

Refugee Law Project Working Paper No. 2

REFUGEES AND THE SECURITY SITUATION IN ADJUMANI DISTRICT

Lucy Hovil, Ph.D.
Research and Advocacy, Refugee Law Project



JUNE 2001

The Refugee Law Project (RLP) was established in November 1999 with the aim of protecting and promoting the rights of forced migrants in Uganda. The RLP operates as an autonomous project within the Faculty of Law of Makerere University, and focuses on three main areas: legal assistance, training, and research and advocacy. The Refugee Law Project works towards ensuring that asylum seekers and refugees are, as specified under national and international law, treated with the fairness and consideration due fellow human beings.

RLP

*Plot 10, Perrymans Garden, Old Kampala
P.O. Box 33903 Kampala, Uganda
Telephone +256 41 343 556
E-mail rlp@infocom.co.ug*

The Refugee Law Project Working Paper Series is a forum for sharing information on issues relating to forced migration in Uganda. All comments are welcome and the RLP reserves the right to revise any Working Paper.

REPORT SUMMARY

There are approximately 74,000 Sudanese refugees currently living in Adjumani District. A significant number of reports of insecurity in these settlements were ratified by fieldwork on the issue. Findings indicate that insecurity stems primarily from two sources: Lord's Resistance Army (LRA) attacks which involve looting and abductions, and problems related to forced recruitment conducted by the Sudan People's Liberation Army (SPLA). Combined, these two sources of insecurity create a climate of fear and general uncertainty within many of the settlements in the area. The purpose of this current report is to increase awareness of the situation and make some provisional recommendations for improving conditions.

This report is based on research gathered in the Adjumani settlements by Kirk Huff, Winifred Agabo, and Robert Last from 7th-19th May 2001. The author is grateful to the Office of the Prime Minister, Directorate of Refugees, for permission to conduct the research. Comments from Dr. Joe Oloka-Onyango, Eric Werker, and Ronald Kalyango were much appreciated. Most of all, the author wishes to thank the refugees in the Adjumani district and the dedicated administrators and relief workers working on their behalf who took the time to discuss their situation with us.

GLOSSARY OF ABBREVIATIONS

CSIS: Center for Strategic and International Studies

GoS: Government of Sudan

GoU : Government of Uganda

LDU: Local Defense Unit

LRA: Lord's Resistance Army

NGO: Non-Governmental Organisation

NIF: National Islamic Front

OAU: Organisation of African Unity

OPM: Office of the Prime Minister

PRM: Patriotic Revolutionary Movement

RDO: Refugee Desk Officer

RLP: Refugee Law Project

RWC: Refugee Welfare Committee

SPLA/M: Sudan People's Liberation Army/Movement

SRS: Self-Reliance Strategy

SSFF: South Sudan Freedom Front

SSIM: South Sudan Independence Movement

UNHCR: United Nations High Commissioner for Refugees

UPDF: Ugandan People's Defense Forces

1 INTRODUCTION

The Refugee Law Project (RLP), amongst other activities, runs a Legal Aid Clinic from its offices in Old Kampala. One of the most recurrent complaints which has emerged through contact with refugees and asylum seekers over the past months has been that of security problems facing Sudanese refugees in northern settlements and camps, in particular those located in Adjumani district. Consequently, a team was sent to Adjumani to conduct fieldwork in order to substantiate the information received.¹ The fieldwork was conducted in Adjumani district from 7th–19th May 2001, and comprised of 16 interviews with Government workers, United Nations High Commissioner for Refugees (UNHCR) and Non-Governmental Organisation (NGOs) officials, members of the Ugandan People's Defence Force (UPDF) and the Uganda Police, and members of the refugee community. From the last of these categories, 67 individuals were interviewed incorporating a wide spectrum of settlements/camps, gender and age categories²

The following report incorporates two main sources of information: testimonies documented by the Legal Aid Clinic in Kampala, and material gathered in Adjumani. It is, therefore, an analysis of the current situation in Adjumani focusing on issues of insecurity as experienced by refugees and by those in direct contact with the refugee communities. For the purposes of this report, the issue of general insecurity is only considered to the extent that it has particular relevance to the matter under investigation.³

The findings suggest that there are two main sources of insecurity for those living in Adjumani: attacks by the Lord's Resistance Army (LRA), and activities associated with the Sudan People's Liberation Army/Movement (SPLA/M). The first of these sources is general to the north of Uganda yet is present with greater intensity in Gulu and Kitgum districts. The second predicament is more specific to Adjumani and is due to a specific dynamic created by the existence of large numbers of Sudanese refugees living in close proximity to the Sudanese border.

