win situation for traders and rebels.
- *Win-win situation pour les commerçants et les rebelles*
- For these traders, war was no hindrance, but a space of opportunity!

### **Cross-border trade and the alliance with Congolese rebel-groups / *Commerce transfrontalier et les groupes rebelles congolais***

UN Group of Experts on the Democratic Republic of Congo:

“Within Ituri and the Kivus, local politicians and warlords maintain their troops, security apparatus and constituencies outside the control of the Transitional Government through *the steady income generated by transnational mercantile networks and border revenue* as well as by controlling trade routes, markets, commodities and natural resources inside the Democratic Republic of the Congo. Integral to these networks are the political and economic interests of officials and businessmen from neighbouring States, the latter aiding and abetting violations of the embargo. (...) The group has found that more than a lack of State capacity, it is the *intertwining of shared interests and objectives on both sides of the eastern border of the Democratic Republic of the Congo* that render the arms embargo subject to abuse.” (UN 2005: 11-12)

*«Dans la région de l'Ituri et des Kivus, des politiciens locaux et des seigneurs de guerre maintiennent leurs forces militaires, appareils de sécurité et leur base en dehors du contrôle du Gouvernement de transition grâce au revenu régulier généré par les réseaux transnationaux de commerce et les recettes de la frontière, ainsi que par le contrôle des routes commerciales, des marchés, des produits de base et ressources naturelles à l'intérieur de la République démocratique du Congo. Partie intégrante de ces réseaux sont les intérêts politiques et économiques des fonctionnaires et hommes d'affaires des pays voisins, ces derniers aidant et violant l'embargo. (...) Le groupe a constaté que plus qu'un manque de capacité de l'État, c'est l'imbrication d'intérêts et les objectifs communs des deux côtés de la frontière orientale de la République démocratique du Congo qui font que l'embargo sur les armes est sujet à des abus.» ( Nations Unies 2005: 11-12)*

The rebel forces took *complete control over the customs system*; which allowed much of the revenue of the rebel forces to be collected through *control over the revenue* resulting from imports and exports in their area:

“parallel customs, taxation and duty-levying mechanisms. Operating outside of the administrative framework of the Transitional Government, these actors are able to provide, at

their own discretion, preferential treatment to business associates who dominate major sectors of the local or regional economy. (...) A significant number of business partnerships directly allied to FAPC/UCPD and other Ituri armed group leaders have been formed with the intent of using the porosity of borders, the induced leniency, or complicity, of immigration and customs officials on both sides of the border and the preferential treatment afforded them.” (UN 2005: 25)

*Les forces rebelles ont pris le contrôle complet du système douanier; ce qui a permis que beaucoup de recettes des forces rebelles soient collectées via le contrôle sur les recettes résultant des importations et des exportations dans leur domaine ( territoire):*  
*“des douanes parallèles et des mécanismes pour lever les impôts et les taxes. Opérant en dehors du cadre administratif du Gouvernement de transition, ces acteurs sont en mesure de fournir, à leur discrétion, un traitement préférentiel à des associés d'affaires qui dominent des grands secteurs de l'économie locale ou régionale. (...) Un nombre important de partenariats commerciaux directement alliés aux FAPC / UCPD et à d'autres groupes armés de l'Ituri ont été formés avec l'intention d'utiliser la porosité des frontières, induite par la clémence, ou la complicité des agents de l'immigration et de la douanes des deux côtés de la frontière et par le traitement préférentiel qui leur est accordé.”(Nations Unies 2005: 25)*

### **Impact of Sudanese peace agreement on the trade / Impact de l'accord de paix Soudanais sur la commerce**

#### **Impact on Arua; but for all Ugandan border towns! Price before and after the peace agreement in Southern Sudan (February 2008, in UGX)**

Cement (bag)	17.000	27.500
Iron Sheets	11.500	17.500 – 23.000
Nails (1 kg)	1.200	3.000
Flat Sheet	40.000	62.000
Batteries (box)	35.000 – 40.000	75.000 – 85.000
Sugar (50 kg)	36.000	65.000
Matchboxes (box)	18.000	40.000
Candles (box)	18.000	55.000
Soap (box)	11.500	25.000
Soda (crate)	8.000 – 9.000	12.500 – 14.500
Small Generator	110.000 – 120.000	280.000
Big Generator	250.000	480.000 – 1.000.000

### **Impact of Sudanese peace agreement on the trade / Impact de l'accord de paix Soudanais sur la commerce**

#### **Increase in retail price of foodstuffs in Arua**

<b>Prices in UGX</b>	<b>18/01/05</b>	<b>24/12/07</b>	<b>Increase in retail price</b>
Maize Flour	500-600	850-1000	66.6%
Rice	800-1000	1500-1700	70%
Beef	2400-2500	3300-4000	60%
Beans (Large)	450-500	1100-1200	140%
Matooke	250-350	750-900	160%
Irish Potatoes	350-550	900-1100	100%
Cassava	200-250	500-650	160%

## **Impact of Sudanese peace agreement on the trade / *Impact de l'accord de paix Soudanais sur la commerce***

- Strong impact on Arua town / *Fort impact sur la ville d'Arua* : Hub for business but...
- Rising prices
- Service delivery (waste, health, education) based on 2002 population census
- Day vs night population 120,000 vs 65,000
- Impact: poorest groups pushed outside of town
  - Basic organisation of the trade: Goods are bought in Ariwara, smuggled to Uganda and traded (smuggled) to Southern Sudan. Mainly Ugandan traders who do this. Extra profit is made on the dollar exchange rate, which are exchanged in Uganda.
  - *Organisation de base du commerce: les produits sont achetés en Ariwara, passent illégalement en Ouganda et arrivent (illégalement) au Sud-Soudan. Ce sont principalement les commerçants ougandais qui font cela. Un bénéfice supplémentaire est fait sur le taux de change des dollars, qui sont échangés en Ouganda.*
  - Smuggling into Sudan is seen as much more difficult
  - *Contrebande au Soudan est considérée comme beaucoup plus difficile*
  - Explosion of people involved in the trade and declining profits. For example, Peter, a motorcycle smuggler claimed how his group (which smuggles motorcycles) initially went three times a month Juba. Per motorcycle, they would make a profit of between 200,000 and 300,000 UGX. Now they only go once a month and make a profit of between 70,000 and 80,000 UGX per motorcycle.
  - *Explosion du nombre de personnes impliquées dans le commerce et baisse des profits. Par exemple, Peter, un contrebandier de motos visitait, avant, Juba trois fois par mois. Par moto, ils faisaient un bénéfice de 200,000 à 300,000 UGX. Maintenant, ils y vont seulement une fois par mois et ils font un bénéfice entre 70.000 à 80.000 UGX par moto.*
  - Increasing connection of Sudanese traders with international markets
  - *Augmentation de la connexion des opérateurs soudanais dans les marchés internationales.*

## **Trading conditions in Southern Sudan / *Les conditions de commerce dans le Sud du Soudan***

- Hard and insecure conditions for Ugandan traders: living cost + time, but especially: insecurity (e.g. first 8 months 2007, 20 Ugandan traders were killed) > visit of Ugandan government delegation in September 2007
- *Conditions difficiles et dangereuses pour les commerçants ougandais (par exemple les 8 premiers mois de 2007, 20 négociants ougandais ont été tués) > visite d'une délégation du gouvernement Ougandais en Septembre 2007*
- Tension and conflict between Ugandans and Sudanese. Eg difficulties in Koboko, meeting in Arua in July
- *Tensions et conflit entre les Ougandais et les Soudanais. Par exemple difficultés à Koboko, réunion en Arua en Juillet* Expensive costs and declining profits
- *Coûts chers et bénéfices baissant*
- More people joined the trade: High competition among Ugandan traders: leaking to the URA
- *Haut de concurrence entre les commerçants ougandais*
- >> cost-benefit is not that positive any more >> opening up of border markets = more cost-effective! For example Bibia border point. More examples?
- >> *Coûts-bénéfices n'est pas plus tellement positif >> ouverture des marchés frontaliers = plus coût-efficace! Par exemple point frontalier Bibia. Plus de d'exemples?*
- Few Congolese traders involved in the trade: Ugandans act as middlemen.

- *Peu de commerçants congolais impliqués dans le commerce: les Ougandais comme intermédiaires.*
- Hard conditions for Ugandan traders (physical mistreatment and bribes) but..
- Aid of SPLA officials or other 'friends' makes trade easier
- *Assistance des fonctionnaires de SPLA ou des autres 'amis' rend le commerce plus facile*
- Sharing in profit + Ugandans in turn help the Sudanese when they come to Arua/Uganda
- *Partager des bénéfices + Les Ougandais à leur tour aident les Soudanais quand ils viennent à Arua / Ouganda*

### **Financial aspects of trade with Sudan**

- Financing of the cross-border trade:
  - Bank Loans (24 and 46% interest)
  - Informal loans
- Dollar trade: profit of 20 to 30 UGX per dollar (Ugandans and Sudanese)
  - Black market bureaus vs Official Bank Bureaus
  - Seasonality of dollar trade

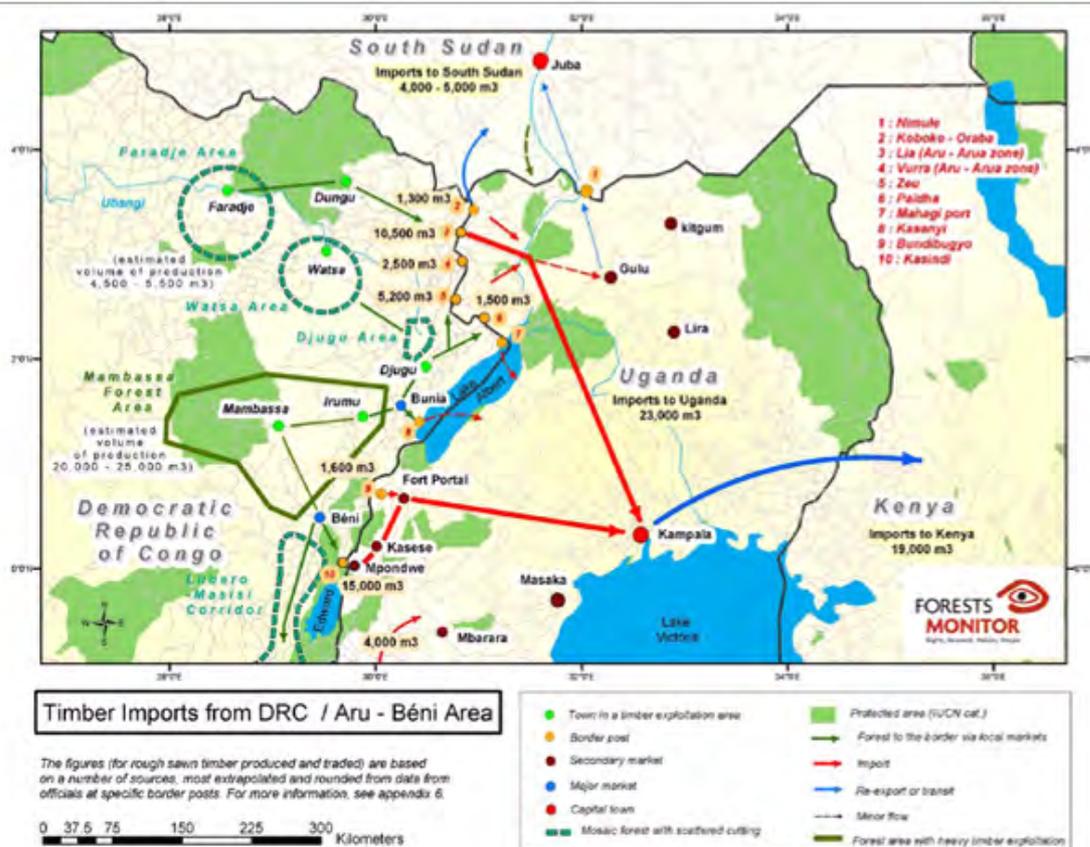
### **Timber trade between DRC, Ugandan and Sudan: 1. Uganda – DRC**

- 1997-2000: volume of timber trade was low
- 2000 -2003: trade peaked
- Declined with Lendu-Hema Conflict
- Increase from 2004 onwards
- Since 2004 in Uganda: harvesting in forest reserves is strongly regulated >> most of the timber is bought from the DRC.
- Timber is provided by Congolese middlemen, but involvement of Ugandans.
- It is much rarer for Ugandans to buy timber in Congo
  - Difficulties for Ugandans after involvement UPDF in timber extraction. E.g. November 2005 and first half 2007: Ugandan traders expelled.
- July 2007: licence fees for timber strongly increased (Aru district: 2,000 \$; and in Mahagi district 2,500 \$)
  - >> A number of Ugandan timber traders shifted to buying Ugandan timber
  - >> Others resorted to smuggling Congolese timber (still buying from Congolese middlemen).
    - Medium- and large-sized traders: under declaring (DFID 2007: 30% of the volume crossing into Uganda)
    - Small traders: covering with legal goods or avoiding border posts through Congolese middlemen.
    - About 2,000 pieces of timber are daily smuggled into Arua and Nebbi.

### **Trading routes for the Congolese timber**

- Route in Western Uganda:
  - Forest north of Beni near Mambasa - Mpondwe - Kasese - Kampala/Kenya/and so on.
- Route in Northwestern Uganda:
  - Aru/Faradje-Ariwara-Lia-Arua-Kampala/Kenya/UAE/South Sudan/India (Mostly Magohany).
  - Mahagi-Paidha-Nebbi (Mostly cypress and Nkalati)
  - Zen-Arua-Koboko-Sudan (Cheaper softwood, light hardwood and plantation species)
  - 75% of the eastern Congolese timber is exported to Kampala (Uganda), Kenya, Kigali (Rwanda) and to a lesser extent to Bujumbura (Burundi). (Note: statistics before the CPA in Sudan)

- Of the timber entering Uganda: 41% is from Kasindi, 33% from the Arua region, 18% from Paidha-Mahagi, 4% from Bunia and 4% from Rutshuru (Forests Monitor 2007).



## Timber trade between DRC, Ugandan and Sudan:

### 2. Sudan

- From 2004: timber (teak) became a major export product. Large areas of mature Teak plantations in Yei, Maridi, Tambura and Yambio. Kenyan Company Civicon and SPLA were involved.
- Early 2006: decree which banned cutting and exporting of teak + deployment of forestry guards + logging certificates for timber.
- Before 2006, 2,000 to 4,000 m<sup>3</sup> of Teak transited through Uganda per year, bound for India and Pakistan. However, trade volumes of both Teak and Mahogany and have decreased dramatically since early 2006, today Teak trade is less than 400 m<sup>3</sup> per year, whilst Mahogany (import and transit combined) is 800 to 1000 m<sup>3</sup> per year.
- After the long civil war, there was a gigantic reconstruction effort going on yet little timber available.
- Illegal to export unprocessed Ugandan timber (Eastern African Community Customs Management Act 2005)
- But: much Ugandan timber being smuggled to Sudan (certainly after introduction high taxes in Ituri)

### Smuggling: how?

- Covering with other illegal (!) products (such as charcoal)
- Covering with other goods, which are under declared.
- Particular border points are known to be 'easy' to smuggle; customs officials are bribed. <> National Forestry Authorities
- Per week 10 trucks of Ugandan timber to Sudan

- Also Congolese timber is smuggled: Congolese timber smuggled into Uganda has to be smuggled into Sudan as well (since they don't have the necessary papers)
- Certain border markets are known for selling smuggled Congolese timber.

Various smuggled goods:

- Cars
- Motorcycles and Cigarettes
- Beverages/Fish

### **Cars / Voitures**

<b>Prices in USD</b>	<b>Juba price</b>	<b>Kampala price</b>	<b>Brut profit</b>	<b>Net Profit</b>	<b>Net Profit %</b>
Toyota Hice	7,500 USD	11,500	4,000	3,000	40 %
Prado Landcruiser	11,500	13,500	2,000	1,000	9%
Toyota Corolla	3,000	4,500	1,500	500	17%
Sahara Pickup	4,500	7,500	3,000	2,000	44%
Pajero short chases	4,500	6,500	2,000	1,000	22 %

### **Motorcycles and cigarettes**

Motorcycles

<b>Prices in USD</b>	<b>Congolese price</b>	<b>Ugandan price</b>	<b>Sudanese price</b>	<b>Brut profit</b>	<b>Brut %</b>
Ssenke Simba	530 USD	1,500,000 UGX	710	180	34%
Linking	520	1,300,000 UGX	690	170	33%
TVS	1100	2,200,000 UGX	1,400	300	27%
Lenguma	510	1,200,000 UGX	690	180	35%

>> Model which is bought depends on dollar rate.

Cigarettes (one box)

<b>Price in UGX</b>	<b>Ugandan price</b>	<b>Sudanese price</b>	<b>Brut profit</b>	<b>Brut %</b>
Safari	400,000	1,000,000	600,000	60%
Sportsman	1,200,000	2,500,000	1,100,000	92%
Rex	1,000,000	2,000,000	1,000,000	100%

### **Beverages / Boissons**

<b>Prices in UGX</b>	<b>Congolese price</b>	<b>Ugandan price</b>	<b>Sudanese price</b>	<b>Net Profit</b>	<b>% Profit</b>
Crate of beer Nile	28,800	25,600	80,000	43,264–83,264	169-325%

Crate of beer Bell	22,000	32,000	120,000	46,864– 86,864	213-394%
Crate Guinness or Smirnoff	---	30,000	80,000	41,136	137%
Crate of Soda 1 litre	40,800	14,000	93,000	67,864	485%
Crate of Soda 500 ml	28,800	12,900	48,000	23,964	186%
Bottle of Soda 1 litre	1,700	1,200	4,000	2,336	195%
Bottle of Soda 500 ml	1,200	800	2,000	736	92%

## Conclusions

Ministry official:

*“people along the border have established their own regime of trade. They regulate themselves by establishing rules and regulations which are different from the ones the government tries to imply”*

Ambiguity and uncertainty with regard to the legal rules concerned. ‘Moral economy’

- Certain goods are ‘more illegal’ than others. Conception of ‘legal’ traders.
- Fixed amounts of bribes.
- Major problem = infrastructure.

