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## Sudan: Expand UNMIS Mandate to Protect Civilians from LRA Violence

The humanitarian crisis in northern Uganda has spread into southern Sudan, threatening regional peace and security. Lord's Resistance Army (LRA) fighters who have terrorized northern Uganda are now committing atrocities against Sudanese civilians in south Sudan, disrupting humanitarian activities and causing displacement.

The Sudanese People's Liberation Army (SPLA), the former rebel group based in south Sudan that signed a peace accord with the central government in January 2005, is both unable and unwilling to repel the LRA and protect its population. For the past four years, the Ugandan People's Defense Forces (UPDF) has had a significant presence in Sudan in order to pursue the LRA but have been unable to defeat it. The UN Mission in Sudan (UNMIS) must be given a stronger mandate, more resources, and higher troop levels to protect civilians proactively.

The conflict in northern Uganda has taken on a regional dimension and spread to neighboring countries. LRA leaders Joseph Kony and Vincent Otti have been rumored to be in the Democratic Republic of Congo (DRC). Although they do not appear to pose a significant threat to civilians there, the LRA appear to be using Garamba National Park as a rear base to launch attacks in Sudan. In January 2006, eight UN peacekeepers were killed there by LRA forces. In Sudan, the LRA presence is not new; the LRA has found safe haven in the south for over a decade with full knowledge and cooperation of the central government in Khartoum.

This cooperation was supposed to end when Sudan and Uganda signed a protocol in 2002 allowing the UPDF to cross into Sudan to carry out operations against the LRA. There are indications that Sudan will not renew the protocol. Furthermore, the LRA recently contacted senior leadership within the SPLM to request peace talks with the Government of Uganda, and there are reports that the SPLM has offered to mediate the talks if Kony agrees to stop attacking Sudanese civilians.

Details are still unclear and it is too early to assess Kony's commitment. In the meantime, the LRA remains a threat to civilians.

LRA attacks on civilians in southern Sudan have intensified over the past six months. In March 2006, there were reports that LRA attacked UN compounds in Yambio and Yei. The attack in Yei, while not confirmed as a LRA attack, killed two UN employees. The formerly calm area of Western Equatoria is now extremely dangerous both for humanitarian workers and for Sudanese. LRA attacks on civilians in southern Sudan are impeding humanitarian access, slowing the ability of refugees and displaced people to return home, and causing new displacement and refugee outflows. Refugees International interviewed newly-arrived refugee women in Kakuma refugee camp in northern Kenya who had fled the Equatoria region of south Sudan. "They have killed some of our husbands and we had to walk for two weeks until we arrived here where we can be safe. Although there is peace in Sudan, they say, we do not see it."

With the CPA in place, the SPLA and the government army, the Sudanese Armed Forces (SAF), should be working together to protect the civilian population of the south and prevent the LRA from operating on Sudanese soil. But the SPLA has been reluctant to engage the LRA militarily, while the Government of Sudan may still be providing direct support to the LRA. In February, RI interviewed formerly abducted children in northern Uganda who had escaped LRA captivity in January; they cited new guns with Arabic inscriptions and Kony being escorted by Arabs as evidence for their belief in

continued government support. The SPLA itself has openly accused the SAF of supporting the LRA in the south.

In this context, military action against the LRA would create further tension between the SPLA and the Sudanese government, jeopardizing the peace agreement. The stalled disarmament and reorganization of the SPLA has left them weak. "They are currently trying to re-organize. They aren't protecting their citizens," said a senior UN official. There are also reports that disgruntled former fighters from the SPLA, who have maintained their arms, could be joining ranks with the LRA.

The UN peacekeeping mission in Sudan, UNMIS, does not have the mandate or, more importantly, the resources and political will to intervene proactively to protect civilians from LRA violence. "UNMIS consistently underestimates the threat of the LRA and they are a very real threat contributing to the destabilization of the south," said a UN official in Juba. "They don't want to take them on so they downplay their seriousness."

UNMIS cannot protect civilians in Sudan from the LRA without dramatic increases in troop levels, equipment, and logistics, which will be a costly undertaking. The current budget of UNMIS is \$1 billion and donors appear reluctant to commit additional resources. "We must encourage the SPLA to look after their own problems," said a senior UNMIS official. "The countries that have contributed their troops in Sudan are reluctant to see UNMIS change. They have not sent us troops who are trained to fight the LRA." In addition to fears of being unable to "do it right," UNMIS is already struggling to fulfill its current mandate. Deployment has been slow and the delays have meant that no one can verify SAF claims that they have withdrawn troops from the South, a critical step to implementing the peace agreement and severing support to the LRA. With the rainy season begun in south Sudan, UNMIS will have even more difficulties in fully deploying.

In recent months, the UN Security Council has become more engaged on the issue of the LRA. In January, the Security Council passed Resolution 1653, which recognized the threat the LRA poses to regional peace and security. The resolution requested the Secretary General to make recommendations on how to support the efforts of regional states to mitigate the threat of illegal armed groups and ways the UN can support these efforts. The Security Council also passed Resolution 1663 in March, which instructs UNMIS to "make full use of its current mandate and capabilities" regarding the LRA.

The Secretary General's report has been delayed as the Departments of Political Affairs and Peacekeeping Operations wrestle with how to approach the LRA problem. The Secretary General

should seize this opportunity and recommend that the UN peacekeeping mission in Sudan have a stronger mandate backed by sufficient resources to intervene more proactively to protect civilians from the LRA, disarm LRA fighters and return them to northern Uganda, and capture commanders who have been indicted by the International Criminal Court.

If UNMIS is strengthened to defend civilians from LRA attacks, one of the difficulties it will encounter is that eighty percent of LRA fighters are abducted children. A successful military strategy must incorporate this fact and focus on capturing the child combatants safely and returning them to Uganda where they can be reintegrated into their communities. However, the UN does not currently have any guidelines on military engagement with child combatants. It is urgent that UN peacekeepers receive training and instruction on how to engage with child combatants.

Ultimately, only a Ugandan reconciliation process that addresses the root causes of the conflict will end the threat the LRA poses to regional peace and security. In the meantime, the UN must intervene more proactively to protect civilians from LRA violence and ensure that the LRA does not undermine peace in southern Sudan.

#### **REFUGEES INTERNATIONAL RECOMMENDS:**

- ❑ The UN Security Council strengthen UNMIS's mandate to allow it to disarm LRA combatants and cooperate with the Ugandan Amnesty Commission to repatriate them to Uganda, execute ICC arrest warrants for the LRA top commanders and protect civilians in south Sudan;
- ❑ Donors, particularly the United Kingdom and the United States, allocate adequate resources to UNMIS for these new responsibilities;
- ❑ The UN Security Council authorize the creation of a Panel of Experts to investigate sources of support for the LRA;
- ❑ The Special Representative of the Secretary-General in Sudan apply political pressure to the SAF and the SPLA to adhere to the Comprehensive Peace Agreement's requirement to disarm;
- ❑ The UN Department of Peacekeeping Operations immediately develop guidelines for military engagement with child combatants;
- ❑ The UNSC request the deployment of a high level UN envoy to facilitate a regional approach to the LRA threat, as well as to support peace initiatives and reconciliation within Uganda.

*Senior Advocate Michelle Brown and Advocate Sarah Martin visited northern Uganda and southern Sudan respectively in February and March 2006.*