
UGANDA

Republic of Uganda

Population: 25.0 million (14.2 million under 18)

Government armed forces: 60,000

Compulsory recruitment age: no conscription

Voluntary recruitment age: 18

Voting age: 18

Optional Protocol: acceded 6 May 2002

Other treaties ratified (see glossary):

CRC, GC AP I and II, ICC, ILO 138, ILO 182; ACRWC

The government was reported to recruit children into the regular armed forces and into local defence units deployed inside Uganda and also in the Democratic Republic of the Congo (DRC) and Sudan. Until May 2003 government forces supported armed political groups in eastern DRC which extensively recruited child soldiers. In 2003 the armed political group, the Lord's Resistance Army (LRA), which has killed and tortured people in northern Uganda since 1986, dramatically increased its abduction of children. Out of an estimated 20,000 children who have been abducted by the LRA, nearly 10,000 were taken since mid-2002. Children coming out of LRA captivity were sometimes recruited into government armed forces or forced to take part in operations against the LRA.

Context

Internal armed conflict in the north intensified. Both government and LRA forces committed violations of international humanitarian law. After relations improved between Sudan and Uganda, 10,000 troops crossed into Sudan and forced LRA combatants back into Uganda in a military operation, "Operation Iron Fist", launched in March 2002. LRA attacks in northern Uganda subsequently escalated and the humanitarian situation deteriorated dramatically.¹ Efforts to negotiate a peace agreement with the LRA appeared to end in March 2003.²

Under international pressure, Uganda reportedly withdrew the last of its troops from the DRC in May 2003. The Ugandan authorities provided arms and other support to some of the ethnic militias responsible for the numerous massacres that took place in Ituri district both before and during the withdrawal.³

Government

National recruitment legislation

The 1995 constitution requires every citizen "to defend Uganda and to render national service when necessary", and every able-bodied citizen "to undergo military training for the defence of this Constitution and the protection of the territorial integrity of Uganda whenever called upon to do so" (Article 17). Under Article 17, it is also the duty of every Ugandan citizen "to protect children and vulnerable persons against any form of abuse, harassment or ill-treatment". The constitution also states that children under the age of 16 years "are entitled to be protected from social or economic exploitation and shall not be employed in or required to perform work that is likely to be hazardous or to interfere with their education or to be harmful to their health or physical, mental, spiritual, moral or social development" (Article 34).⁴

Under the National Resistance Army Statute 3/92 and Conditions of Service Regulations of 1993, recruits must be aged between 18 and 30. However, a Uganda Defence Forces Bill brought before the Parliamentary Defence Committee in early 2004 did not specify a minimum age for recruitment. UNICEF submitted to the Committee recommendations on explicitly excluding the recruitment of child soldiers, which the Committee promised to take into consideration.⁵

Child recruitment and deployment

The desertion of over 20 recruits under the age of 18 in May 2003 provided evidence of the recruitment of children to the ranks of the regular armed forces. The youngest boy was 15, the youngest girl 14.⁶ In November 2003 UNICEF accused the authorities of failing to prevent the recruitment of children. It found that 120 recruits out of a sample 1,200 in Lugore training centre were probably under the age of 18. In response, the authorities said that any recruits found to be under 18 were withdrawn from the forces.⁷

Children who escaped or were captured or rescued from LRA captivity, some as young as 13, were sometimes recruited into the armed forces or forced to take part in military operations.⁸ In some cases they were used as guides to indicate LRA positions or weapons caches.⁹

In March 2004 President Yoweri Museveni denied that child soldiers were recruited, blaming parents for lying about their children's ages so they could earn army salaries.¹⁰

Local Defence Units (LDUs)

Ugandan government forces also recruited and used large numbers of children by recruiting them into the LDUs.¹¹ The authorities said that recruits to these units had to be at least 18 and that local leaders were responsible for verifying

their age.¹² The government also claimed that if any recruits are found to be under 18 years they are pulled out.¹³

Vigilante pro-government militias

Pro-government vigilante militias, armed by government forces, were established in several areas under a variety of names: Arrow Boys in Teso in mid-2003, the Amuka militia in Lango later in 2003, and in early 2004 Frontier Guards in Kigum and Pader and the Elephant Brigade in Gulu region. Most camps in Teso for people internally displaced by the conflict were guarded by Arrow Boys.¹⁴ The Arrow Boys also took part in military operations and received some pay and training from the armed forces.¹⁵ Some vigilante groups were reported to include child soldiers and no measures appeared to be taken to prevent this. In February 2004 the government announced that it was considering recruiting educated Amuka and Arrow Boys into the police and army.¹⁶

Ugandan involvement in the DRC

The government consistently said its forces were in eastern DRC to counter the activities of the Ugandan armed opposition group, the Allied Democratic Forces. However, its presence there was widely attributed to the area's rich mineral resources.¹⁷ Child soldiers in the Ugandan armed forces fought in the DRC, and in April 2003 Save the Children UK secured the release of 29 child soldiers who had been deployed to the town of Bunia.¹⁸

Until its withdrawal, Uganda was closely involved with a number of Congolese armed opposition groups and militia in eastern DRC. Some subsequently became partners in the government of national unity, but a number continued to operate, particularly in Ituri district, killing, raping and forcing people into cannibalistic acts. Child soldiers were used widely, many of them under the age of 15.¹⁹ The Ugandan armed forces, the Ugandan People's Defence Forces (UPDF), on occasion detained them. In mid-2003, the UPDF refused to release to a non-governmental organization (NGO) 60 child soldiers, members of the *Union des Patriotes Congolais* (UPC), Union of Congolese Patriots, armed group. Some of the children later arrived at transit camps.²⁰

Amnesty Act and Suppression of Terrorism Act

The Amnesty Act of January 2000, offering immunity and resettlement packages to all armed opponents who surrendered their weapons, was renewed every six months. In January 2004, the government reduced the amnesty period for members of the LRA from six months to three months, and indicated that the amnesty would no longer apply to LRA commanders.²¹ The Amnesty

Act currently includes no specific provisions on child soldiers.