While the focus of this report relates specifically to refugees, it is important to note that nationals living in Adjumani district are also suffering attacks from LRA rebels. Therefore many of the problems discussed are also pertinent to those Ugandan nationals living in close proximity to the refugee settlements. As the populations are so closely linked, the two groups cannot be considered in isolation from one another. Yet refugees are a particularly easy target in Adjumani for several reasons: they are geographically placed on the peripheries and thus easily accessible, they are concentrated in designated areas, and they are assumed to have external assistance

¹ This research forms part of the RLP's drive to expand knowledge of the conditions for refugees in Uganda.

² In this report, the names of informants have not been mentioned in order to preserve their anonymity.

³ General humanitarian problems are not explicitly addressed by this report. However, it is worth noting that many of the refugees were struggling with health, education, food and water supplies, to mention only a handful of the problems faced. The fact that such issues are not covered in this report does not imply that they are not serious problems. In addition, relations between Ugandan nationals and refugees were clearly strained, and the RLP is preparing a brief report for relevant agencies in Adjumani with recommendations on possible steps for improving relations. Moreover, problems of domestic violence were referred to on several occasions, and the RLP likewise intends to do some specific research in this area.

with food. In addition, insecurity problems associated with SPLA activity are for the most part unique to the refugee population and our recommendations follow accordingly.

We begin by looking at more general problems of insecurity—namely those associated with attacks from the LRA—before analysing some of the issues of insecurity specific to Adjumani as a district hosting considerable numbers of Sudanese refugees, particularly those issues associated with SPLA activity. Problems relating to insecurity will be set against a background of the two conflicts in which they are caught up. The report will proceed as follows: Section 2 discusses the refugee situation in Uganda and Adjumani district. Section 3 investigates the impact of the LRA on the security of the refugees. Section 4 introduces and analyses the SPLA phenomenon. Section 5 concludes.

2 BACKGROUND

Uganda is host to refugees from Sudan, the Democratic Republic of Congo, Rwanda, Burundi, Somalia and a number of other countries. The overwhelming majority of the 200,000-plus refugees currently resident in Uganda are southern Sudanese, most of whom are located in north-western Uganda. Adjumani is one of the major districts that hosts Sudanese refugees within this region. Please refer to the maps in the Appendix for specifics.

2.1 Refugees in Adjumani District

Adjumani district was created in July 1997 from East Moyo County and has a population of 105,458 nationals and approximately 74,000 refugees. Situated near the Sudanese border to the north, it is bordered by Gulu to the east and south and separated from the new Moyo district by the Albert Nile. The area suffered from severe insecurity following Milton Obote's re-election to power in 1980, resulting in over 80% of the population fleeing into Sudan. The majority repatriated between mid-1986 and 1988.

Relatively small numbers of Sudanese refugees began arriving from mid-1986 onwards. However, as the war between the SPLA and the Sudanese government intensified between 1989 and 1994, these numbers grew dramatically, with up to 80,000 asylum seekers crowding into the Ogujebe/Oligi transit camp complex.⁴ Initially the government assumed the situation would calm itself and thus put them in temporary "transit" camps, but what was meant to be a temporary situation has become permanent, with refugees inhabiting approximately 34 settlements throughout the district. Ethnically, although 28 groups are represented among the refugee population, almost 45% are Madi and 34% are Kuku, with the remainder consisting largely of Acholi (9%) and Dinka (5%).⁵

2.2 Insecurity in Adjumani: the local and regional implications

The proximity of these settlements to the international border with Sudan and the internal border with Gulu district has created a politically tense situation. Although

⁴ LWF 1999, p. 25.

⁵ LWF 1999, p. 26.

there are two distinct sources of insecurity within the district, it is important to note the interaction between them. Accusations between the governments in Khartoum and Kampala have abounded: both have accused the other of harbouring and assisting anti-government rebel groups operating from the other's territory. Various diplomatic initiatives have been tried, but misunderstandings still prevail.

In early December 1999 talks between the two governments mediated by former U.S. President Jimmy Carter led to an agreement to stop aiding or condoning rebel activity based in one's own country.⁶ However, by the end of the same year, a large rebel incursion into Uganda from Sudan suggested that there was little sign that the agreement had been adhered to. Thus, regardless of the current state of affairs between the two countries,⁷ those currently living in Adjumani and elsewhere are feeling acutely the impact of the activities of insurgency and outright war waged by both the LRA and the SPLA.