Bigger problem: unpredictability of the trade. Threat of confiscation as much of the cross-border trade takes place outside of the law.

- Help of ‘brokers’: e.g. army officers or government officials who are hired. In other words, (government) officials who have to guarantee the application of the law make sure traders are able to act outside of the law. Also towards the population.
- But: law has been replaced by the logic of ‘*Kitu Kidogo*’

A DFID report (DFID 2007: 36) on the trade in the Great Lakes area argues how eastern Congo is “de facto part of the east African polity and economic zone”, as many goods are traded to its eastern neighbours, in this case Uganda. After this presentation, it is clear how North eastern Congo, North-western Uganda and Southern Sudan are part of an intense economic trading network.

> Regional identity? Northern Uganda vs Kampala; Eastern Congo vs Kinshasa; Southern Sudan vs Khartoum.

**Annex 12 SALW: Summary of conference 2003**  
**By Desire Nkoy, IKV Pax Christi**

**Conférence Internationale sur la prolifération  
et le trafic illicite des armes légères et de petit calibre dans les régions frontalières du  
Soudan, de l'Ouganda et de la RDC (Arua, février 2003)**  
**(Synthèse des conclusions)**

*Désiré Nkoy Elela, Conseiller Technique – Programme Grands Lacs, IKV Pax Christi Pays-Bas*

Cadre de la conférence

- La conférence sur le trafic illicite des armes légères et de petit calibre le long des frontières du soudan, de l'Ouganda et de la RDC a été tenue du 17 au 21 février 2003 à Arua, région du Nord-est de l'Ouganda.
- Cette conférence a été organisée sous les auspices de Pax Christi Pays-Bas.
- Elle s'était focalisée sur la région Nord-Ouest de l'Ouganda, du Nord-Est de la RDC et du Sud-Ouest du Soudan

**Contexte et objectifs de la conférence**

- La conférence d'Arua a fait suite à la première rencontre tripartite entre l'Ouganda, le Kenya et le Soudan en 2001 qui avait abordé le flux d'armes légères dans les zones pastorales des régions du Soudan, du Nord-est de l'Ouganda et du Nord-Ouest du Kenya.
- Cette première conférence avait réussi à réunir les responsables gouvernementaux (nationaux et locaux), les églises et les ONGs, préoccupés par la problématique de la prolifération et de la détention des armes légères.
- Dans un contexte presque similaire, il était clair que la problématique des armes légères dans la région frontalière du Nord-Ouest de l'Ouganda, du Nord-est de la RDC et du Sud-Ouest du Soudan devenait plus que préoccupante avec l'engagement de deux de trois pays, RDC et Soudan, dans des conflits récurrents.
- Trois études appuyées par Pax Christi Pays-Bas ont été menées au Sud Soudan, au Nord-Ouest de l'Ouganda et au Nord –est de la RDC pour alimenter une Conférence sur cette question : Ceford (Ouganda), Justice-Plus (RDC) et Larjour Consultancy (Sud-Soudan)

**Objectifs de la Conférence**

- Produire, présenter et échanger des informations récentes de la recherche sur la circulation frontalière des armes légères ;
- Concevoir des stratégies conjointes de lutte contre le commerce illicite des armes et protéger des initiatives de désarmement contre l'interférence des circuits de trafic d'armes ;
- Déterminer les interventions de soutien de ces stratégies par la Communauté Internationale.

Les trois rapports de recherche ont été présentés et débattus au cours de la Conférence, et ont fourni des données intéressantes sur la prolifération et le trafic illicite des armes légères et de petit calibre dans la région couverte:

- **Le rapport de Larjour Consultancy** au Sud Soudan qui a couvert les districts du centre et de l'ouest de l'Equatoria à savoir : Kajo-keji, Fleuve Yei, Maridi, Yambio et Ezzo a fait ressortir que:
  - Le conflit et la guerre prolongés au Sud - Soudan enclavé ont fortement favorisé la circulation et la détention des armes;

- A l'Ouest de l'Equatoria, les petites opérations individuelles reflétaient aussi le genre d'activités économiques de la région, situation différente de celle de l'Est de l'Equatoria où, en fonction de l'intensité de la guerre civile, un trafic plus organisé des armes légères s'est avéré prédominant;
- L'absence de points de vente organisés dans l'ouest ne signifiait pas nécessairement qu'il n'y avait pas de trafic dans les quatre districts, avec la présence frappante de AK47, à cause de sa disponibilité entre les mains des déserteurs et de tant d'autres personnes .
- L'acquisition d'armes avait comme objectif principal l'autodéfense, ce qui a donné lieu au non respect de la loi et de l'ordre public, mais aussi pour des buts de grand braconnage.
- Les facteurs internes notamment l'échec des campagnes militaires et la désertion massive des éléments armés ont augmenté la circulation des armes dans les régions du nord de Bahr el Ghazal et du Haut Nil vers l'Equatoria Ouest.

Les facteurs externes en l'occurrence la chute du régime de Mobutu en RDC en 1997a provoqué une grande désertion des éléments de l'armée , doublée de l'abandon et de la vente d'armes aux SPLA et à la population civile .

Le rapport de recherche de Ceford a couvert les quatre districts d'Arua du West Nile : NEBBI, MOYO et YUMBE. Cette étude a indiqué que:

- La région de West Nile fait frontière avec le Sud Soudan et le Nord-Est de la RDC; par conséquent, les conflits dans ces régions qui se chevauchent on une incidence dans la situation du West Nile.
- La situation au West Nile est l'image du développement militaire et politique qui implique un groupe d'acteurs internes et externes : soit des mouvements rebelles venant des pays voisins, des insurgés, soit des armées déchues: SPLA/M, Front de la banquette Ouest Nil, les UNRF I et II et la LRA. Les déserteurs militaires et des services de sécurité de l'Ouganda s'y retrouvent aussi.
- Au West Nile, les armes légères étaient vendues principalement pour des raisons de braconnage, vol à main armée et pour la protection personnelle et communautaire.
- Il n'y a pas de marché particulièrement ouvert au West Nile pour les ALPC; cependant, les armes proviennent des sources externes (RDC et Soudan) qui utilisent différentes voies de transport d'un côté à l'autre des frontières très perméables.
- L'impact de la détention des ALPC est la grande insécurité, la perte des biens et services et le déplacement des populations.
- La détention et la circulation illicite des ALPC a aussi une grande incidence en termes de braconnage.
- Plusieurs itinéraires des ALPC illicites ont été identifiés le long de la frontière ougando-congolaise (Lia à Koboko en passant par Oluvu, ), au district de Nebbi par Kango et au district de Moyo par Afoji, Logoda, Pajaala...);
- Des mécanismes de lutte contre ce fléau ont été mis en œuvre par le gouvernement, notamment l'exécution de la législation sur les armes à feu telle que la loi de 1974, instituant des rencontres pour la sécurité aux frontières et des opérations conjointes mettant ensemble plusieurs services d'ordre et des organes de sécurité.

### **L'étude menée par Justice – Plus au Nord –Est de la RDC**

A couvert les districts de l'Ituri et Haut Uélé. Les résultats de cette étude ont fait ressortir que:

- La région concernée par l'étude a connu un conflit qui a généralisé l'insécurité dans la région, avec la présence de plusieurs groupes armés soutenus par des armées étrangères (Ouganda et Rwanda);

- Dans ce contexte, les ALPC ont fait l'objet d'une circulation et d'une détention illicite à grande échelle;
- L'existence des milices ethniques et des bandes armées a favorisé la prolifération des armes légères
- L'afflux des réfugiés du fait de la guerre a occasionné la prolifération illicite des armes ;
- La sous - administration de la contrée a favorisé la recherche de la sécurité personnelle au détriment de celle collective, les particuliers se procurant ainsi des armes pour leur propre sécurité ;
- Le départ des troupes d'occupation a entraîné la prolifération et l'acquisition illégale des armes légères car celles-ci sont abandonnées à la population locale ;
- L'usage des armes pour des fins de braconnage est à la base de la circulation des armes légères ;
- Le commerce illicite des armes ayant simplement le goût du lucre accroît la circulation des armes ;
- Les opérations de pillage des ressources naturelles occasionne le trafic et la prolifération des armes légères.
- Des réseaux locaux, nationaux et internationaux se sont tissés pour fournir illicitement des ALOC aux parties en conflits

#### Conclusions finales et recommandations de la conférence

- La Conférence Internationale sur la prolifération et le trafic illicite des armes légères et de petit calibre a bénéficié également des contributions et apports d'autres experts qui ont enrichi la problématique des ALPC dans la région des Grands Lacs en proie à des conflits (FECCLAHA, Nations Unies, IANSA, AMECEA, GRIP,...)
- Les discussions en plénière et les travaux en ateliers ont permis d'aboutir à une série de recommandations adressées:
  - Aux organisations religieuses;
  - Aux ONG;
  - Aux Gouvernements et aux Forces rebelles
  - A la Communauté Internationale.

#### Quelques recommandations aux organisations religieuses

- Mettre en place des réseaux de lobbying à tous les niveaux (international, régional, national sous – régional et local) en renforçant la coopération entre groupes religieux existants
- Soutenir les initiatives de paix transfrontalières à tous les niveaux par l'éducation à la paix, le dialogue entre les ethnies et groupes confessionnels, et par la mise de conscience des dangers de la prolifération d'armes dans tous les aspects, l'organisation de semaine de paix interconfessionnelle est un véhicule valable pour ce genre d'initiatives de paix.
- Parrainer le processus de la réconciliation.
- Promouvoir la remise volontaire d'armes à travers des programmes en étroite coopération avec les acteurs concernés, y compris des chefs coutumiers.
- Organiser des rencontres périodiques interconfessionnels des représentants de toutes les communautés religieuses présents dans la région frontalière concernée en vue de renforcer le dialogue, l'échange d'information et décider des actions conjointes.
- Agir comme médiateurs de paix entre le gouvernement et les forces rebelles, aucun d'eux ne sera mis hors du processus de médiation.

#### Recommandations aux ONGs

- Organiser des rencontres périodiques frontalières des représentants des ONGs actives dans la lutte contre la prolifération d'armes et de petit calibre en vue de

développer un agenda commun. La plénière a désigné : Justice-Plus, The Sudan Law Society et Ceford pour organiser ces rencontres.

- Mettre en place des réseaux de lobbying à tous les niveaux (international, régional, national, sous-régional et local) en renforçant la coopération entre les ONGs.
- Elaborer un plan d'action à court, moyen et long termes pour aborder toutes les questions liées à la prolifération des armes légères et de petit calibre.
- Appliquer tous les outils sensibles du genre (gender) dans la conceptualisation et la mise en oeuvre de tous les plans d'activités.

#### Recommandations aux gouvernements et aux forces rebelles

- Déployer des efforts de collaboration dans l'acceptation et conformément au traité sur le Commerce des armes dans les trois pays et harmoniser les lois nationales existantes pour faciliter des activités communes telles que le marquage et le traçage de toutes les armes.
- Assurer la discipline dans les forces armées.
- Accorder une sécurité adéquate pour combattre la prolifération des armes au niveau national.
- Convenir des rencontres frontalières régulières en impliquant tous les acteurs afin de renforcer des contacts mutuels et des activités communes ;
- Mettre en place un corps expéditionnaire tripartite pour lutter contre le braconnage dans les parcs et contrôler les voies utilisées pour le trafic d'armes ;
- S'engager dans le travail de réseau pour combattre la prolifération des armes légères au niveau national et international. Là où c'est possible, inclure les communautés locales pour démasquer les trafiquants et commerçants illicites d'armes légères et de petit calibre ;
- Appliquer des mesures appropriées contre les négociants, trafiquants et ceux identifiés dans les rapports des Nations Unies et dans d'autres rapports ;
- Promouvoir l'usage et l'exécution des instruments internationaux pour réduire la prolifération des armes légères et de petit calibre et des conventions internationales sur les mines et les enfants soldats.
- S'abstenir de soutenir les rebelles de part et d'autre et que, au contraire, s'engager dans le processus de paix ;

#### Recommandations à la Communauté Internationale

- Permettre l'accès illimité aux agences humanitaires dans les zones de conflit pour fournir des services, contenir la prolifération des armes légères dans tous ses aspects ;
- Imposer un embargo sur les États et forces rebelles connus pour leur implication dans le transfert illicite d'armes ;
- Soutenir le processus de pacification en Ituri ;
- Promouvoir la pacification du Soudan et de la RDC avec une attention particulière à la DDRRR (Désarmement, Démobilisation, Rapatriement et Réinstallation, Réinsertion) y compris l'amnistie aux anciens soldats rebelles ;
- Travailler à la mise en oeuvre des recommandations du traité sur le commerce des armes par la communauté régionale de manière globale ;
- Installer un observatoire régional des Nations Unies sur les armes légères, un centre de ressources, comme celui de Belgrade et de Serbie.

#### Recommandations à tous les acteurs

- Stimuler des programmes économiques pour éradiquer le commerce et le trafic d'armes de subsistance ;
- Rendre possible l'interconnexion des réseaux créés pour renforcer les efforts des uns et des autres dans la lutte contre la prolifération des armes légères et de petit calibre dans tous ses aspects ;

- Stimuler les recherches en cours pour identifier ceux qui sont impliqués dans le transfert illicite des armes légères ;

Participer à des recherches futures nécessaires pour connaître le rôle des gouvernements locaux et d'autres forces armées dans le transfert des armes légères et les liens entre le pillage des ressources naturelles et la prolifération d'armes légères.

**Annex 13 SALW: regional situation**  
**By Camlus Omogo, IKV Pax Christi, NGO Working Group Nairobi**  
**Secretariat**

**Introduction**

GLRHA considered a sub-region of turbulence. Why?

- Many intra-state conflicts that span many years
- Shifting conflict epicentre
- Involvement by neighbouring states
- Massive circulation of licit and illicit SALW
- High movement of citizens as refugees and IDPs
- Millions of gun-related deaths and injuries
- Increased cross-border criminalities
- Illicit circulation of SALW has transformed:
  - Once reliance on words to settle disputes into reliance on SALW
  - Weapons for protection into criminal arsenal
  - Art of hunting into large-scale deadly poaching
  - Traditional and cultural practice of cattle raids into deadly warfare

**Proliferation of small arms in the GLRHA**

- It is estimated that over 600 million SALW are circulating in the world
- It is not easy to determine exact SALW in Africa; however, reports estimate about 30 million
- Of the 30 million, about 70% are held by civilians (mostly illegal), 16% by military and police and 2% by insurgents.
- It is even difficult to get the statistics in the sub-region; however the same distribution is to be expected. In Sudan alone, an estimated 3.2 million SALW are in circulation and majority within the communities.

**Sources of SALW**

- Most of the new SALW in the sub-region come from outside Africa; however, some countries in the sub-region such as Kenya, Uganda, Tanzania and Sudan manufacture ammunitions and reportedly have capacity to produce SALW
- The vast majority of SALW are old stock resulting from Cold War, coups and counter-coups that have characterised regime change in most countries.

**SALW transfers**

- Two major types of transfers: legal (c. 80%-90%) and illegal (the remaining percentage).
- Reports indicate that a lot of SALW traded legally ends up being illicit (grey market) e.g. through diversion by governments to non-state actors, violation of arms embargoes, violation of end-user certification, ant trade from government armouries, and theft.
- The main feeder to grey market is lack of or inadequate policies, legislations and/or commitment by governments.
- In the sub-region, both legal and illegal SALW have been used:
  - In politically and ethnically instigated civil wars in DRC, Sudan, Uganda, Burundi, etc
  - To intensify and prolong conflicts;
  - To start and/or perpetuate and intensify cattle rustling within and across the borders;
  - To commit grave violation of human rights e.g. genocide and other atrocities,
  - To intensify crime including carjacking, rape, robbery, plunder of natural resources, etc.

**Context of illicit arms proliferation**

- In the sub-region, both legal and illegal SALW have been used:

- In politically and ethnically instigated civil wars in DRC, Sudan, Uganda, Burundi, etc
- To intensify and prolong conflicts;
- To start and/or perpetuate and intensify cattle rustling within and across the borders;
- To commit grave violation of human rights e.g. genocide and other atrocities,
- To intensify crime including carjacking, rape, robbery, plunder of natural resources, etc.

#### Impact of SALW proliferation

Proliferation of and illicit trafficking in SALW has had huge impact in the sub-region including: Deaths and injuries; IDPs and refugees; Underdevelopment; Insecurity; Human rights violations; etc.

#### Response to the problem of SALW

- State Response
- Nairobi Declaration and Nairobi Protocol
- International Conference on the Great Lakes Regions (ICGRL)
- Eastern Africa Police Chiefs Cooperation Organization (EAPPCO)

#### Achievements

- Ratification of the Nairobi Protocol in 2006
- Best Practice Guidelines + implementation
- RECSA Observer Status at the UNGA
- Establishment of NFPs
- Formulation of NAPs
- Destruction of SALW
- Engaging with civil society
- Public Education and Awareness

#### Opportunities and challenges

- Opportunities: ratification of Nairobi Protocol; demonstrable commitment by member states in working with CS
- Challenges: harmonization of laws; cross-border issues; sub-national entities e.g. Southern Sudan; stockpile management; civilian gun-possession; research; lack of comprehensive and legally binding instrument to control manufacture, transfer and transit of SALW.