The age of criminal responsibility in Uganda is 12.²² In late 2002, two boys aged 14 and 16 who had been abducted by the LRA were charged with treason. The crime carries the death penalty although, under the constitution, no death sentence may be passed on anyone under the age of 18. Soldiers had tortured the 16 year old after his arrest. The two boys were released on bail in early 2003 into the custody of a women's organization in Gulu. In April 2003 they applied to the Amnesty Commission for an amnesty.²³

The Suppression of Terrorism Act of March 2002 classified several armed political groups as "terrorist" and stipulated severe punishments, including the death penalty, for "terrorists", their supporters and sponsors. Throughout 2003, a number of former rebels who had been pardoned under the Amnesty Act were rearrested under the Suppression of Terrorism Act.²⁴

Armed political groups

Lord's Resistance Army (LRA)

The LRA continued widespread attacks on civilians, killing, raping and looting. Camps for the displaced were attacked, and humanitarian workers killed. It was still abducting children on a massive scale as of March 2004.

One aim of the military's "Operation Iron Fist" was to rescue abducted children, and between March 2002 and March 2003 at least 2,000 children were recovered, captured or managed to return on their own. However, in the same period, 5,000 other children were abducted.²⁵ The ratio of children to adults within the ranks of LRA continued to rise. The government increasingly resorted to military action to end the conflict. A growing number of LRA child soldiers and other children born in and accompanying LRA groups, some as young as five, were killed in encounters with the UPDF.²⁶

From mid-2003 LRA abductions spread from the north into eastern Uganda. UNICEF estimated that 8,400 children were abducted between June 2002 and May 2003.²⁷ In July 2003 more than 20,000 child "night commuters" were estimated to seek safety each night in Gulu, Pader and Kitgum towns, to reduce the risk of abduction. On 14 July 2003 an estimated 20,000 children marched in Kitgum to protest against continued abductions.²⁸ A similar march took place in Gulu in August 2003.²⁹

Many children were abducted at night from their homes. As their initiation, they were usually beaten to harden them to life as soldiers, and were smeared with shea nut oil. They were told that the oil would allow the LRA to find them if they ran away, and that they would be killed if they cried out while being beaten or tried to escape. As well as combat duties on the front

line, they were made to carry out raids, loot and burn houses, and kill other child soldiers and civilians. Those who escaped said they had witnessed or participated in the killing of recaptured children, who were beaten or trampled to death whatever their age, and of children who were physically unable to keep up with the unit.³⁰ The LRA is reported to have forced a number of children to engage in cannibalistic practices, mainly as a punishment.³¹

Girls were abducted in large numbers. Some were given military training and made to fight, carry out raids and abduct other children. Most were forced into virtual slavery. Assigned to commanders as servants (*ting ting*), when they reached puberty they had to become “wives” to commanders. Children were used as forced labour, the “wives” of commanders making them work long hours as domestic servants and reportedly beating them.³²

Other armed political groups

Around 1,000 combatants of the Uganda National Rescue Front II and their families returned to Uganda in April 2002, having been based in Sudan since 1997. After negotiations with the government, 135 child soldiers were handed over to UNICEF. In June 2002 the group signed a ceasefire agreement with the government. No recent information was available about the recruitment or use of child soldiers by the Allied Democratic Front, whose activities were significantly reduced in 2002 by an armed forces campaign and a restricted offer of amnesty.³³ It was also not known whether the People’s Redemption Army, which reportedly maintained bases in the DRC, used child soldiers.

Disarmament, demobilization and reintegration (DDR)

Demobilization of child soldiers was provided for in a regional Multi-Country Demobilization and Reintegration Program for the wider Great Lakes region.³⁴ The 2000 Amnesty Act was also intended to encourage demobilization. In December 2003 the UN Mission in the DRC (MONUC) began to repatriate 250 combatants of Ugandan armed opposition groups based in the DRC.³⁵ It is not known whether they included child soldiers.

There was no formal demobilization process for captured, escaped or rescued LRA child soldiers. Typically they were taken to the nearest army detachment and then to an army Child Protection Unit, for debriefing and medical care before transfer to rehabilitation centres run by NGOs. The centres worked with them to trace their families and to reintegrate them with their families and communities, and provided medical care and counselling.³⁶ In February 2004 the armed forces reportedly rescued 40 children

born in LRA captivity and 22 child mothers in Pader district. A military commander reported that most were the sons and daughters of rebel commanders and were under six years old.³⁷

Other developments

Uganda ratified the Rome Statute of the International Criminal Court in June 2002. In July 2003 the Prosecutor of the Court announced that human rights abuses in the DRC, including those by armed groups supported by Uganda, would be the subject of investigation. However, in January 2004 the Prosecutor announced an investigation into war crimes committed in Uganda. Reportedly, the change took place after President Museveni sought to limit the scope of the investigation to just one of the parties involved in the conflict, the LRA.³⁸

In November 2003 the UN Secretary-General identified the LRA and the government’s armed forces and LDUs as users of child soldiers, and in particular noted that “Abducted children are subjected to brutal treatment and other egregious personal violations. In northern Uganda, LRA has abducted thousands of children and forced them to become child soldiers and to commit atrocities”. The Secretary-General also noted that, in countries including the DRC, “The illicit exploitation of natural resources, in particular diamonds, gold ... coltan and timber, in zones of conflict, has ... become a principal means of fuelling and prolonging conflicts in which children suffer the most”.³⁹

* see glossary for information about internet sources

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