3 CAUGHT IN THE WAR: LRA ATTACKS ON THE REFUGEE COMMUNITY

The war in Uganda's north, which is now being waged under Joseph Kony's leadership of the LRA, started in 1986. Since it began its fight against the Government of Uganda (GoU) it has been responsible for abuses of human rights on a vast scale, particularly in Kitgum and Gulu districts. Kony's army has become notorious for the brutality of its methods including the abduction of at least 14,000 people, mostly children, who have either been killed or forced to participate in the war. In addition, the LRA is known to have links with the Government of Sudan (GoS), and, furthermore, has been operating out of Sudan.

Most of the insecurity information supplied to us in Adjumani, from refugees as well as NGOs and government officials, was on the activities of the LRA. The vast majority of interviewees named the LRA as being a major concern in the lives of those in the area. Rebel activity has created an atmosphere of fear, and has a significant negative impact on the quality of life for the refugee population.

3.1 Adjumani: a target for rebel attack?

Although the LRA is most notorious for its activity in Kitgum and Gulu districts, the movement of a vast proportion of the population in the region to "protected camps" (or "protected villages") has created large swathes of uninhabited land, including the area of Gulu that borders Adjumani, that have been essentially ceded to LRA control. The LRA has also been carrying out attacks on the south and southeastern areas of Adjumani district, areas that were abandoned by nationals fleeing rebel incursions 15 years ago. Most of the recent attacks appear to take place from the Zoka forest, an LRA stronghold, that lies to the southwest of the district. It is believed that the attacks are an attempt to establish a corridor for the LRA rebels, behind SPLA lines,

⁶ CSIS 2001. The document lists several propositions for ending the Sudan war.

⁷ Recent diplomatic moves to bring the two countries into agreement continue to take place. For instance, Colonel Gaddafi recently brokered talks between some of the main players in the conflict. Additionally, US Secretary of State Colin Powell expressed his country's intention to "play an active role" in ending the conflict (Kakande, 2001). However, the potential input of such negotiations is not known at this stage.

in northern Uganda.⁸ The frequency of attacks is hard to ascertain (there is considerable variation between the settlements) but it is evident that they occur with enough regularity to create a genuine atmosphere of fear.

The areas most under attack from the LRA include several of the settlements in the south of the district that were opened under the recent Self-Reliance Strategy (SRS),⁹ and cover some of the most fertile land in an otherwise agriculturally marginal district. Refugees form the bulk of the population in the south and are an easy target given the fact that they are concentrated in specific areas, presenting the rebels with an opportunity to get maximum loot in minimum time. Many of those interviewed perceived themselves to be some kind of barrier between the rebels and the national population. For instance, one refugee stated:

We are a guard for the nationals because we are surrounding the town. People are asking, 'Why are we far from the citizens?' It makes us think we are guards for the nationals because those people are not there.¹⁰

It is thus clear that the refugees are placed in a precarious situation relative to both the national population and the marauding rebels in the area.

3.2 Living with fear and uncertainty

When refugees living in Mongola, Magburu, Oha and Maaji settlements in particular, were asked generally what problems they face, insecurity was repeatedly identified as the greatest problem.¹¹ Refugees often abandon the huts on the outskirts of these settlements; many of those interviewed told how they sleep in the bush out of fear. As one refugee commented:

There is too much fear. The people live in horror. They do not live in the huts they have built. For example, last Wednesday there was a rumour that Kony people were coming so nobody slept in the house . . . this Kony thing makes life so difficult for us. When they come, many women have to carry babies on their back and luggage on their head.¹²

Most rebel attacks appear to follow a similar pattern: rebels enter the settlement around 10:00PM to 11:00PM, refugees are captured and bound, the houses and fields are looted of food, pots, clothes and other household items, and refugees are stripped and forced to carry the loot as they are marched to Zoka Forest. Most are then released to find their own way back to the settlements.

Many of the attacks result in the loss of life. For instance, the LRA has started conducting reprisals against refugees who raise alarm: several informants related how 16 huts in Mongola I settlement were torched by rebels after the inhabitants raised an alarm. Those refugees who are taken to carry loot are beaten or sometimes killed if they complain of exhaustion, an especially harsh measure given that insecure

⁸ LWF 2001

⁹ The SRS was set up by the GoU and UNHCR as an attempt to enable refugees to become less dependent on outside assistance.