#### Civil Society Response

- Opportunities: ratification of Nairobi Protocol; demonstrable commitment by member states in working with CS
- Challenges: harmonization of laws; cross-border issues; sub-national entities e.g. Southern Sudan; stockpile management; civilian gun-possession; research; lack of comprehensive and legally binding instrument to control manufacture, transfer and transit of SALW.
- Promoting sub-regional cooperation and information exchange/dissemination
- Engaging in public education and awareness
- Training and capacity building for civil society and government officials
- Enhancing networking and facilitating SALW processes
- Stockpile management
- Formulation of policy and legislations
- Enhancing border control and assisting in managing refugee inflows
- Promoting human development.

#### Civil society networking on SALW

- Networking and partnerships have been identified as some of the best modalities of CS engagement in SALW: sub-regionally, EAANSA coordinates civil society actions with chapters in every member state.
- There are also other structured and/or ad hoc partnerships among civil society to address cross-border insecurities.
- Civil society also partners with governments and intergovernmental bodies

#### Lessons learned on networking

- Capacity building and expertise
- Networking and cooperation
- Workshops/conferences viz implementation
- Partnership viz compromise
- Resources
- Governmental policies

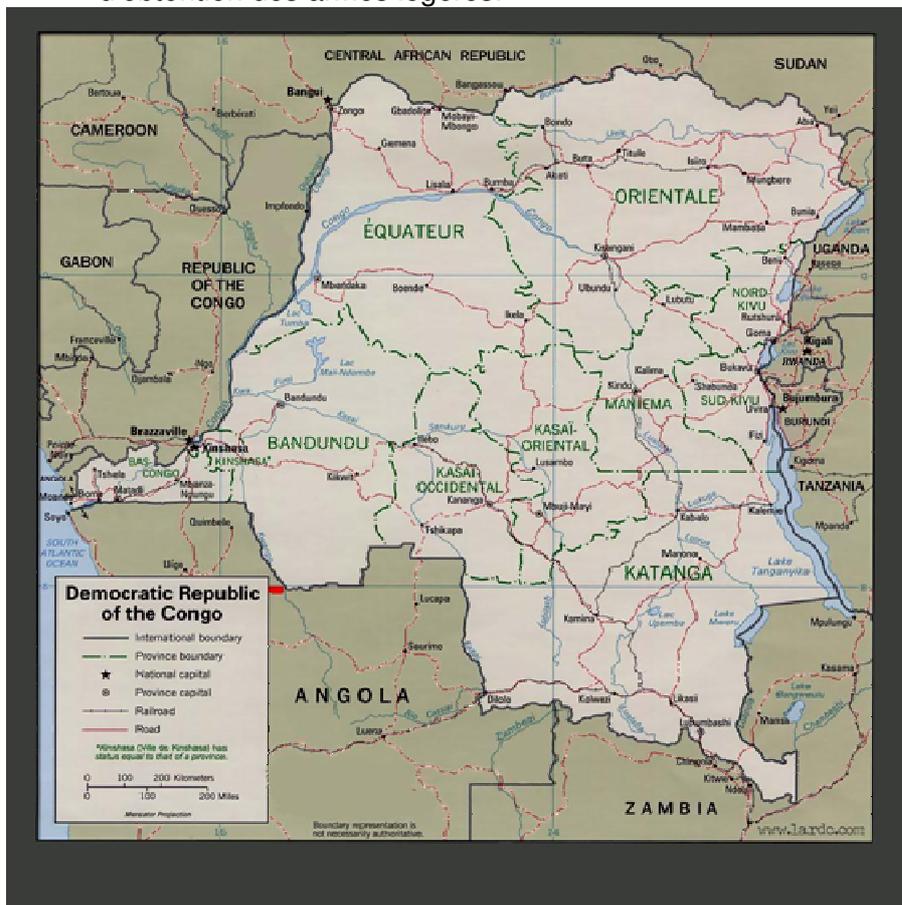
#### Conclusion

- SALW problem is not only a national one but also cross-border
- Civil society need to take advantage of the sub-regional frameworks to address the problem of SALW
- A lot still to be done in making the framework address local/community concerns; in engaging with the governments; in making initial step toward SALW control activities.

**Annex 14 SALW: Situation in DR Congo**  
**By Mr Phillipe Muanza, Groupe d'Action pour la Démobilisation et la Réinsertion des Enfants Soldats (GADERES)**

**Introduction**

- Les Armes de Petit Calibre et Armes Légères ne sont pas la cause des conflits en RDC, mais elles ont donné à ceux-ci une dimension meurtrière considérable comme de l'huile sur un feu déjà ardent.
- Les armes sont utilisées pour dominer sa propre population, pour régler les conflits inter ou intra états et dans ce sens elles n'ont pas contribué au progrès et au développement de notre pays.
- L'utilisation de la force est génératrice des violences et des rancœurs.
- Depuis l'accession du feu Maréchal Mobutu au pouvoir, la force a été utilisée pour conquérir le pouvoir et a aussi pour conséquence son utilisation pour renforcer ce pouvoir.
- Avec les guerres de 1996 et 1998, la RDC a été entraînée dans un cercle vicieux de violence, dans une spirale de violence inouïe et interminable.
- L'exploitation des ressources naturelles est souvent citée comme source de financement de la Guerre mais nous ne devons pas oublier le soutien financier extérieur et le rôle du commerce illicite des armes.
- La sécurité publique passant nécessairement par l'acquisition des Armes Légères par l'autorité établie, celles-ci ne font pas l'objet d'un contrôle efficace et d'une maîtrise surtout au niveau local.
- Une attention particulière doit être accordée aux causes véritables réunies ensemble que sont la pauvreté, l'injustice, la mauvaise gouvernance, la disponibilité et la facilité d'obtention des armes légères.



## **Situation generale des armes legeres en RDC**

### **1. Événements à la base de la prolifération des ALPC en RDC:**

- La sécession Katangaise
- La sécession Sud kasaienne
- La Rébellion muleliste
- La guerre de Schramme en 1967
- La guerre de 80 jours
- La guerre de 6 jours ou la guerre de KOLWEZI
- La guerre de MOBA I
- La guerre de MOBA II
- L'invasion ou le déversement des Forces Armées Rwandaises au KIVU
- La guerre de 1996 dite de "libération" et celle de 1998 qualifiée "d'agression"
- La situation de guerre ou de post-guerre de certains pays frontaliers (7 pays au total).

### **2. Manifestation du problème:**

On estime à 1.000.000 d'armes légères et de petit calibre en circulation illicite dans la partie orientale de la RDC.

- A l'Est (du Haut Uélé au Nord Katanga en passant par l'Ituri), un nombre important de ces armes est détenu par les groupes armés tant nationaux qu'étrangers.
- A l'Ouest et au centre, le problème se manifeste à travers l'utilisation abusive de la part des agents de sécurité.
- Dans tout le pays, on rencontre des civils qui détiennent illégalement des armes de petit calibre pour leur légitime défense.
- De manière générale, les armes légères et de petit calibre ne font pas l'objet d'un contrôle efficace de la part des pouvoirs publics (selon les conclusions de l'étude sur la capacité de l'État congolais à contrôler les armes réalisée par PNUD-RDC).

### **3. Impacts de la prolifération des armes légères**

- ± 2.000.000 de déplacés et ± 3.500.000 de morts,
- ± 30.000 enfants associés aux forces et groupes armés,
- ± 900.000 enfants orphelins du sida et de la guerre,
- ± 400.000 enfants déplacés et privés de l'éducation;
- Plusieurs femmes violées avec atrocité, notamment à l'Est du pays,
- 16.000.000 de personnes nécessitant de l'assistance alimentaire.
- Insécurité généralisée,
- Destruction de l'infrastructure,
- Souffrances atroces des hommes et femmes dans différentes provinces de la RDC,
- Affaiblissement du système administratif et de l'autorité de l'État.

### **Impacts de la prolifération des armes légères**

De manière générale, les ALPC ont eu un effet dévastateur sur :

- la population,
- le développement,
- l'économie,
- l'environnement.

Elles constituent une entrave au développement de la RDC.

## **Causes de la prolifération des armes legeres en RDC**

Les causes sont regroupées en 3 catégories:

### **1) Causes historiques**

- Les guerres lointaines (intérieures et extérieures);
- La situation géographique de certaines tribus et ethnies situées dans les zones frontalières.

### **2) Causes politiques**

- Système de sécurité publique et collective existant
- Extrémisme politique, corruption,
- Lutte pour le contrôle du pouvoir politique,
- Mauvaise gouvernance.

### 3) Causes sociales

- Injustices sociales,
- Pauvreté.

### 4) Causes immédiates

- Exploitation et contrôle des ressources naturelles;
- Porosité des frontières;
- Défis du processus de DDR et DDRRR;
- Enrichissement;
- Insécurité généralisée;
- Développement du commerce frontalier et d'une économie de guerre;
- Faiblesse du système de sécurité commune (faiblesse de l'autorité de l'État).

## **Types d'ALPC et circuits d'approvisionnement**

### 1) Types d'armes:

AK 47, M16, FAL, Calibre 12 et 16, Fallo, Grenade, G3, Uzi, Kalachnikov, Revolver, Pistolet, Mauser 32 et 52, Semi-light, 22 long, Mag, UN 30.

### 1) Circuits d'approvisionnement:

- Les états frontaliers: par le système de transfert sur le marché gris.
- Le commerce frontalier : la guerre a été à la base du développement du commerce des armes, surtout dans les zones à problèmes (Nord et Sud Kivu, Haut Uele et Ituri).
- La guerre : les armes abandonnées par une armée ennemie constituent aussi un moyen pour l'approvisionnement.

## **Initiatives et mesures pour traiter le problème des ALPC en RDC**

### 1. Initiatives et mesures nationales:

#### a) Au niveau gouvernementale:

- Loi 085 du 3 septembre 1985 (dépassée, cette loi doit être adaptée à l'environnement actuel);
- La création de la Commission Nationale de Contrôle des ALPC (CNC-RDC) en juillet 2008 (elle succède au Point Focal National).

#### b) Au niveau de la société civile:

- Création du Réseau Congolais d'Action sur les Armes Légères (RECAAL);
- Création du Cadre de Concertation sur les ALPC et la Violence armée en RDC (CAVA).

#### c) DDR:

- 102.000 combattants adultes démobilisés;
- 30.000 enfants sortis des forces et groupes armés
- 100.000 armes individuelles remises.

#### d) DDRRR (par la MONUC):

Rapatriement des combattants étrangers (FDLR, FNL, ADF et NALU), la majeure partie d'entre eux étant d'origine rwandaise. Et ces efforts continuent encore.

#### e) Initiative de Goma:

N'a pas encore donné des résultats concrets.

### 2. Participation aux Initiatives et mesures internationales, régionales et sous régionales:

- Le Programme d'Action de la Conférence des Nations Unies
- La Déclaration de BAMAKO
- La Déclaration et le Protocole de NAIROBI,
- Le Protocole de la SADEC en matière d'Armes Légères et de Petit Calibre.

## **Grands défis attendus dans le domaine de paix et sécurité**

- Parachèvement du processus de DDR et de formation de la nouvelle armée ;
- Restauration de l'autorité de l'état, surtout dans les zones en proie aux conflits ;
- Poursuite du processus de la réforme des autres secteurs de la sécurité (Police et Justice) ;
  
- Désarmement et Rapatriement des groupes armés étrangers ;
- Désarmement communautaire;
- Renforcement du contrôle des armes légères et de petit calibre.

## **Cas spécifique de la zone de Nord-Est de la RDC**

### **Facteurs renforçant la circulation illicite des ALPC**

- Zone frontalière avec le Soudan et l'Ouganda (ayant connu des conflits armés de longue période);
- Persistance des combattants étrangers (SPLA, LRA) et des combattants nationaux résiduels (FPRI);
- Disponibilité des ressources minières permettant de soutenir les actions des rebelles tant nationaux qu'étrangers;
- Existence des tribus ou ethnies allant de la RDC à ces pays frontaliers favorisant ainsi le développement du commerce frontalier ainsi que la généralisation rapide du phénomène;
- Quasi absence de l'autorité gouvernementale.

## **Types d'armes et circuits d'approvisionnement**

### a) Types d'armes:

Les types sont les mêmes que ceux décrits au point 2, sur la situation générale.

### b) Circuits d'approvisionnement en armes de petit calibre et armes légères (d'après les recherches réalisées dans cette partie du pays par Pax-Christi) :

- La plupart des armes sont introduites vers cette région à travers les frontières de la RDC clandestinement la nuit à pied, à bicyclette ou par véhicule par les villes de MAHAGI et BUNIA ou encore par la frontière avec le Soudan à partir des villes sud soudanaises de MARIDI, YEI et YAMBIO pour aboutir aux localités congolaises de DRAMBA, FARADJE et ISIRO.
- Il n'existe pas de grands marchés des armes comme tel mais des points des ventes le long des frontières dont les identifiés sont NABIAPAI, KAKESE et FARADJE sans compter les ravitaillements possibles par Air dans une Région incontrôlée.
- Cette région a été un déversoir des personnes fuyant la guerre du SOUDAN, de l'OUGANDA et du RWANDA et ces réfugiés emportaient leurs armes qu'ils ont revendu sur place pour survivre et se sont lancés dans ce commerce illicite comme revendeurs, vendeurs ou acheteurs.

## **Stratégies pour résoudre le problème des ALPC**

### 1. Au niveau des états concernés par cette conférence:

- Privilégier les principes de la bonne gouvernance en recherchant la justice et le respect des droits humains dans la gestion pour éviter l'injustice, la corruption et d'alibi aux rebellions ;
- Assurer un bon contrôle des armes licites existantes, en instaurant le système de marquage et d'enregistrement (registre national, provincial voire de district) des armes;
- Se doter d'un nouvel arsenal des Armes Légères et de Petit Calibre pour se démarquer des Armes Légères licites devenues illicites avec un accent particulier à l'aspect standardisation dans les différentes Forces de Sécurité ;
- Récupérer les armes illicites c'est-à-dire détenues en dehors des lois (désarmement communautaire);

- Renforcer les lois et Règlements en vigueur ;
- Construire des Magasins d'Armements et Munitions et leur sécurisation ;
- Rechercher le développement pour réduire la pauvreté ;
- Renforcer les capacités de la sécurité publique et collective afin d'augmenter la confiance des bénéficiaires pour qu'ils ne puissent pas recourir à d'autres moyens de défense.

## 2. Au niveau des organisations de la société civile:

- Promouvoir la culture de la paix et de la tolérance, le règlement pacifique des conflits, au niveau communautaire;
- S'impliquer dans les actions qui visent l'amélioration de la sécurité et de la gouvernance du pays, car gouverner ne doit pas être seulement l'affaire des autorités politiques et des institutions établies.
- Faire un plaidoyer auprès des décideurs pour l'adoption et l'application d'une loi sur le port d'armes à feu adaptée à l'environnement du moment.

## **Conclusion**

- Le contrôle efficace des Armes Légères et de Petit Calibre doit être considéré comme un enjeu majeure et une garantie pour la préservation et la conservation de la paix;
- La violence dans les zones orientales de la RDC ne semblent plus actuellement avoir de racines ethniques.
- Cette violence, entretenue de l'extérieur, pourrait bien servir d'excuse pour masquer les intérêts de certaines personnes dans cette région (Le dispositif militaire soulève bien des questions!).
- Les motivations des rebelles semblent être d'ordre économique et/ou économique politique.
- Ils semblent bien profiter d'appuis vitaux extérieurs à la région.
- Il est important que les dirigeants de nos Etats prennent au sérieux ce problème et répondent au mieux à leurs devoirs.
- Pour la RDC, avant la fin du processus de DDR, il doit être procédé au désarmement communautaire.
- Préalable: débarrasser les communautés des groupes armés tant étrangers que locaux qui sont les principaux vecteurs de la circulation illicite des armes légères et de petit calibre en RDC.

**Annex 15 SALW: situation in South Sudan**  
**By Chuol Gew Nhial, Deputy Director, Bureau of Community Security and Small Arms Control (CSSAC)**

Comprehensive Peace Agreement (CPA)

- Has ended more than two decades of civil war, brought about peace
- Created an enabling environment for democratic transformation
- Built responsive institutions
- Initiated recovery programmes and planning for the development of post conflict Southern Sudan
- Adopted a decentralized system of governance
- Provides visions and Strategies that guides peace and stability in the Sudan
- Upholds human right principles with specific emphasis and care for the interest of more vulnerable groups, children, women, elderly and persons of special needs

Challenges to the CPA:

- Demarcation of the South-North 1956 border
- Existence of militia groups
- DDR program is not completed
- Land disputes are discouraging the return of the refugees
- Militia groups that have allies with North not disarmed
- Proliferation of small arms and light weapons in the country
- Demining of the areas is not yet completed

Sources of SALW

- SPLA ( During the Liberation struggle)
- Khartoum Government
- Lord Resistant Arms
- Porous and Uncontrolled borders with Ethiopia, Kenya, Uganda, DRC, and Central Africa
- The estimated holding of SALW is 2 to 4 per a young man in some communities

The ongoing civilian disarmament

- The President of the GoSS decreed on 30<sup>th</sup> of June that all the civilian in the Southern Sudan be disarmed within 6 months period.
- The task has been given to SPLA
- It is almost forceful disarmament

Challenges to the ongoing disarmament in the south:

- The time for the presidential degree is so short
- The difficulties to carryout simultaneous disarmament across the Southern Sudan
- Lack of cooperation from the North to carryout the same exercise.
- The Regional Nature of small arms

Lessons learned

- Proliferation of small arms and light weapons aggravate insecurity among the communities and it therefore requires a global solution
- Gun holding by civilian has becomes a part of cultures
- The wide spread and misuses of small arms is a complex problems that requires coordination by wide ranges of institutions, expertise, and action in variety of fields
- Addressing small arms problems requires to regulates, control, and reduce the harmful impact of small arms that are in circulation

Creation of bureau for CSAC

- Is established by the GoSS as body to be responsible for coordinating comprehensive responses for to civilian insecurity and supporting non-coercive arms control activities in the southern Sudan
- To be a focal point for the Arms Control in the Region
- To be Secretariat to coordinate the efforts of institutions that are concerned with community Security
- Responsible for the policies formulation such as disarmament policy

#### Partners in the community and SALW control

- Local government and law enforcement agencies
- Traditional Authorities
- Women, Youth, Elders etc
- Religious groups
- CBOs/Civil societies
- NGOs
- International and Regional organizations

**Annex 16 SALW: Situation in Uganda**  
**By Ftr. Emmanuel Vurra, Justice and Peace and Human Rights**  
**Commission, Diocese of Arua**

**Introduction**

When I was asked to share with you, delegates of this workshop, the situation of small arms in West Nile region, I thought to myself, why not allow each person living in this region to tell their own stories about the “gun”; after all is there any adult in the region who has not seen, handled or heard of the gun? I wondered whether I could really capture the very personal, emotive aspect of the “gun”, in a presentation that risks being scientific and elitist. I nevertheless said to myself since it is not practical to bring everyone to this room, I should after all be consoled by the fact that having grown in this region, and worked here for nine years as an administrator in a rural sub county, and as a civil society trainer on SALWs, North Western Region, for the last two or so years, I must have seen and heard a lot about small arms and their impact on the lives of the people. I thank the organizers of this workshop for inviting me to share both this experience and the documented facts on the issue under discussion.

In my presentation I will, examine the developments in respect to proliferation and action on SALWs since the Arua workshop 2003. I will then discuss the current security situation vis-à-vis the proliferation of SALWs in the region; outline the existing opportunities for further engagement and the challenges to address. I will end with some modest recommendations for CSOs working on this issue.

**The developments on Arua Conference on Small Arms and Light Weapons since 2003.**

Among the most significant developments since the last conference in 2003 has been the remarkable return of relative calm in the region; with it the reduction in the abuse of SALWs by both security agencies and rebel militias. You will recall that until five years ago, one of the major challenges that almost crippled development and peace in this region was the UNFF 1, UNRF II and WNBFI insurgencies which affected part of Arua, Yumbe, Moyo and Koboko Districts. Another phenomenal event at the time was the LRA insurgency of Northern Uganda, including Adjumani District of West Nile Region. These four (4) major insurgencies, shaped most of the debates at the time on both proliferation and abuse of SALWs in the region. In other words, any discussions on SALWs in the West Nile Region could not make sense without reference to the history and reality of armed conflicts in the region. The LRA insurgency, by 2005 had caused the death of thousands of people, abduction and conscription of several children into the rebel army, the displacement of 10,222 households

with 41,005 members, just in Adjumani District alone.<sup>5</sup> As I talk, most of the displaced persons are still stuck in the camps for displaced persons due to uncertainty surrounding the signing of the final peace agreement between the LRA and the Government of Uganda.

Without giving figures, SALWs constituted the bulk of weapons used in all the previous insurgencies that operated in the West Nile Region. Unfortunately, in my presentation, I do not delve into an historical exposition of SALWs proliferation in the West Nile Region. I do this for the simple reason that I believe this aspect was adequately captured in a similar workshop held five years ago in Arua town, and in many other fora on development, peace and security in the West Nile Region of which many of you, (participants) have been part and parcel.

Another way of looking at the problem of SALWs in West Nile is to examine how decades of armed conflicts in the region have led to the demystification of the gun, thus making it an easy-to-own and easy-to-use object of survival for some individuals and criminal gangs. Just recently (in August) in Moyo District an army deserter robbed his own brother of a motorcycle under gunpoint. He is currently facing prosecution in the court of law (see attachment for data on gun related crime in Yumbe, Koboko and Arua Districts).

Although there has been some reduction in incidents of gun misuse as a result of absence of open rebellion in the region, gun-related crimes are still very rampant. It is important to note here that with every such incident happening in any part of the region, we are reminded of the presence of the gun in the hands of people who should not have it in the first place. Furthermore it points to a possible illicit source and proliferation in the region mainly across the borders with Sudan and the Democratic Republic of the Congo (DRC). Internally former combatants, deserters and the failed government strategy of gun-buying remain the main sources of SALWs for most of the criminal activities. The Government introduced a policy in 2004 of buying guns from illegal owners as a way of reducing the number of SALWs in the West Nile Region. Unfortunately, this well-intentioned project was hijacked by some unscrupulous middlemen who took it upon themselves to buy guns as far as South Sudan and sell to Government. The result was that when the programme ended suddenly due to inadequate funds, the said middlemen got stuck with the guns and later began to hire or sell them out to criminals.

Another problem that has persisted since the last workshop is the abuse of the gun by elements within the security organizations. The latest trends in crime involving SALWs in the

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<sup>5</sup> Report on internal displacement in Uganda (2006), by Norwegian Refugee Council.

region implicate individuals who have a good knowledge of the gun. They include army deserters, army retrenches and active police and army officers working in the West Nile Region. Just a few weeks ago, in August, a Police Officer based in Moyo gunned down a suspect in the course of arrest, a Special Police Constable killed another person in Logiri (Arua District) and a soldier attached to Dei military detach in Nebbi District, gunned down three people in cold blood. Other cases involve security officers from neighboring countries, especially DRC, who continue to sneak into Uganda and kill innocent civilians on our side of the border. Early this year, for example, a Congolese soldier killed a Ugandan Citizen in Ajono Parish (Arua District). Unfortunately for him the angry crowd lynched him and turned in his gun to the Police. A number of SPLA Officers are also said to carry guns across the border into Uganda, mainly as part of their official security arrangements. Interestingly the Government of Uganda (GoU) seem to be too reluctant to deal with this looming threat to lives of civilians, even when it clearly knows and is party to the international conventions guiding diplomacy, which among other things outlaw such illegal conduct on the part of foreign forces.<sup>6</sup>

### **Interventions since 2003**

The contribution of the 2003 Conference to civil society agenda on SALWs in West Nile cannot be ignored. Those who participated in that Conference would recall the different commitments we all made to ensure a vibrant and proactive engagement of CSOs on this matter. We, among other things, committed ourselves to shared action against illicit proliferation and abuse of SALWs and to empowering local communities to play a more active role in this struggle. This is why I consider today's workshop a moment of stocktaking. If we are in agreement with this assertion, then, allow me to highlight some practical steps taken by CSOs to address the persistent problem of SALWs in the West Nile Region.

I should mention here that attempts were made to set up relevant structures that would facilitate the engagement of CSOs in the fight against proliferation and misuse of SALWs in the region. Action Networks on Small Arms have been set up at regional (RANSAs) and district levels (DANSAs). Most districts in West Nile operate such institutional arrangements.

Another development was the launch by the Justice, Peace and Human Rights Commission of Arua Catholic Diocese in June 2007 of a six-month project to fight the proliferation of SALWs in Arua district. The German Technical Services funded the project. The aim was to encourage the voluntary surrender of illicit arms through awareness campaigns and to

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<sup>6</sup> Interview with the Regional Police CID Officer, Arua Police Station (Sep 12, 2008).

advocate for the proper use of arms held by security agencies. The Commission engaged the public through radio, car stickers, posters and T-shirts with explicit message denouncing the illicit ownership and abuse of SALWs, and encouraging the population to report any cases of illicit ownership and trafficking of guns. Some illegal guns were turned to Local Councils, religious leaders and the Police as a direct result of this intervention.

Earlier on in March 2004 the Uganda Joint Christian Council (UJCC) conducted a regional training-cum-sensitization workshop for CSOs with the view of arousing their interests in collaborative action in the struggle against the proliferation of SALWs in the North Western region and in the country as a whole. The workshop was attended by 20 participants representing 18 Non-Government Organizations (NGO), media houses and Community-Based Organizations (CBO), from 5 districts of the region. The major outcome of this workshop was the action plans for all the participating districts drawn by the participants themselves. This was meant to guide future integration of SALWs issues into their work among local communities.

Another follow-up workshop was held two years later in Arua town in May 2006, again sponsored by the UJCC. The workshop which I co-facilitated had about three main objectives, namely:

To provide a platform for stakeholders to share best practices and challenges involved in fighting proliferation of SALWs.

To train participants in the basic techniques of developing and delivering public awareness campaigns.

To assess the perception of the people of West Nile on SALWs. Again that workshop focused on district action plans as its main output; participants revised their 2004 action plans and generated budgets for each activity.

### **The Challenges**

There are many challenges confronting CSOs in their attempts to contribute meaningfully to the struggle to rid the region of illicit proliferation of SALWs. I will discuss just a few. First of all, there is the question of low capacity in CSOs to tackle what is probably one of the most dangerous battles. Despite the attempts made to train and sensitize CSOs, there is still inadequate knowledge and appreciation of what constitutes their precise role in this struggle.

There is also lack of apt records within the security agencies of incidents of abuse of SALWs. My attempts, for example, to get the latest data on gun-related crimes in the region from the Regional Police Office was very strenuous as records were simply not readily available. The

Police Force is not adequately equipped with relevant modern communication paraphernalia such as Internet and computers to facilitate standard information management practices.

Furthermore, despite the prevailing peace in West Nile region, the situation remains highly volatile with vast international borders lying unattended. The result is that this porosity makes the region highly vulnerable to gun trafficking by dealers oscillating between DRC, South Sudan and Uganda to pose new threats from possible rebel incursions. There are already indications that a number of such threats are linked to different militia groups operating in South Sudan and DRC, and from our own guerilla groups, notably the People's Redemption Army (PRA), the Lord's Resistance Army (LRA) and the National Army for the Liberation of Uganda (NALU). These groups are reportedly mobilizing resources in order to launch attacks on Uganda.

Another challenge we need to address is the apparent slackness on the part of CSOs that committed themselves to supporting the action against SALWs. The beautiful plans of action I talked about previously were not implemented by majority of the stakeholders. Some of these organizations are in this room. We should perhaps allow them to speak for themselves. In this way we might afford a more precise picture of the challenges they have been grappling with in their respective operating contexts. In my assessment though, financial constraints and lack of clarity on the place of SALWs programmes in their organizational objectives and missions are to blame for this apparent lack of attention. If I may, for example, ask: how clear would it be to members of the Sacred Heart Sisters, Caritas Arua, and Arua Muslim District Women Council how issues of SALWs become part of their broader concerns on economic empowerment and care for orphans and vulnerable children? I think for those organizations that do not have explicit peace building or security-related objectives, introducing this concept for the first time without any clear follow-up plan could lead to confusion and even resistance.

Another important factor arises from the waning social coping systems among our indigenous communities as a result of decades of violence in the region. The culture of violence is fast replacing the tested traditional mechanisms of conflict resolution where the "clan system" (elder system) represented a worldview of "power-and-solution-within", a compelling reality that pushed parties into conflict in to the feet of clan heads (elders). The new way of settling disputes is characterized also by brute force-mob justice and shooting. Its focus is on liquidation and annihilation and not on stewardship and reconciliation; for some the gun makes this process easier and manageable. This is what I describe as the

“gun-in-the-head”; it is an attitudinal issue that is more complex than all the rest I have earlier on mentioned.

Poverty also remains a big impediment to our efforts to rid the region of illegal guns. As you probably already know, the West Nile Region is among the poorest in Uganda. According to the Uganda Human Development Report 2005, West Nile recorded one of the lowest Human Development Indices in 2003.<sup>7</sup> The Ministry of Health ranked one of its districts (Nebbi) among two most cholera-prone and affected districts in Uganda, recording 201 cases and above in the period from 1997 – 2004, while malaria accounted for 135,684-253,074 morbidity cases in this District in 2003 alone.<sup>8</sup> The average Human Poverty Index (HPI) for the region stood among the highest at around 40% in 2004.<sup>9</sup> In this kind situation people adopt different coping mechanisms, including aggravated robbery and gun trafficking in order to survive.

Again, whereas the national household survey 2002/2003 shows an overall increase nationally in the proportion of people living below poverty line from 34 percent in 2000 to 38 percent in 2003, the figure stands well above 60% for West Nile region.<sup>10</sup>

## **Opportunities**

As we plan to intensify our efforts to rid the region of SALWs, we need to identify and utilize to the maximum every opportunity before us. One of these is the relative peace now prevailing in South Sudan and in Northern Uganda, including West Nile region.

With the UNRF II peace agreement with the Government in December 2002 and the LRA on the verge of signing a final peace agreement to end decades of violence, I must say the burden for us CSOs has been significantly reduced. We can now almost comfortably focus our attention on post-conflict management of SALWs in an environment free from major military threats.

A second aspect I consider important is the demystification and civilianization of the SALWs issues by the security agencies, especially the Police. The establishment of a National Focal Point within the Police Force has greatly facilitated civil-military cooperation on this issue. For the first time since the 2003 workshop, the Police Force has recognized the important role of CSOs in the battle against SALWs. Many of the district and regional police leadership are cooperative on this matter and they are yet to set up structural arrangements similar to those

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<sup>7</sup> Uganda Human Development Report, (2005). “Linking Environment to Development: A Deliberate Choice”. United Nations Development Programme, Kampala, Uganda, p.23.

<sup>8</sup> Ibid., pp. 66- 67.

<sup>9</sup> Ibid., (2005). p.26.

<sup>10</sup> Ibid., p.26.

of CSOs right from the regional to the district level. These structures are expected to work closely with the RANSAs and DANSAs on issues of SALWs. This is an opportunity we cannot allow to slip from our hands.

Thirdly, the thriving cross-border trade between South Sudan and Uganda plays a very crucial role in enhancing productive relationships between the two communities, while at the same time providing possibility for meaningful employment for young people in the West Nile Region. Some of the people who once saw the gun as the only means of survival have found solace in legitimate cross-border trade. It is incumbent upon us to seize this development and lobby with governments at both national and district levels to do all they can to put in place infrastructures and policies that will boost productivity in sectors such as agriculture and trade in order that this trend may be sustained.

### **Recommendations**

As we continue to reflect on the next steps, I would like that we pay attention to the following proposals:-

- We should intensify and strengthen our regional approach to the issue of SALWs in the Sudan-DRC-Uganda triangle.
- A lot needs to be done to generate and share information on movements of arms across our borders. In this we need to set up our own intelligence systems among the local population to help us track the trends and take appropriate action.
- We could also consider setting aside at least one day or week every year to highlight the dangers of SALWs.
- The day or week could be marked with serial radio programmes, public demonstrations, debates, testimonies and workshops.
- We should encourage CSOs working in West Nile region to take peace building seriously. All we need to do is to explain the relevance of peace building to their objectives and allow them come on board voluntarily. Previous efforts did not succeed precisely because they came with unrealistic monetary guarantees. Many CSOs joined the trail simply because they saw in SALWs programme some monetary benefits. They drew work plans and budgets but when the funds failed to come most of them abandoned the whole idea of being part of a struggle that should have been the concern of every citizen and CSO in the first place.
- There is need to build capacity of local communities to deal with disputes in a peaceful manner. In this we must pay special attention to ex-combatants and deserters and local communities in areas that were once battlegrounds for different

fighting groups. We must support profound and long-term alternative livelihoods programmes for such groups and communities as part of the struggle against gun trafficking and misuse.

- We need to improve information management systems in order to generate accurate and up-to-date data on the movement of SALWs in the region. In order to do this effectively, there is need to build a critical mass of community intelligence volunteers and train them in data collection and reporting. We could also consider opening hotlines for the public to enable them report cases of gun abuse and the Police to take prompt action. Although some of these strategies have been tried before, we need to invest more in streamlining and strengthening them with the necessary intellectual and other resources. The role of religious groups needs to be stressed and all necessary steps should be made to bring them on board as important partners in the struggle against gun trafficking and abuse. We need to capitalize on their diverse grassroots structures and organization. We could transform them into channels of interaction with the public on this issue and of information gathering and dissemination. This would require some deliberate capacity building programs targeting religious leaders as a way of increasing their awareness of the issues and developing their skills in this field.

## **Conclusion**

In conclusion, allow me state that although the level of awareness of the danger of SALWs has gone high among both organized civil society and the general public, this knowledge is yet to be translated into concrete and sustained action by all stakeholders. It is, therefore, important that all of us here present should take this workshop as one of those important moments of learning and commitment to a process and struggle so crucial to our time and region. We cannot afford to leave issues of security, including proliferation of SALWs to ill-equipped and ill-facilitated security personnel or to the political community. I say so because the main victims of SALWs are the unarmed and we and our families and friends are in that risk basket.

**I thank you for listening.**

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**List of Abbreviations.**

CSOs	Civil Society Organisation.
SALWs	Small Arm and Light Weapons.
UJCC	Uganda Joint Christian Council.
LRA/M	Lord’s Resistance Army/Movement
DRC	Democratic Republic of Congo
RANSA	Regional Action on Network of Small Arms.
DANSA	District Action on Network of Small Arms.
WNBF	West Nile Bank Front.
UNRF	Uganda National Rescue Front.
CBO	Community Based Organisation.
NGO	Non Governmental Organisation.
HPI	Human Poverty Index.
NALU	National Army for the Liberation of Uganda.
PRA	People’s Redemption Army.
GTZ	German Technical Services.
JPC/HRC	Justice Peace and Human Right Commission.
SPLA	Sudan People’s Liberation Army.
GoU	Government of Uganda.
UNDP	United Nation Development Programme.