¹⁰ Interview with a male refugee in Maaji I settlement, 15th May 2001.

¹¹ Fieldwork interviews.

¹² Interview with a female refugee in Mongola II (Aliwara), 12th May 2001.

settlements can be 20 kilometres from the Zoka Forest and that those abducted are forced to walk barefoot. These abductions are not uncommon according to fieldwork interviews. The majority of those abducted are returned, but young boys are sometimes recruited to fight and, on rare occasions, women are forced to become “wives”. There were also several accounts of women having been raped before being allowed to return. In addition, a substantial number of those interviewed described how rebels punish, and sometimes murder, those who are abducted more than once as the rebels think that they might be able to lead security forces to their hideouts having made the same journey before.

There were many stories of the atrocities committed by the rebels. For example, one woman related the story of how she had been abducted and forced to become a “wife” to one of the rebels:

Kony rebels attacked Olua settlement and abducted three girls, including me, and one man. He was later killed by the rebels because he was too weak to walk. The rebels looted from the refugees sorghum, g-nuts, maize, simsim and household property and made us carry these items . . . I stayed with the rebel leader named [_____] for one year as his wife. He had three others already . . . I have never seen the other girls who were taken with me again. I was separated from them. In the rebel camp we were not allowed to put on clothes but remained half naked.¹³

During an exchange of fire between the rebels and the UPDF, the woman managed to escape when she was six months pregnant. Another informant related a recent attack in which he had been forced to carry some of the loot:

I was in my house when they came. I saw them pass by like that. They raped some women and made some of us carry the loads for them. When you are carrying they beat you with a club and they threaten to kill you with pangas. That time they killed nine people.¹⁴

Those working with the refugee community backed up such reports. For instance, an NGO worker summed up the attacks in this way:

When rebels attack villages and bot goods they carry guns. You carry food. They take both you and food. If they feel you are recruitment material you might not come back. If they feel you can't be useful they release you. If they feel you could be a threat they just end your life.¹⁵

Most of the attacks appeared to happen when there had just been a harvest, or food was known to be available. For instance one man commented,

Now g-nuts are coming, so now they will attack frequently. They will continue thieving food, using refugees.¹⁶

One incident took place during the course of the field visit. On 12th May 2001, the night of the presidential swearing in, a group of gunmen assumed to be LRA rebels

¹³ Interview with a female refugee in an Adjumani settlement, 9 May 2001.

¹⁴ Interview with a male refugee from Maaji I settlement, 15 May 2001.

¹⁵ Interview with Francis Iwa, LWF, 19th May 2001.

¹⁶ Interview with a female refugee, Keyo III settlement (Adjumani town), 12th May 2001.

opened fire on a group of young refugees having an impromptu dance party to celebrate a wedding in Maaji I.¹⁷ Three refugees were killed and seven injured. One man related how a woman had managed to survive the attack:

She was shot but not killed. They were going to finish the job but the woman said, 'Don't shoot me, I have a child. If you kill me who will nurse my child? Don't kill me.' That is the reason why they didn't kill her. But if they knew that she survived now, she would have been killed. They saw the bullet and thought she would die. But when you get to Sudan they always kill you.¹⁸

What these testimonies indicate is that the collective impact of such attacks has created an atmosphere of fear amongst the refugee population in the southern settlements. The problem of insecurity is seriously undermining the success of the Self-Reliance Strategy and hinders the distribution of aid to those who most need it.¹⁹ Many refugees have become demoralised and question why they should work in their fields when their crops will end up in a rebel's stomach. Others store their food in settlements in the north, or live in the north and walk everyday to work in the fields. Some refugees have decided to move back to their former settlements in the north, despite the inferior quality of the land.

Aside from the general issues of overall insurgency and its impact in the North, this section raises several refugee protection issues. Among the most basic is that of the location of the settlements. The second is their relative isolation from the nationals. Finally, there is the obvious issue of the adequacy of the security mechanisms in place at the settlements.

3.3 Security: is there adequate protection?

During the field visit, the RLP regularly encountered references to the fact that, given the number of attacks and the number of attackers in most instances, the security provided to protect the refugees against such rebel incursions was inadequate. The majority of security personnel are provided by Local Defence Units (LDUs) rather than by the UPDF. Numerous refugees attested to the soldiers' low numbers. As one refugee claimed,

There are only 10 soldiers for the whole of Maaji. On Site 9 there are three and Site 12 there are three. That is why you find that if they enter one side the soldiers are on the other side.²⁰

This numerical inferiority has consequences: refugees claimed that soldiers sometimes run with them to hide and do not attempt to pursue attackers until they are long gone. A Deputy Commander of the Refugee Desk, Office of the Prime Minister (OPM) commented:

¹⁷ This incident occurred during the field visit, and the researchers were able to interview in hospital those who had been injured during the incident.

¹⁸ Interview with a male refugee from Maaji I, 15th May 2001.

¹⁹ LWF 2000.

²⁰ Interview with a refugee who had been injured in the attack on 1st May 2001 and was still in hospital, living in Maaji I.

Military detachments are close by the settlements, but the military response is not as quick as expected. Sometimes they get scared. The detachments are not so big as to combat them, they are there just to try and scare the LRA away.²¹

Settlements in the south are generally given detachments of five to 10 LDUs headed by a UPDF officer.²² However the majority of detachments are easily outnumbered by most rebel raiding parties which seem to have a minimum of 15 to 20. Every settlement had similar stories of LDUs refusing to leave their barracks, even when notified by the Refugee Welfare Committee (RWC) chairman, until the attack is over and morning had come.²³ The “chases” conducted after daylight start several hours after the rebels have left and invariably have no result. In Mongola II, only two LDUs are in the barracks at any one time and on one occasion when the camp chairman ran to inform them of an attack, he could not find them as they had already run and hidden in the bush.²⁴

In the hopes of frightening the rebels off, the LDUs fire into the air when they hear an attack, but they are unable to do much more without endangering their own lives. In one incident such gunfire apparently led to the rebels—who could not determine where the gunfire was coming from—randomly opening fire on the settlement huts, leading to several injured refugees.²⁵ In summary, detachments are undermanned and inexperienced and, therefore, impotent in the face of a numerically superior enemy. Defending the refugees may be even more difficult as there are reports that the LRA sends forerunners to assess military presence, attacking where presence is found to be weak or non-existent.

It can be concluded, therefore, that the problem of LRA attacks is pervasive to the southern settlements, and is adversely affecting the livelihoods of those living in the area. Refugees are being forced to live in areas that are exposed and vulnerable to attack. This predicament stems from their geographical proximity to an LRA stronghold, a reality that is not being counterbalanced by adequate protection from security forces. Refugees not only fear for their lives during the attacks, but also continue to feel the impact as they lose food and other essentials. Although their losses are often rectified in some way by UNHCR and NGOs, it is clear that this assistance is no substitute for the security of being able to work towards some form of self-reliance. Additionally, the presence of such easy loot within striking distance of LRA territory acts unwittingly as a subsidy to the LRA’s agenda.

4 SPLA ACTIVITY WITHIN THE REFUGEE COMMUNITY

The other main security concern that some of the refugees expressed was that of SPLA activity within some of the settlements. Before embarking on the field trip, the RLP received numerous complaints about insecurity from refugees who had left the settlement and come to Kampala. When we visited Adjumani, these reports were verified by a substantial number of the refugees, although we noted a greater reluctance to discuss the matter. A possible reason for this is that many refugees may

²¹ Interview with a Deputy Commander OPM Refugee Desk Officer— Adjumani, 7th May 2001.

²² Ibid..

²³ This complaint was made by the majority of informants when asked about the response of the LDUs.

²⁴ Interview with a male refugee, Mongola II settlement, 14th May 2001.

²⁵ Interview with a male refugee, Maaji I settlement, 15th May 2001. Unfortunately the informant was unable to supply the dates of the attack.

have been scared to talk about the SPLA due to the locally sensitive nature of the subject and perhaps out of fear of reprisals. Several organisations working in the area accepted that there was a problem related to the activities of the SPLA in the area. Thus enough material was collected in both locations to suggest that there are a number of Sudanese refugees who are living in fear of their lives because either they have left the SPLA or they are afraid they will be recruited to fight.

It is important to point out that the problem was revealed to exist more at the individual level in comparison to the generalised nature of the LRA attacks. In addition, it is useful to set the discussion on SPLA activity in the wider context of the war in Sudan—a war that has not only created the vast numbers of refugees living in Adjumani, but that also continues to have an impact on their lives.