**Annex 17      LRA : the state of the negotiations**  
**By Nuno Tomas, assistant to President Chissano, UN Office for LRA**  
**affected territories**

**Arua presentation on the Juba peace process**

The first peace initiative to solve the conflict between the Government of Uganda and the Lord's Resistance Army (LRA) was launched in 1993 by Minister Betty Bigombe. This process was rather promising having resulted in several meetings with Joseph Kony and a period of general détente in Acholiland. However, the finalization of the process became problematic and President Museveni gave in February 1994 an ultimatum to the LRA to surrender and disarm in 07 days. The LRA rejected the ultimatum, thus meaning an end to this initiative. Other unsuccessful initiatives were undertaken by the Santo Egidio Community in 1998 and the Carter Centre in 1999.

Minister Bigombe launched another initiative in 2003 to try and broker a peaceful deal for the conflict. Again, the initiative was quite promising having led to a meeting in Palabek, Kitgum, between Minister Ruhakana Rugunda and Brig Sam Kolo, then 3rd in Command at the LRA, on 29 December 2003. The Government of Uganda insisted that a peace deal had to be signed before the lapsing of the ceasefire on 31 December 2003. Surprisingly Sam Kolo agreed to this. The peace agreement was hastily drafted on 30 December and read out over the telephone to Sam Kolo at 09 a.m. The Government wanted the deal signed at 03 p.m. Joseph Kony refused and this effort also failed. Minister Bigombe continued trying for another nine months without success.

In 2004 the Government of Uganda referred the LRA-conflict to the International Criminal Court (ICC). It did this probably for a number of reasons. First, it was pressurized by many people including the international community to do so; second, the Government wanted to mobilize international support against Sudan, as the main backer of the LRA; and, third, this action did give higher moral ground vis-à-vis the LRA. After the failed attempts of Betty Bigombe, the ICC moved forward and published in October 2005, arrest warrants against five members of the LRA Leadership: Joseph Kony, Vincent Otti, Okot Odhiambo, Raska Lukwiya and Dominic Ongwen.

After the publication of the ICC arrest warrants, nobody in the world thought that peace talks were still possible with the LRA, except the GoSS. In early 2006, the Government of Southern Sudan (GoSS) realized that the LRA was its greatest threat to stability, but also that the SPLA was not in a position to fight the LRA after 22 years of Sudanese civil war. Hence, it preferred to engage the LRA in peace talks.

The Vice President of Government of Southern Sudan, Dr Riek Machar, went into the bush and met with Joseph Kony in April 2006. He gave Joseph Kony 20,000 USD in cash, 'for food' and had this filmed on video, for the whole world to know. Outrage in Uganda and elsewhere was the result. But, to everybody's surprise (and dismay!), when President Salva Kiir from GoSS came to Kampala on 18 May 2006 to invite President Museveni to peace talks with the LRA in Juba, President Museveni responded positively.

On 14 July 2006, peace negotiations started between delegations of the GoU (led by Minister of Internal Affairs Dr Rugunda) and the LRA (led by Martin Ojul and consisting of mainly civilians of the Acholi diaspora but initially also three LRA commanders). The talks were greeted with great international skepticism. This changed, however, with the signing of a Cessation of Hostilities (CoH) which appeared to hold and led to an exodus of the LRA from Northern Uganda into Sudan.

For the LRA, this Cessation of Hostilities was very welcome. Its remaining troops in Northern Uganda were having a difficult time: Commander Raska Lukwiya was killed during the negotiations (in early August 2006) and Dominic Ongwen was under threat. Therefore, the LRA quickly agreed and even agreed to assemble in two areas (one in eastern Equatoria, one in Western Equatoria), something it probably never has seriously considered doing.

The CoH gave an enormous boost to the credibility of the process, as it led to fast and visible improvements in the terrible situation in Northern Uganda. When UN Humanitarian Coordinator Jan Egeland came to South Sudan and managed to even meet LRA leader Joseph Kony in Ri Kwangba in November 2006, the taboo was broken. Donors rushed to Juba to support the process and money came pouring in.

The process ran into difficulty rather soon thereafter, however. It was clear that, while the LRA had been in a hurry to come to a Cessation of Hostilities, it was less in a hurry to sign a Final Peace Agreement (FPA) and come out of the bush. The delegation, consisting of civilian sympathizers of the LRA added its own extra points of emphasis to the political agenda of the LRA.

In a nutshell the difference between the parties was that the GoU clearly didn't want to negotiate much else than a 'soft landing' for the LRA, while the LRA and its delegation were looking for a full political settlement that would resolve the inequality between Northern and Southern Uganda.

As a result of the differences, parties talked in Juba evening after evening for almost four months, without making decisive progress. After the talks adjourned for Christmas, on 14 January the LRA made a statement in which it said that it would no longer come back to Juba for a continuation of the talks. As reasons it cited one-sidedness of the Chief Mediator and lack of proper support for the LRA delegation, as well as security concerns.

The process was therefore rather seriously off-track. Fortunately, in December 2006 the UN Secretary General had appointed a 'Special Envoy of the UN Secretary General (SESG) for LRA affected area's'; former president of Mozambique H.E. Joaquim Chissano. The name of this title was somewhat unfortunate, as it was not liked by the LRA. However, the long name was chosen to avoid it to be an envoy for Northern Uganda, as this was not acceptable for the Government of Uganda (GoU).

With the process being off track, the new SESG was in an excellent position, as a new and neutral player on the scene, to help it back on track. After some meetings with Joseph Kony, the SESG proposed certain changes in the structure of the talks, which led the LRA to agree to return to Juba. The main change was an increased African international involvement in the talks. The 'Cessation of Hostilities Monitoring Team (CHMT)', as well as the talks themselves were strengthened with Observers from DRC, Tanzania, Kenya, South Africa and Mozambique. This increased the confidence of the LRA in the process.

The talks therefore resumed on 26 April 2007 and led to an immediate signing of the difficult agenda item 2 on Comprehensive Solutions. Agenda item 3 was also swiftly concluded, on 29 June 2007: 'Principles of Accountability and Reconciliation'.

This agenda item is of immense international interest, as it relates to the outstanding ICC warrants for the LRA leadership. The agreement makes use of the fact that 'complementarity' is central to the Rome Statute (the agreement that arranged for the establishment of the ICC): the ICC only prosecutes in situations where the government concerned is 'unwilling or unable' to prosecute itself. Even though it was the GoU itself that referred the case to the ICC, Uganda is now going to go back to the ICC to request warrants to be lifted as it will prosecute the case itself. The lifting of the warrants is of extreme importance for the LRA. But

while it is not impossible to achieve a lifting of the warrants, this can only be done by organizing serious court cases in Uganda itself.

After the 'Principles', the next document to agree on was to be 'Implementation Mechanisms of Accountability and Reconciliation'. The parties were given time off to consult with victims and affected communities about the kind of accountability they wished to have. Both GoU and LRA held extensive consultation processes in Uganda, which increased the credibility of the peace agreement. Both parties took their time to finalise their processes. The GoU was only ready by the end of September 2007, while the LRA entered into grave internal problems of financial and strategic nature, which caused more delays. The LRA only finalized its consultative process by the end of November 2007.

The internal problems were extremely grave, and led in October 2007 to the execution of Vincent Otti, 2nd in command of the LRA and the main liaison of the LRA for the peace process. It may be too early to conclude, but many observers see this execution as the end of the peace process, as it shows the lack of commitment of LRA leader Kony to the process. Time will tell, but it is a fact that after the death of Vincent Otti, the LRA became again elusive, and refrained from contacts with the outside world.

After one and half years of negotiations, President Museveni became impatient. Furthermore, the LRA, after 1,5 years of respecting the CoH, became active again and incidents (mainly in DRC) started occurring again. The DRC and Uganda had, on September 8th 2007, already signed the 'Ngurdoto agreement', which, amongst other things, contained a commitment by DRC to forcefully remove LRA from its territory. A serious deadline for the talks to be finalized emerged: 30 January 2008.

The Chief Mediator Dr Machar tried his best to get in touch with Joseph Kony. However, visits to the assembly area in Ri Kwangba in December and January were in vain, as Kony did not show up. In order to work around the deadline, Machar agreed with the other commanders that were present in Ri Kwangba that the talks could resume with the delegation. Shortly thereafter, Kony fired his chairman of delegation, Martin Ojul, and replaced him with Dr Matsanga.

On 30 January, talks resumed and at a very high speed, all remaining sub agreements and implementation protocols were signed. The speed of signing was almost suspect. This all the more as it became increasingly clear that Dr Matsanga was not telling the truth about his contacts with Kony. While he said he was going to Ri Kwangba 'to discuss the signed agreements with Joseph Kony', in reality he did not meet him. Furthermore, in the first three months of the year, the LRA started abducting again on a considerable scale. In the first 3 months of 2008, approximately 300 people were abducted, allegedly by the LRA. (One has to always take into account, however, that intelligence in the central African region is of extremely poor quality and therefore is it impossible to state with absolute certainty who committed those crimes.)

By mid March, the peace talks were finalized. The only thing that remained to be done was the signing by Joseph Kony and President Museveni of the Final Peace Agreement (FPA). But obviously, Joseph Kony remained elusive. The signing was postponed a number of times without good reasons. On 10 April, finally, a signing ceremony was organized in Ri Kwangba. Almost 200 people were transported to the place, including 40 journalists, but Joseph Kony did not turn up.

Instead, he talked through the telephone with some of his delegation and other interlocutors and stated that he wanted more explanations about the peace agreement. Dr Matsanga resigned or was dismissed from the chairmanship of the delegation and this time it was Dr Obita's turn to become chairman.

Through intermediaries, we learned Kony still had questions about the agreement, particularly concerning how matters of justice would be handled, his future security and welfare and that of other LRA senior commanders, and how DDR would be put into operation. A meeting was scheduled for 10 May in Ri Kwangba, at which Northern Ugandan Cultural, Traditional, Religious and Political leaders would thoroughly brief him. Again, despite Kony's personal assurances to them, he failed to turn up. Worse, all contacts with other LRA commanders ceased. These Leaders are until now trying to me Kony and provide him with the necessary clarifications on the Juba Peace Agreements. However, the LRA has failed to avail himself for such critical meeting. To date the FPA has remained unsigned.

While the LRA had respected the Cessation of Hostilities relatively well throughout 2007, as from January 2008 more and more grave incidents have occurred:

The LRA launched a series of attacks in south-eastern CAR between 19 February and 8 March. It abducted at least 157 people, including 55 children. Though some 35 have since been reported released, none were children.

In the DRC, the first half of 2008 witnessed an overall increase in looting and human rights abuses in the Dungu area, peaking in February and March. Unconfirmed reports suggest that during this period the LRA abducted some ten people, of which the majority have since been released.

In Sudan, the LRA has been circulating in Western and Central Equatoria since the beginning of this year. At least 95 people have been abducted, and 31 SPLA elements and 26 civilians have been killed, accompanied by widespread looting. Humanitarian actions have become more and more difficult, and UNHCR Uganda has had to suspend repatriating Sudanese refugees in Uganda back to the area.

More recently the LRA has launched a string of coordinated brutal attacks in a number of villages in the DRC and Southern Sudan that resulted in the abduction of 90 children, displacement of close to 90,000 people, looting of food, burning of huts, health centres, churches and plundering of property.

Nowadays the peace process is deadlocked and the following conclusions can be drawn from the process. First, contact with the LRA leadership became progressively more problematic after the assassination of Vincent Otti. In hindsight, the encouraging speed with which agreements were concluded in the first months of this year was deceptive as the LRA delegation never met its leadership in the bush.

As Kony remains silent, it is difficult to assess what is preventing from signing the Final Peace Agreement. However, one can think that while still keeping all other options open, he was interested in peace. But he had unrealistic expectations of what peace could deliver, and Kony's immense mistrust and the ICC arrest warrants hanging over his head made him intensely dubious of assurances given.

On the other hand, Kony is getting conflicting advice from multiple sources, including from the various factions of the LRA delegation to the peace process, as well as from Ugandan citizens in Uganda and in the Diaspora. These sources have been consistently misinforming on the peace process, thus confusing him.

As long as Kony feels other options are open to him, as long as he can venture into the CAR, Sudan, DRC, and possibly Uganda, he is unlikely to sign the FPA. However, this agreement remains the best and only way to serve the interests of the Ugandan people and both parties. We must still urge them to seize this opportunity to sign and implement it, towards a lasting reconciliation and reunification for all in Uganda.

Despite the setbacks we must continue efforts to end the conflict peacefully. With your agreement, I will continue to use my best endeavours to encourage the LRA's Leader re-engagement. Dialogue should extend not only to Joseph Kony, but to other members of the LRA.

The concrete gains already won for the people of Northern Uganda through this peace process must not be lost. We should call upon both the Government of Uganda and its international partners to implement as swiftly as possible the 'Peace, Recovery and Development Programme' (PRDP) for Northern Uganda, to strike at the root causes of the conflict and to present to a weary population the first fruits of peace.

All the 'LRA-affected areas' in the region have in common their remoteness, collapsed infrastructure, extreme poverty, and absence of the rule of law. As long as this is so, there will be safe havens for rebel groups. This situation must be changed.

**Annex 18      LRA: Situation in Duru,  
By Ftr Ferruccio, Justice and Peace Dungu diocese / parish of Duru**

**La LRA de Joseph Kony et la situation actuelle de la contree de Duru**

Il m'a été demandé de parler de la LRA de Joseph Kony et de la situation de Duru depuis que ces éléments armés se trouvent dans notre territoire. De prime abord j'aimerais les comparer à une ruche d'abeilles. On connaît celle-ci pour l'organisation laborieuse qui existe en son sein. Il en est ainsi de la LRA de Joseph Kony. C'est une armée de plus ou moins 1000 éléments bien compacts, structurés, féroces et d'une force aveugle. Comme dans une ruche, cette organisation se tisse autour de la personne de la reine abeille, en l'occurrence autour de la personne de Joseph Kony ; tant qu'il reste en vie, cette organisation tiendra certes le coup.

Mais avant d'en venir à la situation actuelle de la LRA autour de Duru, voyons une brève chronologie de la présence des éléments de cette armée dans la contrée de Duru.

- Février 2006 : On signale à Duru des incursions d'hommes armés mal identifiés qui semblent provenir de Li-Duru où ils auraient leur base dans le Parc de la Garamba. Les FARDC encore présentes à Dungu sont alertées et semblent se déplacer vers Duru pour sécuriser la population, mais hélas, ils amènent plutôt tracasseries, pillages et autres formes de maux sociaux. En tout cas, les éléments de la FARDC se trouvent même de temps en temps face à ces éléments sans réagir.
- Mars 2007 : On apprend les premiers mouvements des ces hommes qui se dirigent de leur base en direction de Doruma. Ils ne se cachent pas pour faire ce mouvement. On les voit battre les mêmes chemins que tous les citoyens congolais.
- **Présence de la LRA au Nord est du Territoire de Dungu** : Depuis bientôt quelques années, la Lord Resistance Army de Joseph Kony a choisi de s'installer dans le Parc National de la Garamba au Nord est du Territoire de Dungu. La présence de la LRA dans cette partie du pays, non seulement insécurise la population, mais aussi empêche les déplacés internes de Yakuluku (localité située à 112 km au N-E de Dungu) d'envisager un éventuel retour. .
- **Irruption des 7 miliciens LRA au couvent des prêtres à Duru (90 km au nord de Dungu)** : Dans la nuit du samedi au dimanche (15-16 décembre), entre 20h00 et 24h00, 7 miliciens de la LRA ont fait irruption dans le couvent des prêtres à Duru (village situé à 90 km au nord de Dungu sur la route qui passe par Kiliwa) et ont pillé :
  - 1) dans la mission catholique : 2 ordinateurs, 1 panneau solaire, tout l'argent (\$, shillings, FC, pounds soudanais), un téléphone Thuraya, la radio HF.
  - 2) dans le couvent des sœurs situé à 100 m. de la résidence des Pères : de l'argent et des médicaments destinés à l'hôpital sont sauvagement pillés assortis des

menaces contre la vie des sœurs. Ceci détermine les sœurs à quitter la Paroisse de Duru tant que la présence de la LRA sera signalée dans la région. La sœur Séraphine Dika qui était de ce groupe redira leur détresse sur les ondes de la VOIX DE L'AMERIQUE quelques temps plus tard. Les 7 miliciens ont par la suite recruté de force des personnes pour transporter tout ce matériel en brousse.

- Le vendredi 29/12/2007, des éléments de la LRA ont enlevé trois villageois de Nakale, un village situé à plus ou moins douze kilomètres au nord-est de Duru. Ces villageois au nombre de cinq étaient en train de faire la pêche au bord du ruisseau Nakale lorsqu'ils ont vu surgir de la brousse des éléments LRA. Deux villageois ont réussi à prendre fuite et les miliciens LRA ont emporté les trois autres. Après un jour entier de torture, les trois villageois ont été relâchés et les miliciens leurs ont dit de transmettre aux autorités Congolaises, qu'ils (les miliciens LRA) sont fâchés contre la RDC qui permet à la MONUC de retirer certains de leurs officiers et de les livrer au gouvernement Ougandais. Si la MONUC n'arrête pas ce trafic, eux non plus ne vont pas arrêter les actes de représailles. Ils ont aussi demandé à la population de Duru de ne plus fréquenter la forêt (donc, cette population ne peut plus accéder à ses ressources naturelles.