4.1 War in Sudan: a brief overview

Since May 1983, a civil war has raged in Sudan. A succession of Sudanese governments, dominated by the Muslim Arab north, has carried out unremitting warfare not only against the Sudan People's Liberation Front (SPLA) specifically, but against the civilian population of southern Sudan generally. It is estimated that as many as two million people have lost their lives in the past 15 years alone, and four million have been displaced.²⁶

Successive governments have been either active participants or silent partners in a war that has spread terror and human suffering. The civilian population has been bombed and attacked indiscriminately; food has been intentionally used as a weapon of war, ensuring inadequate food supplies in the region.²⁷ Rape, kidnappings, and the abduction of young children have become commonplace as civilians have become the main casualties in this indiscriminate war. Attempts at a negotiated settlement have been pursued and failed; no end is in sight to the conflict. It is in this context that the SPLA has been trying to fight a war of liberation from the south of Sudan.²⁸ As with any civil war, it is not taking place in complete isolation to the rest of the world: other governments are directly or indirectly involved in the struggle on each side.

4.2 Uganda's border with southern Sudan

There was a noted presence of the SPLA in Adjumani, emphasising the short distance between the Sudanese border and the settlements.²⁹ The border with Sudan is extremely porous and the GoU has little control over who crosses.³⁰ For instance, the SPLA uses the road through Adjumani and Moyo to truck supplies from Nimule to Yei, and several lorries were seen with handpainted UN markings on the side that were identified as SPLA.³¹ Many of the soldiers keep their families in the settlements and visit them on a regular basis. Numerous refugees claimed that SPLA soldiers stay in Ugandan barracks when they pass through, and leave their weapons there for

²⁶ Burr, 1998.

²⁷ Burr, 1998.

²⁸ Clearly, the war in Sudan is far more complicated than this brief account suggests (there are other elements such as that of the Nuba fighting for survival, northern opposition groups, etc.) but such complexities go beyond the scope of this report.

²⁹ This observation was made by the fieldwork team.

³⁰ For instance, an anonymous NGO worker made this claim in an interview on 10 May 2001.

³¹ *Ibid.*

safekeeping.³² The SPLM has an office in Kampala and has district branches charged with gathering support for the war effort, one of which is in Adjumani.³³

4.3 Recruitment activity in Adjumani

The majority of those who raised issues relating to the SPLA were concerned about the way in which they were recruiting individuals to fight in the south with the use of coercion. It is likely that recruitment, whether forced or not, has followed military activity, reflecting the constant shift in the balance of power between the National Islamic Front (NIF) government and the SPLA. Interviews indicate that the mid and late 1990s were particularly heavy for mass forced recruitment. However, this may not have been solely attributable to the work of the SPLA and may have included another faction from the south.³⁴ In 1996, the Khartoum government conducted a major offensive and southern groups required new manpower to mount a defensive. The correlation between military activity and recruitment in Adjumani was supported by testimonies from refugees and officials alike.

4.4 The 1999 recruitment drive

A number of accounts, from both refugees and NGO workers, tell the same story about what appears to have been the last recruitment drive in 1999.³⁵ It appears that the SPLA, with the assistance of the UPDF, rounded up males from Keyo, Olua, Mirieyi, and Adjumani town who did not have any refugee documents. Those individuals selected were then taken to the army barracks in town for further interrogation, and a total of 81 people identified to be taken back to Sudan were then forced into lorries. The Refugee Desk Officer (RDO) stopped the lorries as they neared the border with Moyo and 41 of the group were released. The remaining were taken to Sudan. A representative from one of the NGOs, who asked to remain anonymous, claimed that the RDO was a “man of goodwill” who was coming under pressure to co-operate with the SPLA but did what he could. One refugee who had been part of this forced recruitment, but subsequently escaped to Kampala, supported the stories collected about the incident in Adjumani:

One evening the SPLA soldiers came to Mirieyi transit camp with the UPDF and surrounded it so no one could escape. They started forcing people to get into groups, then they took all the young men fit for war and packed them into trucks and took them to south Sudan. This process involved terrible humiliations before their families—beatings, kickings, insults, to name a few. The worst was that when we got to the south, former deserters went under terrible punishment and others who had positions of rank lost their lives.³⁶

Additional testimonies support this event, which was witnessed by many still living in Adjumani and known of by many others. It appears that the SPLA was heavily

³² Information from interviews with refugees conducted during the field visit.