- **250 à 300 miliciens LRA font mouvement le long de la frontière RDC – Soudan au nord de Duru** : Selon une source fiable que nous avons pu contacter

250 à 300 miliciens LRA (plus leurs dépendants : femmes et enfants) ont fait mouvement la semaine du 05/02 au 12/02 le long de la frontière RDC – Soudan en direction de l'ouest. Ils sont partis de leur base de Lindimbia (60 km à l'est de Duru) ; Ils ont été aperçus le 06/02/2008 à Solo, localité située à 10 km au nord de Duru, où ils ont pillé chèvres et poules des autochtones. Le 07/02/2008, ils ont contourné la localité de Bitima (25 km au nord de Duru) et se sont dirigés davantage vers l'ouest. Ce mouvement a causé la panique au sein de la population congolaise, mais cette dernière ne s'est pas déplacée. Par contre, un mouvement de déplacement massif des populations a été observé de l'autre côté de la frontière où la population soudanaise riveraine s'est déplacée vers la ville frontalière de Yambio, a reporté la même source.

Le 1<sup>er</sup> Mars 2008 un jeune congolais du nom de ETE a été abattu vers onze heures pendant qu'il pêchait au confluent des rivières Duru et Gbazi (18 km N-E de Duru) par une dizaine d'hommes armés en uniformes. D'après les mêmes sources, les agresseurs ont par la suite crevé les yeux de la victime, fait des entailles profondes dans ses bras et ses jambes et coupé son sexe. Deux autres jeunes gens, compagnons de ETE ont été enlevés et relâchés 24 heures plus tard après avoir subi des sévices de tout genre. Contrairement aux rumeurs faisant état du départ de tous

les éléments LRA des environs de Duru, les récents événements démontrent qu'il existe encore des miliciens LRA dans cette région. Nous savons, quant à nous, que les **40 familles de Nangbangili, village de Monsieur ETE se sont déplacées auprès de leurs proches à Duru.**

- Le lundi 05 avril 2008 deux personnes, un enseignant congolais et un sujet Centrafricain, parmi celles qui étaient enlevées du côté de Doruma se sont évadées d'une colonne de la LRA qui les amenait vers leurs camps situé près de la colline de Lindimbia (+- 60 km à l'Est de Duru). L'évasion a eu lieu entre le village de Yakuluku situé à 12 km au Nord – est de Duru et la colline de Lindimbia. Les deux évadés sont arrivés à Dungu le Dimanche soir 06 avril. Une rencontre a été organisée le mardi 08 avril 2008 à 13.00' avec les évadés.
  - **550 éléments LRA en mouvement vers la base de Limbwele :** Nous apprenons de source sûre que depuis dimanche 14 juillet 2008 des éléments de la LRA prennent le chemin menant à la base de Li-Mbwele en partance de leur base de Lindimbia. De passage par Duru, le mardi 15 juillet 2008, ils ont perpétré des pillages sur le villageois de Duru, de Naguga, et de Solo (10 km au N de Duru). D'après l'un des villageois pris de force pour porter les effets pillés, et qui a pu les compter un à un après avoir passé deux jours avec eux, ils étaient 550 avec deux femmes et un bébé. Les garçons et les hommes étaient tous en uniforme et lourdement chargés des sacs des munitions portés sur la tête. Après deux jours de marches, les villageois ont été relâchés le mardi 15 juillet 2008 le soir. Parmi ces éléments LRA, il y en avait un qui parlait un très bon lingala et qui servait d'interprète. Les rebelles ont voulu savoir auprès des villageois s'il y avait déjà des militaires à Dungu et combien
  - **Une nouvelle position des LRA signalée près de Duru :** Selon une source sûre, les éléments LRA ont construit plusieurs huttes entre le village Nakanga (17 km au sud-est de Duru) et le village de Madoro (35 km au sud-est de Duru). Ces huttes ont été aperçues par des villageois partis dans cette direction pour la chasse. Aucune indication n'a été fournie par les villageois sur l'effectif des éléments présents dans cette contrée. Ces informations ont été rapportées ce Mardi 05 août à l'Administrateur du Territoire.
  - **Un nouveau camp de LRA non loin de Kiliwa :** Un jeune homme de Dungu parti mercredi le 6 août à Kiliwa pour faire la chasse est tombé pile sur un camp de la LRA à deux heures de marches du centre de Kiliwa dans la direction de l'est. Arrêté, ce jeune homme est resté dans ce camp jusqu'au dimanche 10 août à 5.00', moment où il a réussi à tromper la vigilance de ses gardes pour s'enfuir. Arrivé à Dungu, il s'est aussitôt confié aux autorités locales et à OCHA. Le jeune

homme affirme qu'il y aurait près de 300 rebelles dans ce camp dont +/- 200 étaient partis depuis le jeudi 7 août pour rejoindre ceux qui venaient du côté de Bitima afin de se diriger tous vers Nabanga au Sud Soudan pour ravitailler leurs différentes positions. Le jeune homme déclare en outre que le camp de Kiliwa est très récent et que le colonel qui dirige ce camp bénéficie de la complicité de certains jeunes gens parmi les villageois, dont celui qui l'a entraîné vers ce camp. Il ajoute aussi que les LRA sont entraînés de saccager la faune, car il a vu dans leur camp une très grande quantité d'ivoire entassés et de viande fumée des buffles et d'éléphants. C'est d'ailleurs cette viande qui constitue pour le moment l'essentielle de leur alimentation. « Il y a parmi ces rebelles des centrafricains et des soudanais car je les ai entendu parler le kisango (langue de RCA) et l'arabe » a déclaré le jeune homme.

- Le 15 septembre dernier la population nous a signalé un déplacement en grand nombre des éléments de la LRA qui du campement central sont sortis pour Nakanga et de là ils traversent la route Duru-Yakuluku à 5 Km de Duru. Ils sont fortement chargés avec des chaises, casseroles, matelas et, autres objets de ménage. Ils sont aussi accompagnés de quelques enfants. Ils semblent se diriger vers les campements de Li-Mbwere Nanzawa.

Au moment où nous sommes en train de rédiger ces lignes nous apprenons que ce mercredi 18 septembre 2008, trois localités ont été attaquées simultanément par les éléments de la LRA. Il s'agit des localités de Kiliwa, de Nambia et de Duru. A Kiliwa un homme (chef de localité) a été tué, le chef de Groupement enlevé, une femme grièvement blessée à l'arme blanche, quarante écoliers emportés, des cases brûlées, une moto d'un commerçant incendiée et beaucoup de biens pillés. Ils ont ensuite mis au feu les biens pillés qu'ils n'ont pas pu emporter. Dans la localité de Nambia, ils ont enlevé le chef de Groupement et quelques villageois avec lui dont le nombre et les noms ne sont pas encore connus, ils ont pillé les biens de la population et incendié des cases et deux motos. A Duru, des faits précis ne sont pas encore connus étant donné la cache préventive des appareils des confrères missionnaires.

Comme on s'en rend aisément compte, la population de la contrée de Duru est exaspérée et abandonnée à son triste sort. Nous savons que la MONUC est à Dungen depuis plus d'une année maintenant avec, vraisemblablement l'objectif de sécuriser la population civile. Elle ne semble envisager aucune opération militaire. Elle dit plutôt attendre la possibilité d'une reddition pacifique de Joseph Kony et de sa LRA. Les FARDC qui semblent vouloir engager trois mille hommes pour bouter Joseph Kony en dehors des frontières de la RDC ne semblent pas se presser et, vues de l'extérieur, elles ne semblent pas suffisamment équipées et aguerries pour s'attaquer à une

guérilla aussi organisée. Pour notre milieu où les Zande vivent isolés plutôt qu'en village, l'irruption des militaires dans un milieu causera la panique plutôt que l'apaisement. Si nous pouvons aider les protagonistes de la situation à cerner un peu la situation, nous pouvons articuler notre contribution en deux points : 1° Situation des bases de la LRA ; 2° Des suggestions en vue de la paix durable.

## **1. Situation des bases de la LRA**

Toutes les bases de la LRA sont situées sur le large territoire de notre paroisse Catholique de DURU. Comme on peut le prévoir, partout où cette armée d'abeilles s'installe, la population prend du large pour échapper aux exactions régulières. C'est ainsi que de nos chapelles, treize ont disparu.

Quand John Garang en novembre 1990 a conquis le « West Sudan », pour rejoindre Yambio (j'étais alors parish priest à la mission Duru), avant de s'approcher de Meridi, trop forte forteresse du Gouvernement de Khartoum, il a dû, avec l'accord de Mobutu, entrer sur les routes du Congo pour au moins 80 Km. A partir du Nord du Parc de la Garamba, précisément à Kukudu Zungumbio là où commence notre paroisse de Duru. Les 70 véhicules et 10.000 militaires SPLA de John Garang sont descendus jusque à Miti, Maida et Mazamboli pour rentrer au Soudan à NABANGA qui était à 6 km de là et à 50 km de Duru. Dans ces endroits, nos écoles sont restées fonctionnelles jusqu'aux années 1998 quand l'Ouganda, le Rwanda et la SPLA ont envahi le Congo en représailles contre Laurent Désiré KABILA (le père).

A partir de cette date, ces endroits ont vu la disparition de la population et ce devenu un domaine au braconnage à grande échelle. Les braconniers aussi n'aimaient pas la présence de la population.

A cette époque aussi remonte la disparition des tous les Postes de Patrouilles (PP) des gardes du Parc de la Garamba, Postes qui confinaient notre paroisse : PP 0, 1, 2, 3, 4, 5 et 6 : Kukudu, Tiri, Kpidigala, Bagbele-Wilibadi, Mamba, Nyele.

A partir de 2006, comme signalé plus haut, la base des LRA se situait sur les montagnes et grottes de Miti-Maida. De là ils passaient presque tous les trois semaines à 5 ou 7 km de Duru pour aller piller la population Soudanaise. Ils entraient ainsi des fois jusqu'à Yambio, à 70 km de Duru.

Leur première apparition aux environs de Duru remonte au 02/02/2006. Avec carte géographique et téléphone à la main, ils demandaient des orientations pour atteindre Nabanga, Bitima, Yambio et la République Centre Africaine dont ils voulaient savoir l'éloignement à partir de Duru. Lorsqu'ils rentraient des pillages du Soudan ils avaient

toujours une trentaine de porteurs Soudanais avec eux et ramassaient boutures de manioc et feuilles de patates pour aller initier leurs champs.

Selon nos connaissances actuelles, leurs grands champs de différentes cultures se situent plus à l'intérieur du Congo, aux sources de la rivière Kpaika, à Yagaro, à Nyele et à Aka dans le Parc de la Garamba.

## **2. Nos suggestions**

### a) A la communauté internationale

- Que la communauté internationale fasse pression sur les protagonistes afin que sans tergiverser, ils arrivent rapidement à un accord de paix assorti du départ complet de tous les éléments de la LRA de cette contrée
- Que des mécanismes de suivi soient conçus et rendus fonctionnels au niveau international afin de s'assurer de la réalisation effective des accords.

### b) Aux organisations caritatives

- Faire le mieux pour soutenir les sinistrés
- Aider la population locale à faire connaître les détresses locales
- Que la MONUC renforce le processus DDRRR.

### c) Au Gouvernement Congolais

- Que le Gouvernement Congolais mette hors d'état de nuire les éléments de la LRA .
- Que le même Gouvernement pense à sécuriser ses frontières en y mettant en place tous les services spécialisés en les dotant des tous les moyens logistiques.
- Qu'il fasse retracer les lignes des frontières et recréer les no man's lands nécessaires à l'identification des frontières

### d) Aux acteurs locaux

- Que ceux-ci livrent des informations nécessaires aux agents de DDRRR
- Qu'ils commencent à réclamer dès à présent une juste réparation pour les victimes des exactions des LRA, quand bien même les accords de paix seraient signés.

Sur ce, je pense avoir suffisamment fait le tour d'horizon qui m'était demandé et je vous remercie.

### **The LRA situation in Southern Sudan**



#### **Ammunition**

By Bishop Paul P. Yugusuk  
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### **The LRA situation in Southern Sudan**

The haphazard presence of so many armed groups in the Horn of Africa and the Great Lakes Region in recent years is perhaps the strongest factor that qualifies most of the countries in this region to be failed states. In most parts of this region, armed groups roam as though they are no governments in place. They criss-cross borders as though these borders do not even exist and control large areas and as though they are themselves autonomous governments.

In south Sudan, the twenty one years of civil war presented a fertile ground for many such armed groups, some of which were funded or supported by governments from within this region. It is worth noting that the regional geo-politics in this region has been such that governments' support for armed groups is actually not a strange phenomenon. I will not get into this politics. I will not focus on which government funded or supported which armed group. All I can say that this happened and continues to happen. I may want to just mention that most often the reasons for such support to armed groups by governments is often political and sometimes it is more of inter-state politics and the blunt desire for regional

domination and influence on the part of some very interesting governmental leaders in the Horn of Africa and the Great lakes region. In most cases the result of such support is often massive death, continued underdevelopment, militarization of governance processes and lack of regional cooperation between and among states

One such arm group which was and perhaps continues to be supported by a government and to which I wish to focus my presentation today is the Lords Resistance Army (LRA) - a rebel group from Northern Uganda which put up some kind of armed resistance to the Uganda government from the Northern Part of Uganda and who eventually escaped from the fierce and aggressive chase by the Uganda People's Defense Force to established their base in Southern Sudan. I will talk about the LRA presence in South Sudan - which was for about 12 years.

- In this presentation,
- I will briefly address how the LRA settled in Southern Sudan.
- I will also hint about the atrocities they caused and
- The impact of the LRA in the area where they occupied.
- I will however concentrate on discussing the viable solution to the present insecurity situation.
- I will talk about the LRA from a personal experience as I lived and worked right within the community where the LRA occupied.
- I stand before you as a frequent victim of the LRA attacks and a narrow survivor of some LRA ambushes

### **How the LRA settled Southern Sudan**

Though generally known to be a liberation movement, or as the international Community has termed it, a terrorist group, the people of Southern Sudan understand the Lord Resistance Army to be the later and certainly not the former. In an assessment entitled the Nature Extent and Impact of LRA atrocities in Oluboland conducted by Shalom Sudan in 2005, the LRA are described as an inhuman, satanic terrorist group. This is actually what the people of South Sudan and specifically the people of Oluboland where the LRA stayed for 12 years came to know them to be.

We know the LRA as a group thriving in the shedding of human blood, looting, rape and abductions - and it is indeed difficult to imagine that we lived with them as such- and for a whole twelve year period. We lived with this satanic group in our land and deep indeed in the land of our ancestors. Due to their sadistic deeds, we suffered so much and in the course of the civil war in Southern Sudan, unlike other areas that had been liberated by the SPLA, our land was not liberated until the LRA eventually left, actually just recently. It is worth mentioning that No humanitarian NGO could set foot in our land as it was declared a no go zone by the Operation Lifeline Sudan. Surfact it also to mention that no press reported the sad atrocities that the LRA committed. Actually it was just us verses them - as the aggressive international press put a black out about the LRA situation in Southern Sudan, which was actually one of the saddest violations of human rights and massacre of a human community ever known in this region

But how exactly did the LRA enter Southern Sudan? How were they operating?

According to the study on the Nature, Extent and Impact of LRA Atrocities in Oluboland, the LRA entered Southern Sudan from Northern Uganda in 1996. They settled in Kubi village in Oluboland which is south East of Juba approximately fifty miles from Juba town (along Juba Nimule road). When they first arrived, the local community thought that they were normal people who had been displaced from Uganda. By that time, Olubo land was a war frontline for the SAF and the SPLA

It is important to mention that the LRA were known to be roaming about all over Eastern equatorial from their base in Kubi. They caused a lot of atrocities in Madi and Acholi lands and among the Lokoya, Otho, Southern Bari and even as far as Kuku land in Kajo Keji county

After a short while, the LRA began attacking the local population and eventually moved to locations in Oluboland which were under the control of the Sudan Armed Forces. They specifically settled in Kubi (Kony village or New Gulu), Nyerje'bi (Jebelen) and Nesitu which are located along Juba Nimule road.

It is important to mention that the LRA actually stayed right behind Sudan Government troops and that they could as such not be attacked by the SPLA. So they were protected by the Sudan government. From their position they would move and attack the local population and then get back behind the SAF.

Because they were shielded by the Sudan government even the Uganda People Defense Force who specifically came to Southern Sudan to pursue the LRA could not uproot them. However the UPDF who mostly stay along the road made the road passable as the LRA could not cross roads. They also made some villagers to move near to the road as the UPDF were a symbol of security. Actually in terms of community security the UPDF provoked the LRA to move deeper in to the villagers to attack the villagers even more.

### **The atrocities caused by LRA**

The consequences were grievous - mass displacements, stagnation of economic development and miserable life - life lived in daily fear of death. really, really apathetic and meaningless life indeed it was -and until the exit of the LRA from Oluboland some one year ago cutesy of the South Sudan facilitated peace talks between the LRA and the Government of Uganda, so many lives had been lost, so much separation of families happened and so much hunger had been experienced. Our community will always remember the LRA for having caused the kind of human suffering that is actually beyond human imagination. We will always recall how they would, for example, kill mercilessly using crude weapons like pangas and axes, yet they are perhaps more of the most heavily armed (with sophisticated modern arms) armed group in this region. That they often kill using such crude weapons account for why the LRA are in our community (and in our neighborhood) nick named "Tong Tong" the Acholi word for cut.

The mentioned assessment on the Nature Extend and Impact of the LRA atrocities indicate that Olubo community understood the LRA as a cult – that is, a group that some how adores evil or even just the worship it. The study indicate that the LRA, having lived as animals in the bush for so long, came to loose all their human attributes and actually became animals with no value at all for human life. The study indicates that the LRA could for example just kill some one because they are at that particular time hungry and they need to feed on their victims goat. It is difficult to imagine that our people lived with this armed group jus as such. But we also devised methods and mechanisms of survival. We armed ourselves to the tooth basically for self defense. They also feared us. They could not just face the community. This accounts for the present high proliferation of arms in Oluboland.

In order to be safe from the LRA most of our people moved to live on mountain tops from where they could easily spot these enemies and prepare for defense. In short, the international community is actually more than right to have termed this group as terrorist group. If the LRA were a liberation movement our people did not see any liberation that they were said to be fighting for. Yet still, it has authoritatively been established that LRA had the full support of Khartoum Government.

Today , just some months after the LRA left Oluboland and actually South Sudan for the Congo side of our boarder with DRC, our people continue to feel the impact of this satanic armed group. They left behind so many traumatized people, so many separated families, and so many maimed and handicapped people. They left behind an uneducated society with no schools , a sick populace with no hospitals and thirsty community with no clean safe drinking water. the LRA left behind an apathetic community who still think that if life could be lost just that easily then it is actually not worth living. Many of the victims of the LRA atrocities find very little meaning in life. The LRA totally disoriented, disorganized and tampered with the socio- economic and political set-up of an entire generation.

This situation needs to be redressed as a matter of urgency. How do we redress this scenario, this socio- psychological , economic and even political state of state failure. Though it will take long to redress the current state of affair, it must start

According to the assessment we have mentioned, approximately 654 people were killed by LRA in Oluboland. Thousand of people were displace and many went to refugee camps in Uganda and to internally displaced camps in both the then Sudan government control area and SPLA control areas. The LRA were involved in rape and massive looting as well as burning of farms. They often abducted children and women and even men.

In this scenario, neither the SPLA nor the Sudan government could defend the local population and the LRA area reported to have at several locations attacked even the people who had gone for displacement in both government and SPLA control sides.

The LRA committed these atrocities up to and until the time they eventually left Oluboland last year as a result of the negotiations between the LRA and the Uganda government which is being facilitated by the Government of Southern Sudan. However, it is sad to hear reports that even where they finally went, where they are currently staying along the DRC/ Sudan border, they continue to cause a lot of atrocities.

### **A summary of the impact of LRA atrocities on the Southern Sudanese community**

- The LRA killed 654 people. The resulted is that we have 741 orphaned and 493 widowed.
- Some 134 people who were abducted by the LRA have not yet been traced to date.
- Some 82 women and men were raped
- 91 were handicapped
- Several houses included churches were burnt
- Several farms were burnt
- Properties worth millions of USD were looted/destroyed
- Over 17,000 people disabled by the LRA. Many are still displace on the top Olubo hills

- Many are still traumatized.
- The LRA atrocities caused stagnation of economic development for 12 years and until now
- Families were separated
- The militarized situation resulted in so many disagreements between and among, clans and villages
- The situation resulted in massive arms proliferation

### **The viable solution**

The major focus of my presentation today is - What can be done to redress the harm already done by the LRA and current community in security in Southern Sudan which include; theft, banditry, inter and intra clan/village conflicts, boarder conflicts with neighboring communities and cases of poisoning

Although Shalom Sudan is involved in redressing these situation in a number of ways, eg. Providing counseling service, peace building, putting up an orphanages programme for victims of LRA and general conflict transformation.

I will for the purpose of this presentation only look at the viable solution or NGO intervention by explaining what Shalom Sudan is doing to redress the community security situation. As a peace focused organization we are keenly focusing on improving the community security situation.

We are addressing the current state of insecurity in each village in Olubo land based on an ongoing study on the traditional social set up of the Olubo community which we felt was an important stating point to addressing the complex insecurity situation that resulted from occupation of the LRA and civil war generally.

Unlike some organizations, both local and international, that just start up peace committees among communities, Shalom Sudan started up this project base on an analytical study that also look at the traditional social set up of the Olubo community.

In this study we found out that within the Olubo traditional social set up there are;

- A specific age group of elders who make critical decision eg, declaration of war
- A specific age group involved with peace mitigation
- A specific age group that fights/defends the community
- A specific age group call messengers who are involved in security out reach undertakings

### **Conclusion**

- We recommend that such assessment on the social traditional set up be done before major peace programmes are initiated in communities.
- The solution to LRA situation in the region calls for the commitments of all of us.

## Annex 20    **LRA: Situation in Uganda** By Lam Oryem Cosmas, JPC GANAL

### **Introduction**

- When we talk about intractable conflicts, then the LRA is a case in point.
- It is complex, difficult to understand and wide in magnitude; from northern Uganda to Southern Sudan and to the deep forests of the DRC and Central Africa Republic.
- *What do they want? Why are they fighting? etc*

### **Characteristics of intractable conflicts**

- Involve states or other actors with a long sense of historical grievances, and a strong desire to redress or avenge these.
- Duration - take place over a long period of time.
- Involve intangible issues such as identity, sovereignty, or values & beliefs.
- In terms of relationship - involve polarized perceptions of hostility and enmity, and behavior that is violent and destructive.
- In terms of geopolitics - usually take place where buffer states exist between major power blocks or civilizations.
- Resist many conflict management efforts and have a history of failed peacebuilding efforts – **THE ILLUCIVE LRA!**
- A sustained effort at resolution must come from outside, for a variety of suitable third parties.

Intractable conflicts pose the greatest danger to the international system. Some recent studies point out that much of the violence in international relations can be accounted for by the behavior of a few states locked in intractable conflicts. Therefore, finding ways to manage or transform these

### **The evolution of LRA**

- The so call Lords resistance Army (LRA) came to existence in 1994.
- Part of the remnants of the first insurgents against the NRM, Government in Uganda which began in August 1986.
- Uganda Peoples Defence Army (UPDA) signed a peace accord with the government of Uganda in 1988,
- A major group that remained fighting the government of Uganda was the so call Holy Spirit Movement which was led by self professed prophetess Alice Auma, also know as Lakwena.
- Lakwena was defeated by the government army in its attempt to capture power
- She fled to exile in Kenya from where she later died,
- Remnants came under the command of Joseph Kony as “Holy Spirit Movement II”.
- When the talk between them and government collapsed in 1994,
- Relocated to Southern Sudan from where they established camps; Nisiti, Kit, Aru, Rubanga Tek, etc in Juba & Magwi counties, Central and Eastern Equatoria respectively.
- Same communities – Acholi & Madi
- Got contact with the Government of Sudan (Khartoum) and received logistical support.
- Renamed the organization “Lords Resistance Army (LRA).
- REASON: That the Uganda Army had vowed the crash and finish them, but they failed because their “lord” saved and protected them – thus “Lords” Resistance Army.
  
- **Who are or rather what the LRA is?**
- At a cross border peace meeting in Nimule in 2005 among LRA affected communities in northern Uganda and Southern Sudan, I put this question.
- The meeting agreed that Joseph Kony and his so called Lords Resistance Army (LRA) is

- a cult which bears all the characteristics of any cult in the world;
  - authoritative leadership exerting complete and total loyalty from followers,
  - killing any real or imaginary disloyalty.
  - killing and blood itself is another of the characteristics.
  - Sex
  - Other characteristics include spiritism, seclusion from the rest of the world, indoctrination and surrendering everything including their life at the mercy of their leader.

### **Consequences and impact**

- Destruction of lives and property in the three countries
- Abduction of children and forceful recruitment in the rank and file of the LRA
- Displacement of thousands of the population into internal camps in Acholi, Lango, Teso & Madi (Aringapi), in Southern Sudan and DRC.

We have only talked of northern Uganda (Acholi and Lango), leaving out Madi (Adjumani) and omitted Southern Sudan and of late the DRC

### **Peace talks between the LRA and the Ugandan government**

- At the end of July 2006, peace talk between the LRA delegation and Government of Uganda began in the Southern Sudanese Capital Juba
- Under the mediation of the Government of Southern Sudan (GoSS).
- On the 26th August 2006, a Cessation of Hostility Agreement (CHA) was signed as the first part of the protocols.
- Since that time to date, there is real ceased fire in northern Uganda.
- Not been the same with communities in Southern Sudan and DRC.
- Up to February 2007, the LRA continued to terrorise, loot food and abduct in Magwi County, Eastern Equatoria State.
- The bulk remained holed in forests of Garamba National Park.
- To date in northern Uganda, there is no threat from LRA,
- Except for the aftermath effects in terms of violent gun culture, returned child soldiers and thugs masquerading in the country side and towns.
- LRA/Joseph Kony not signing excuse to remain in IDPs

### **Conclusions: An opportunity for the Civil Society Engagement**

- The LRA factor in the quest for peace in the region – northern Uganda, Southern Sudan and NE Democratic Republic of Congo (DRC)
- Militias and other forces that may be opposed to Sudan's CPA can cause instability, especially by allying with the LRA.
- Cross-border socio-economic activities – to promote social interaction and trade among the communities.
- The role of the Uganda People's Defence Forces (UPDF) and the Sudan People's Liberation Army (SPLA), MUNOC and the DRC Government in dealing with the issue of insecurity by the LRA.
- Collaboration and cooperation between the governments and civil society organizations (CSOs) in Uganda and South Sudan in addressing emerging security and relational issues.
- The prevalence of small arms and light weapons due to the long period of violence and its impact on the community participation in development.
- The role of religious and cultural leaders in community reconciliation and peace building. In this regard, the approach of the 'greater north' as oppose to the issue of peace in northern Uganda being limited to Acholi sub-region was recognized.
- The central role played by the Governments of Southern Sudan in (GOSS) in creating the enabling climate for the peace talks between the delegations of government of Uganda and that of the LRA should be acknowledged seriously.

- A move from “National” to “Human” Security – a concern for the wellbeing of the population in the region.
- INVESTING IN PEACE – understanding the parties and their “world” (Material, Symbolic & Social)

### **Conclusions continue... a multi track approach**

1. Government
2. Ordinary citizens
3. Religious
4. Commerce and businesses
5. Professionals
6. Activism
7. Research, Training & Education
8. Funding
9. Communication (media)

### **Peacebuilding process**

- *Comprehensive* - We need to develop lens that permit us to see the overall picture of need, actions, vision, and design.
- *Interdependence* - Peacebuilding is connected to the nature and quality of relationships. It is a system of interconnected people, roles, and activities: that no one person, activity, or level is capable of designing and delivering peace on its own
- *Infrastructure* - Provides the social spaces, logistical mechanisms, and institutions necessary for supporting the processes of change engendered to pursue the vision.
- *Strategic* - Pushes us beyond the visible aspects of any given activity and requires that we situate the design and assessment of peacebuilding action in terms of how it links immediate need with the desired vision of change
- *Sustainable* - Emphasizes the long-term concerns for where our activity and energy is leading.

## **Annex 21 Oil exploitation: Situation in DR Congo, Ftr Eric Abbedilembe, Justice and Peace diocese Mahagi-Nioka and Haki na Amani**

### **Introduction**

S'il y a, de nos jours, un sujet qui préoccupe la population congolaise en générale et celle de l'Ituri en particulier, le pétrole en est un. En effet, depuis deux ans on parle trop de l'exploitation ou mieux de l'exploration du pétrole dans le lac Albert

Si les rumeurs et les spéculations vont bon train, les informations disponibles sont plutôt rares. L'exploitation ou l'exploration du pétrole reste et demeure une véritable zone d'ombre à creuser et à pénétrer.

Au stade actuel de la situation, certaines questions méritent d'être posées et de retenir l'attention si l'on veut vraiment rester proche de la population et la servir. A dire vrai:

- Quelles sont les sociétés qui vont exploiter ce pétrole du Graben Albertine?
- Quelle sera la part de la population locale dans cette affaire hautement stratégique qu'est le pétrole ?
- Qui en sera le grand perdant ?
- Quels en sont les vrais enjeux ?

### **Situation des blocs dans le Graben Albertine**

Dans le graben Albertine a été découvert des blocs pétroliers, selon les informations dont nous disposons il existe :

- 2 blocs au niveau du Lac Albert l'un au nord vers Mahagi - Port (Bloc I) et un second au Sud dans la région de Kasenyi (Bloc II).
- 3 autres blocs dans la plaine de la rivière Semliki (Bloc III, Bloc IV, et Bloc V).
- Ces 5 blocs s'étalent des deux côtés de la frontière, RD Congo - Uganda.

Au niveau des deux blocs du Lac Albert l'exploration est déjà très avancée, tandis que pour les trois blocs de la rivière Semliki on est encore au début.

L'exploitation de ce pétrole nécessite une bonne coopération entre les deux pays. Des accords bilatéraux ont été signés entre les deux pays pour cela.

- Du côté Ougandais ils sont très avancés dans la phase de l'exploration et l'exploitation pourra démarrer l'année prochaine.
- Du côté Congolais on accuse un grand retard, l'exploration n'a même pas encore démarré. Le gouvernement est encore à l'étape des choix des entreprises qui vont exploiter.

### **Historique des contrats d'exploitation du pétrole**

En réalité l'exploitation du pétrole n'a pas encore démarré dans le Graben Albertine. Mais il existe déjà une telle agitation sur le dossier au niveau des communautés qu'on peut croire à l'exploitation.

Les principales informations dont dispose la société civile de l'Ituri sont :

1. Le gouvernement Congolais a signé des contrats pour l'exploration et l'exploitation du pétrole du bassin du lac Albert dont la première date de juin 2006 (contrat entre la RDC et la Compagnie TULLOW signé le 21 juillet 2006, pendant la transition, par le vice ministre des mines et énergie de l'époque, à la personne BADINGAKA avec la contre signature du ministre des finances.) et la seconde en janvier 2008. ???
2. En date du 12 juillet 2007, le ministre des hydrocarbures avait conduit une mission gouvernementale en Ituri; il y avait dans sa délégation monsieur TIM, représentant de la société TULLOW, présenté comme l'investisseur, ayant gagné le marché d'exploitation du pétrole du bassin de lac Albert selon un appel d'offre international pour les blocs I et II.
3. Depuis de faits importants vont troubler les esprits de la communauté sur ce dossier :
  - o L'acheminement en Ituri de certains matériels entre autre des jeeps land rover conduits par des militaires, localement on raconte que cela

- est pour le compte de la compagnie DIVINE INSPIRATION qui a gagné le marché pour l'exploitation du pétrole du bloc II.
- La mission à Kinshasa au mois d'avril 2008 des députés provinciaux sur le dossier du pétrole avec des objectifs qui n'ont jamais été expliqués clairement.
- La parution dans certains journaux à Kinshasa le 28 Avril 2008, des chiffres proposés par les sociétés qui veulent exploiter le pétrole du bassin du lac Albert. Une des sociétés propose 250.000 \$ par an (Divine Inspiration), pendant que l'autre (TULLOW OIL) propose 5.000.000\$ pour la première année et 1000.000 \$ par an pour toute la durée de la prospection.

A tout le moins, les choses ne sont pas claires qu'on le pense. Il y a un manque grave d'information auprès de la population à la base de tout ce qui touche le projet d'exploitation du pétrole du Graben Albertine : la nature du contrat signé avec la ou les entreprises d'exploitation pétrolière, les sites d'exploitation, la part de la communauté, première victime des conséquences d'une activité de ce genre...

L'affaire a créé une division entre les élus de l'Ituri, députés nationaux et provinciaux. Beaucoup de sources parlent déjà du tiraillement entre les deux compagnies. L'affaire a été prise au sérieux. Elle a suscité une question orale au parlement qui a failli se transformer en motion de défiance contre le Ministre des hydrocarbures  
Tous ces faits dénotent une certaine malversation dans le dossier.

Bien plus, elle a même suscité le déplacement à Kinshasa des membres de la société civile et des députés provinciaux de la province Orientale pour mettre la pression sur le conseil des ministres le lundi 28 avril dernier. Des lors, les coordinations des forces vives de l'Ituri ne cessent de faire des pétitions, des déclarations allant dans le sens de la revendication de la part de la communauté et de la mise en garde contre une guerre possible due à l'exploitation du pétrole.

4. La suspension des tous les contrats pétroliers par l'Assemblée Nationale, après interpellation du ministre des Hydrocarbures sur ce dossier.

5. L'organisation à Kinshasa en Août 2008, du Congrès sur les Hydrocarbures, qui a validé le proposition du "code des Hydrocarbures".

### **Incidents liées aux intérêts des deux états**

Après des années de galère et de guerres, alors que les fils et filles, les anciens seigneurs de guerre, ceux qui s'entretenaient, se côtoient aujourd'hui, alors que l'espoir renaissait avec l'exploitation du pétrole et ses retombées économiques, l'exploitation dudit pétrole risque, si l'on n'y prend garde, de replonger l'Ituri dans un cycle de violences. Faut-il rappeler ici les multiples incidents malheureux et meurtriers déjà enregistrés au tour de cette problématique du pétrole du lac Albert ? A dire toute la vérité, il y a déjà eu des victimes, de part et d'autre. La pomme de discorde est connue de tous : l'exploitation du pétrole dans ce Lac, le non respect des frontières entre les deux états notamment à Rukwanzi.

Le pétrole du graben Albertine a beaucoup contribué à dégrader les relations entre les deux pays; les compagnies pétrolières œuvrant en Ouganda ont été citées parmi les financeurs de la guerre interethnique de l'Ituri.