³³ Interview with an ex-SPLA soldier, Kampala 29th May 2001.

³⁴ Factions active at that time include the Patriotic Revolutionary Movement (PRM), South Sudan Independence Movement (SSIM), the South Sudan Freedom Front (SSFF), and the SPLM United. This information was provided during an interview with a Sudanese journalist at the RLP, 30th May 2001.

³⁵ The majority of interviews claimed this to be the last major recruitment drive, although two of the interviews thought that nothing had happened since the end of 1998.

³⁶ Interview with Sudanese refugee in Kampala, April 8th 2001.

criticised for its actions and realised that such operations were harmful to their image. Perhaps due to the pressure put on the SPLA, there do not appear to have been any forced mass-recruitments in Adjumani since that time.

4.5 The forced recruitment of individuals: a current problem

Although the recruitment of groups has apparently been halted, a number of testimonies attest to the continuing pressure being exerted on individual refugees, many of whom have fled from the SPLA, to join (or return to) active service. There were several stories of abductions or attempted abductions that have taken place recently.³⁷ For instance, one refugee expressed fear for his own personal safety:

When they come to the camp they leave their guns in the army barracks and then they come looking. . . The problem we have with the SPLA is that they sometimes want to know whether there are some people investigating them in the camp. Like if someone is known to be an Arab from north Sudan the SPLA remove them. . . I live in fear. I know they are looking for me. I can't run because I have children. They keep looking for me. Even right now I am fearing.³⁸

Another spoke of the fear she has for the safety of her husband:

The SPLA come any time and take their people at night. They get specific people. They follow. I have nowhere to hide and am fearing they will come and collect him. . . So when SPLA comes he hides. They have come asking for him by name. They ask refugees if they know where he is, and they say no, or they warn him. . . No one can protect him here. UNHCR need to let him go where they can't get to him.³⁹

When asked why he was being targeted specifically, she explained that it was because he is a former 2nd lieutenant in the SPLA and knows secrets. He was recruited when he was 14 years old and stayed with the SPLA for six years. She added that if he is caught, he will not be imprisoned or forced to fight, but will be killed.

Several other testimonies describe people living in Mirieyi settlement being taken from their huts at night by the SPLA, and a refugee in Maaji settlement told how he had been one of three persons who were abducted and taken north on one occasion. He explained how he had paid a fee to be released before entering Sudan, which was why he was currently in Adjumani. However, he also expressed fear for his safety as a result of having been identified by SPLA forces in this way.

Another refugee who fled to Kampala after fleeing from the SPLA also talked about continued mobilisation in Adjumani. In particular he spoke of child soldiers being recruited through subtle pressure put on communities to supply one child per family for military service. He talked of his fears for his own life, and stated that he could never return to Adjumani:

³⁷ Several of the informants mentioned forced recruitment. However, it was difficult to obtain specific information on the frequency and dates of such activities.

³⁸ Interview with a male refugee from an Adjumani settlement, ¹⁷May 2001.

³⁹ Interview with a female refugee from an Adjumani settlement, ¹⁸May 2001.

The SPLA commanders keep their wives and families in the camps. When they come to visit them they might recognise me and then I would be abducted and killed. I can never go up there.⁴⁰

A representative of OPM who described what happens to soldiers who have left the SPLA reiterated the danger for such individuals:

Some of them are deserters. The SPLA come to follow them when they learn that they are in the camp. They come at night. But these cases are not too many.⁴¹

Similarly, an anonymous NGO worker claimed that some refugees have come to him asking for help:

These people fear. Genuine fear. . . I ask these people for information so I can help them, but once they realise I can't guarantee security, they back away and say, 'It's fine. It's fine.' . . . There is no advocacy for these people.⁴²

Thus the SPLA has been accused of persecuting deserters and those seen as opposing the SPLA. It also appears to have forcibly recruited individuals, including children, into its armed forces. The movement has a record of human rights abuses, in particular the killing of prisoners-of-war, which has been the most consistent problem, according to an African Rights report.⁴³ This would justify the extent to which individuals who have deserted the SPLA fear being abducted because of the certain outcome if they are recaptured. However, the SPLA also has a record of attempting to address accusations of human rights abuses levelled against them, and therefore such abuses do not have to be accepted as being inevitable within the movement.⁴⁴

5 CONCLUSION

The two main sources of insecurity discussed above are caused by wider conflicts that have an impact on the everyday lives of those living in the settlements. It is a characteristic of contemporary conflicts that innocent civilians are the ones who suffer most from wars in which they are unwilling participants. The LRA presents a clear example of this as it exploits the vulnerability of refugees who have little alternative to remaining in the line of attack. At the same time, the SPLA is harassing certain individuals who have fled the horrors of a brutal war being played out in Sudan, preventing them from feeling secure despite having crossed over an international boundary.