Pour s'en convaincre et sans blesser la sensibilité des uns et des autres, il suffira de rappeler les incidents du vendredi 3 août de l'année passée entre les forces armées congolaise et ougandaise. Comme résultat, cet incident, à lui seul, a coûté la vie à deux soldats congolais de la FARDC, un civil et de l'autre côté, un sujet britannique connu sous le nom de Carl Nefdt. Ce dernier était un ingénieur de nationalité britannique et travaillait pour le compte de la société pétrolière canadienne Héritage Oil Corp qui œuvre en Ouganda depuis plus de dix ans. En plus, les éléments de la FARDC avaient réussi à faire prisonnier quatre soldats ougandais. Fort heureusement, pour éviter que la situation ne se détériore,

les parties congolaise et ougandaise avaient convenu à temps de se réunir pour examiner les faits et empêcher que ce genre d'incidents ne se reproduisent. Au terme des discussions, les éléments de la FARDC avaient libéré les soldats ougandais. Ces incidents se sont déroulés dans les eaux congolaises où coule le pétrole du Lac Albert, plus particulièrement à la hauteur du village Semiliki, près de Rukwanzi.

- Bien plus, on signale selon les sources locales la présence intempestive de l'armée ougandaise (UPDF) sur les eaux et le sol congolais. Une telle présence ne peut qu'inquiéter ou même menacer la sécurité de la population aux frontières. Un autre fait non moins inquiétant c'est la participation des éléments de la FARDC, force navale dans des réunions en Ouganda sans la présence des autorités politico-administratives de Mahagi. Le dernier fait, non le moindre, c'est la tendance de la part des entreprises pétrolières à corrompre les chefs coutumiers en leur promettant des pick-up et cela au détriment de tous les avantages communautaires. Il y a lieu de rester en alerte !
- Ces faits disent en suffisance comment l'exploitation du pétrole sur le Lac Albert peut constituer à nouveau un point de départ pour une nouvelle déstabilisation systématique de la région. En ce sens précis, ce serait trop beau de croire que ces quelques incidents cités constituent des cas isolés.

Bien au contraire, ils confirment ce qui a été dit au sujet des différentes guerres aux enjeux économiques. Par le passé, il y a eu l'or de Mongwalu, de Kilomoto, de l'Ituri en général, lequel or a suscité des convoitises que l'on connaît et a tissé des réseaux maffieux qui permettaient la circulation des armes et semaient la mort ainsi que la destruction dans cette partie de la RDC. Les souvenirs sont encore frais dans les esprits. Le dénominateur commun de nos incidents n'a pas un autre nom aujourd'hui : c'est l'exploitation du pétrole. Oui, les choses sont claires. Les enjeux évidents, et le pétrole, après l'or, oppose déjà les deux voisins. Tout est question de savoir comment négocier la gestion de cette seconde « zone d'intérêt commun ».

- Au tant dire donc que la question de l'exploitation du pétrole devrait se faire dans des conditions qui favorisent la consolidation de la paix chèrement acquise dans la région, le respect de l'intangibilité des limites traditionnelles des frontières, la prise en compte de cahier de charges des communautés locales.
- Le Lac Albert, une zone d'intérêt commun
- Comme on peut le constater, le Lac Albert constitue une seconde zone d'intérêt commun entre l'Ouganda et la RDC. A ce sens, la gestion de cette zone doit être bien discuté. Il conviendrait de se mettre d'accord sur le trace lacustre pour éviter de violer les eaux territoriales de chaque état et respecter les intérêts de l'autre. Ce qui exige une diplomatie de grande envergure pour les deux états et des implications politiques sérieuses ! L'avenir de nos deux états va de cette compréhension mutuelle au tour de cette question pétrolière.

## **LE PERDANT DANS L'EXPLOITATION DU PETROLE**

Le pétrole du bassin du lac Albert constitue une des opportunités pour le développement durable de l'Ituri, mais la population présente des doutes qui se résument dans les interrogations suivantes :

1. L'emplacement du siège social à Beni ou à Bunia la question est elle déjà résolue??
2. Le principe de la concurrence pour l'attribution de marché d'exploitation est – il respecté ??,
3. La mobilisation, l'organisation et l'implication de la population pour une bonne défense de leurs droits est – elle aussi prévue ???,
4. L'étude d'impact socio - environnemental est – elle prévue et va se réaliser dans quelles conditions et quand ???
5. Les projets sociaux en faveur des communautés de l'Ituri, sur base de quoi, chaque compagnie propose des chiffres, que dit la loi en la matière ???.

6. Toujours concernant les projets sociaux, quel sera le niveau d'implication des communautés locales, dans la gestion de ces projets.
7. La création d'emploi et le recrutement préférentielle de la main d'œuvre locale, qu'est ce qui est prévue à ce sujet ???
8. De tout ce qui précède on peut donc dire que le grand perdant dans le dossier de l'exploitation du pétrole dans le Graben Albertine c'est l'état congolais, c'est la communauté locale. En effet, cette dernière n'est pas associée aux rencontres ou les grands de ce monde décident seuls de leur sort. Son cahier de charge a visiblement l'aire de n'être jamais pris en compte. Pour tant, c'est ici le lieu de le dire, tout l'espoir populaire du développement régional reste fonde sur ce pétrole du lac Albert.

### **Conclusion**

Au terme de cet exposé, il ressort que le lac Albert constitue un véritable bassin pétrolier dans la région et cela juste sous les eaux qui partagent les frontières de deux états. En tant que tel, l'exploitation de ce pétrole a des grands enjeux non seulement économiques, mais aussi et surtout politiques et sociaux. L'espoir populaire pour le relèvement économique fondé sur ce pétrole du lac Albert n'est plus à démontrer

- Bien plus, alors que l'état congolais est encore en phase de négociation de contrat d'exploration et d'exploitation avec des sociétés pétrolières, de l'autre côté de la frontière les travaux vont bon train. Les nombreux incidents connus au tour de ces eaux contenant le pétrole sont une preuve éloquente que le Lac Albert est de nos jours une seconde zone d'intérêt commun qui mérite diplomatie de grande envergure pour un aboutissement heureux d'un développement harmonieux de la sous - région.

La population de l'Ituri a été longtemps divisée par des conflits divers dont l'une des principales causes est l'exploitation des ressources naturelles.

A ce stade de l'évolution du dossier pétrole, il risque de diviser les communautés et nous plonger encore dans des conflits qui vont continuer à retarder le développement de l'Ituri.

**Annex 22 Oil exploitation: Situation in Uganda**  
**By Isaiah Owiunji, World Wide Fight for Nature**

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**WWF Mission Statement**

*World Wide Fund for Nature's (WWF) Mission is to stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature by:*  
*Conserving the world's biological diversity;*  
*Ensuring that the use of renewable natural resources is sustainable; and*  
*Reducing pollution and wasteful consumption*

**WWF Uganda Projects Coordination Office**

WWF UPCO is under WWF's Eastern Africa Regional Programme Office (WWF-EARPO) and has programmes in:

- Ecosystem conservation
- Environmental education
- Institutional development and capacity building
- Involvement of communities in eco system management

**WWF petroleum disclaimer**

- Key is to protect nature and tackle climate change
- Not to stop petroleum development
- Advocates informed, democratic and developmental processes through national resource sovereignty

**WWF Interests in Uganda: Wildlife Protected Areas (1/2)**

Uganda has 10 national parks, 12 wildlife reserves, 10 wildlife sanctuaries and five community wildlife areas which are managed by UWA and represent approximately 10.5% of the total area (Mwandha et al 2002; USAID 2006)

**WWF Interests in Uganda's: Forest Reserves (2/2)**

Uganda has about 4.9 million hectares of forests  
30% are in protected areas (PAs) which are (Forest Reserves, National Parks and Wildlife Reserves) and 70% are found on private land.  
Therefore (PAs) contain the country's Permanent Forest Estate (PFE), which is 1.9 million hectares.  
Of this, Central Forest Reserves (CFRs) cover 1,265,742 ha.(Mwandha 2002; USAID 2006)

**WWF Projects in Uganda**

- Oil and gas development in the Ugandan Albertine
- Albertine Rift Forest Project
- Lake Albert Project
- Environmental Movement to the South
- Rwenzori Project
- Semliki Project
- PEMA

## **Project 1: Oil and gas development in Uganda**

A regional project conceived by WWF – Norway and Partners in EARPO

It is part of the Oil for Development (OfD) Initiative funded by NORAD

To be implemented concurrently in MAD, UGA, Eastern Africa Marine Ecoregion (EAME) range states of KEN TAN, MOZ

Project Duration if successfully implemented is 3 years

### **Objectives of the Project**

- To produce preliminary country status reports on petroleum development in Uganda.
- To conduct Petroleum workshops and meetings to discuss environmental issues and civil society engagement; build capacities and raise awareness
- To work with stakeholders to integrate environmental concerns in petroleum related development.
- To address cross-cutting activities such as cross border issues and mechanisms for information sharing.

### **What has been achieved so**

- WWF has produced country status reports for oil and gas development
- We continue to organise and facilitate various meetings and workshops on oil and gas development in Uganda
- We have been providing available information on oil and gas to different stakeholders
- We are contributing in the sensitivity atlas mapping process
- We have actively participated in the recent public hearing on the location of the EPS and together with other CSOs submitted our concerns to NEMA and issued a press statement about the same

### **What is petroleum?**

Petroleum or “Rock Oil” is a naturally occurring, flammable liquid found in rock formations in the earth consisting of a complex mixture of hydrocarbons of various molecular weights and other organic compounds; oil and gas.

Major elements are carbon and Hydrogen, thus the popular reference as hydrocarbons.

- Carbon 83-87%
- Hydrogen 10-14%
- Nitrogen 0.1-2%
- Sulphur 0.5-6%
- Oxygen 0.1-1.5%
- Metals <1000ppm

### **Process of oil and gas generation**

- Essential Elements/Habitat
- Source rock/Kitchen
- Migration Routes
- Reservoir Rock/Traps
- Sealing Rock

### **Processes involved in Exploration**

- Identify existence of a sedimentary basin with sufficient sedimentary thickness- Regional geological mapping and gravity & Magnetic methods
- Identify presence of source rocks and oils- geochemical sampling and analyses

- Identify presence of reservoir rocks and traps- seismic surveys
- Identify presence of sealing rocks- Regional geological mapping, geochemistry etc
- Identify any evidence of existence of a petroleum system-e.g. oil/gas seepages- Regional geological mapping and geochemistry

### **Seismic survey**

Most common assessment method - 2D or 3D

Pulses of acoustic energy

- Land: vibroseis (hydraulic vibrations) or shot hole (dynamite)
- Water: air guns (release compressed air)

Distinguishes different rock strata through their reflective characteristics

Reflected energy measured by receivers

Small camp for staff & equipment (temporary)

### **Exploratory drilling**

- "Wildcat" drilling
- Confirms HC presence, characteristics & reservoir pressure
- Camp set up to house staff & equipment ~1000m<sup>2</sup>
- Pad constructed or offshore drill rig/barge
- Drill site: derrick, drilling mud handling equipment, power generators, cementing equipment, tanks for fuel & water
- Equipment onsite for approx 6-12 months or more
- Drill site ~ 4,000 to 15,000 m<sup>2</sup>

### **Drilling process**

- Drill site operations
- Rock cuttings produced as drill makes progress
- Drilling muds added to lubricate/cool the drill bit and keep the pressure stable
- Muds originally oil-based
- now more likely to be synthetic or water-based
- Other agents added to mud e.g. bentonite for viscosity, barite as weighting agent
- 'Mudman' tests mud for deterioration (density, ph, fluid loss, etc)

### **Blowouts**

Uncontrolled flow of oil/gas from a well, occurs when formation pressure exceeds the pressure applied to it by the column of drilling fluid

- loss of containment = loss of control
  - Incredible pressures in reservoir and well
- Pressure and equipment viability is maintained through a closed system
- Blow Out Preventer (BOP) hydraulic valves to shut-in well

Risks to human safety and environment are huge if not managed effectively

- Learning from previous accidents
- Importance of careful, responsible operations
- Essentially they are bad for business...

### **Appraisal**

- Exploratory drilling confirms hydrocarbon presence

- Appraisal drilling confirms size & extent of reservoir(s)
- Maybe multiple wells drilled from a single exploratory drilling site
- Involves extended duration of site use
- However, minimises extended footprint
- Appraisal wells may be used subsequently for oil production

## **Production**

### **Development becomes medium- to long-term permanent**

- 10 - 25 ( up to 40?) years

### **Multiple wells drilled from a single producing site**

- Larger reservoirs may require 100+ wells
- Minimises land-take and infrastructure costs
- May utilise directional drilling, kick-offs
- Larger wellbore diameter than drilling, therefore increased drill cuttings volume
- Camp site grows to support increased activity and equipment

## **Oil work in Uganda**

- 1925 Petroleum presence recorded by a government geologist called Wayland
- 1938 one deep well was drilled at a place called Waki which encountered some hydrocarbons but was not tested
- Shallow wells were also drilled during the 1940s and 50s for more data collection
- There was however, limited activity between 1940s and 1980
- 1980s a more consistent work was resumed to establish petroleum existence

## **Current status of licensing**

- Exploration Area 1 (Pakwach basin) licensed to Heritage Oil and Gas Ltd and Tullow Oil.
- Exploration Area 2 (Northern Lake Albert Basin) licensed to Hardman Petroleum Africa Pty and later bought out by Tullow Oil.
- Exploration Area 3A (Southern Lake Albert Basin) licensed to Heritage Oil & Gas Ltd and Tullow Oil
- Exploration Area 4B (Southern Lakes Edward and George Basin) licensed to Dominion Petroleum.
- Exploration Area 5 (Rhino Camp Basin) licensed to Tower Resources of UK.
- Exploration Area 3B, 3C, 3D & 4A will be available for licensing.

## **Current State of Petroleum Exploration in Uganda**

- Waraga 1: 12,050 bopd from three zones
- Mputa 1: 1035 bopd from two zones
- Mputa 3: 1800 bopd from of the 3 potential zones
- Kingfisher: 14,386 from 3 zones
- 300 million barrels of oil estimated in Kaiso Tonya where Waraga, Nzizi and Mputa occur

## **Other wells drilled but not tested**

- Ngasa, Taitai, Ngege
- Karuka
- Kasamene
- Kigogole (still drilling)

## **The Regulatory Framework**

- The previous oil and gas policy was meant for capacity building
- In 2006 the government embarked on the formation of a new policy
- The new policy was approved at the beginning of 2008
- The policy needs to be operationalised by reviewing the existing oil and gas Act
- Ownership of minerals and petroleum in or under any land is vested in the hands of the government (Article 244)
- Legal and regulatory framework is provided by the petroleum act that was enacted in 1985 and the Petroleum (Exploration and Production) Regulations 1993
- Both the Act and Regulations now need to be revised to take into consideration improved oil recovery, safety and environment etc
- There is a proposed law on revenue management

## **Current Status: Various Issues**

- Public Hearing on EIA for location of Early Production Scheme (EPS) took place on 29<sup>th</sup> July. No decision of location taken yet but production expected to start in 2009 (Tullow)
- EIA process for offshore drilling on L. Albert has commenced and will include sensitivity mapping and oil spill modeling (Tullow)
- Government has suspended the awarding of new oil and gas exploration licenses until legislation is made.
- 5<sup>th</sup> Sept. CSO held a meeting in Kampala that included representatives from DRC, South Africa, Nigeria to share the oil and gas development experience

## **Benefits of oil and gas development**

- Generation of Revenue
- Employment for Ugandans

## **Annex 23 Oil exploitation: Experience of a network** **By Peter Justin, Sudan Council of Churches, European Coalition on Oil in Sudan**

### **Background**

In its meeting held in December 2000, the Sudan Ecumenical Forum raised some concerns about issues which they thought their International partners could be able to play a role in addressing them.

Of the different issues discussed, main issues that needed immediate attention were:

- To bring to an end the aerial bombardment of the civil population by the government in Khartoum.
- To Put pressure on the negotiating teams for the inclusion of self-determination for the people of Southern Sudan.
- Oil issues.

### **Partner response**

- Positive on the oil issues, which resulted to the formation of the European Coalition on Oil in Sudan (ECOS).
- The initiators of ECOS broaden their network, resulting to the current membership of about 80 European Organisations
- Came forward with plan of action, which resulted to the setting of Business Principles and benchmark. These are aimed to give some guide lines to oil companies wishing to invest in Sudan.
- Coordination role was assigned to Pax Christi NL.

### **ECOS principles**

- Within the company's sphere of activities and influence, promote, respect and protect human rights and fundamental freedoms, including social, economic and cultural rights and interests of the indigenous peoples, minorities, and other vulnerable groups.
- All business activities are assured to be conducive to peace and equitable development, and to the realization of the provisions and purposes of Sudan's Peace Agreement
- No discrimination on the basis of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, while actively promoting that the local population sees itself equitably represented, at all levels, in the local work-force.
- Combat bribery, extortion and all other forms of corruption.
- Within the company's sphere of activity and influence, promotion of transparent and accountable public financial management.

### **Normative framework**

- The International legal principles
- The Comprehensive Peace Agreement
- Voluntary Business Principles

### **Impact**

- Reasonable at international level. Some oil companies have been to change their attitudes in conducting business in the oil industry in Sudan
- In active engagement with Total Oil company for sustainable development of the local population in areas of its operations
- Able to document some evidences on the impact of oil production on populations in certain areas.

- Minimum on the ground. Partly due to lack of consistent partners

**Lessons to learn from ECOS experience**

- Coalition can be managed by minimal personnel.
- Can increase the chances of getting funds for achievable projects.
- Can be an effective way for a sustainable networking as long as there are willing partners at both ends.
- Can be time consuming and tedious.
- Good partnership requires clear ToR.