The Government of Uganda, as a signatory of the 1951 Geneva Convention relating to the Status of Refugees and the 1969 Organisation of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa, has a duty to protect those refugees who are living within its borders, not least of all Sudanese refugees who receive *prima facie* status in Uganda. Whilst the enormity of such a task is recognised in the face of two conflicts that have eluded all attempts towards peaceful resolution, there are steps that can be taken to improve the situation.

⁴⁰ Interview with a Sudanese refugee, Kampala 29th May 2001.

⁴¹ Interview with a Deputy Commander, OPM Refugee Desk, Adjumani, 8th May 2001.

⁴² Interview with anonymous NGO worker, 10th May 2001.

⁴³ African Rights 1995, p. 307.

⁴⁴ African Rights 1995.

Although the ending of both conflicts is clearly the ideal—and efforts are being made in both cases towards resolution—it is vital to recognise that the situation is as likely to intensify as it is to improve. Given that premise, it is important that durable solutions be found to address the question of insecurity in the settlements.

With regard to LRA activity primarily, there is an urgent need for greater UPDF presence in and around the settlements. Refugees, officials and NGO representatives consistently claimed that the situation could be improved with more UPDF presence. This was further clarified by the desire to see LDUs playing less of a role as they are generally perceived to be underpaid, undertrained, and insufficient for protection. Improving security numerically would have an immediate positive effect on the situation, and would act as a major deterrent to rebels who are currently exploiting the inadequacy of Uganda's efforts to protect those living within its borders.

With regard to the problems relating to the SPLA, it is clear that many who have fled the war in Sudan continue to be hounded by it. Evidence indicates that the GoU's empathetic stance towards the SPLA's activities within its borders compromises its ability to provide protection for those seeking asylum from the war in southern Sudan. Such constraints need to be acknowledged, and the relevant mechanisms put in place, to ensure that Uganda adheres to those international instruments protecting human rights to which it is a signatory. One way in which this can be done is to improve opportunities for those with past involvement in the SPLA to be moved to other locations within Uganda that are further from the Sudan border. It is acknowledged that the government and UNHCR have partially addressed this issue by designating Kyangwali as an appropriate reception centre for a small group of Sudanese refugees who have been categorized as "security" or "protection" cases and who have been transferred there from northern Uganda and Kampala. However, the research clearly indicates that not enough is being done to address these problems. Those who are at risk must be given greater opportunity to leave the north and be resettled either elsewhere within Uganda or in a third country.

At the same time, the leadership of the SPLA needs to take responsibility for its human rights abuses in Adjumani, and implement change in its recruitment policy. Forced recruitment discredits it in the eyes of the international community, and erodes the legitimacy of its struggle. Whether or not punishment is justifiable for desertion, or what form that punishment should take, is a vital internal issue that has a direct impact on the image presented.

While this report recognises the complexity of the situation in Adjumani, it also suggests that the problems are not insurmountable. A co-ordinated policy addressing both the LRA and the SPLA problems should bring about three main benefits: the welfare of the refugees will be directly improved; the tension between Khartoum and Kampala will be reduced; and the resource base feeding the war economy will be shrunk.

REFERENCES

African Rights 1995. *Facing Genocide: The Nuba of Sudan* . African Rights, July 1995, p. 307

Burr, Millard. “Working Document II: Quantifying Genocide in Southern Sudan and the Nuba Mountains 1983 – 1998.” December 1998.

Center for Strategic and International Studies (CSIS) 2001 *Report of the Task Force on U.S.- Sudan Policy*. May 2001

Kakande, John. 28th May 2001. “US to help end Sudan, Congo conflicts.” *The New Vision*. Kampala. p1.

Lutheran World Federation (LWF) 1999: *Uganda Programme Annual Report 1999*. Kampala: LWF Department of World Service.

Lutheran World Federation (LWF) 2001: *LWF monthly report*, February 2001.

Appendix 1: Map of Uganda with refugee settlements⁴⁵

⁴⁵ Courtesy of UNHCR.

Appendix 2: Map of Adjumani District