

112TH CONGRESS
2D SESSION

S. RES. 402

Condemning Joseph Kony and the Lord's Resistance Army for committing crimes against humanity and mass atrocities, and supporting ongoing efforts by the United States Government and governments and regional organizations in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield.

IN THE SENATE OF THE UNITED STATES

MARCH 21, 2012

Mr. COONS (for himself, Mr. INHOFE, Mr. LIEBERMAN, Mr. MENENDEZ, Mr. HATCH, Mr. DURBIN, Mr. LEAHY, Mr. SCHUMER, Mr. AKAKA, Mrs. MURRAY, Mr. WHITEHOUSE, Mr. TESTER, Mr. NELSON of Nebraska, Mr. FRANKEN, Ms. LANDRIEU, Mr. REED, Mr. MORAN, Mr. GRAHAM, Mr. LEVIN, Ms. COLLINS, Mr. ISAKSON, Mrs. FEINSTEIN, Mr. MCCAIN, Mr. BEGICH, Mrs. BOXER, Mr. WICKER, Mr. BROWN of Ohio, Mr. LAUTENBERG, Mr. MERKLEY, Mr. COATS, Mr. CARDIN, Mr. CORNYN, Mr. BLUNT, Mr. ENZI, Ms. KLOBUCHAR, Mrs. SHAHEEN, Mr. BOOZMAN, Mr. JOHANNES, Mr. JOHNSON of South Dakota, Mr. HELLER, Ms. AYOTTE, Mr. SESSIONS, Mr. ROBERTS, Mr. WYDEN, Mr. JOHNSON of Wisconsin, Mr. BENNET, and Mr. CASEY) submitted the following resolution; which was referred to the Committee on Foreign Relations

JUNE 20, 2012

Reported by Mr. KERRY, with an amendment and an amendment to the preamble and an amendment to the title

AUGUST 2, 2012

Considered, amended, and agreed to with an amended preamble and an amendment to the title

RESOLUTION

Condemning Joseph Kony and the Lord's Resistance Army for committing crimes against humanity and mass atroc-

ities, and supporting ongoing efforts by the United States Government and governments and regional organizations in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield.

Whereas the Lord's Resistance Army (LRA) wreaked havoc in northern Uganda for two decades, during which time the World Bank estimates that they abducted some 66,000 youth and forced them to serve as child soldiers and sex slaves and commit terrible acts;

Whereas under increasing pressure, Joseph Kony ordered the Lord's Resistance Army in 2005 and 2006 to withdraw from Uganda and to move west into the border region of the Democratic Republic of the Congo, the Central African Republic, and what would become the Republic of South Sudan;

Whereas, since September 2008, Joseph Kony has directed the Lord's Resistance Army to commit systematic, large-scale attacks against innocent civilians in the Democratic Republic of Congo, the Central African Republic, and the Republic of South Sudan that have destabilized the region and resulted in the deliberate killing of at least 2,400 civilians, many of whom were targeted in schools and churches; the rape and brutal mutilation of an unknown number of men, women, and children; the abduction of over 3,400 civilians, including at least 1,500 children, many of them forced to become child soldiers or sex slaves; and the reported displacement of more than 465,000 civilians from their homes, many of whom do not have access to essential humanitarian assistance;

Whereas insecurity caused by the Lord's Resistance Army has undermined efforts by the governments in the region,

which have been supported by the assistance of the United States and the international community, to consolidate peace and stability in each of the countries affected by the Lord's Resistance Army;

Whereas, since December 2001, the Department of State has included the Lord's Resistance Army on its "Terrorist Exclusion List" and in August 2008, Lord's Resistance Army leader Joseph Kony was designated a "Specially Designated Global Terrorist" by President George W. Bush pursuant to Executive Order 13224;

Whereas, on October 6, 2005, the International Criminal Court issued arrest warrants against Joseph Kony and four of his top commanders for war crimes and crimes against humanity, yet they remain at large;

Whereas, in May 2010, Congress passed and President Barack Obama signed into law the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009 (Public Law 111-172), which made it the policy of the United States to work with regional governments toward a comprehensive and lasting resolution to the conflict in northern Uganda and other affected areas by providing political, economic, military, and intelligence support for viable multilateral efforts to protect civilians from the Lord's Resistance Army, to apprehend or remove Joseph Kony and his top commanders from the battlefield, and to disarm and demobilize the remaining Lord's Resistance Army fighters;

Whereas, on November 24, 2010, as mandated by the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009, President Obama issued the Strategy to Support the Disarmament of the Lord's Resistance Army, which provides a comprehensive strategy for

supporting regional efforts to mitigate and eliminate the threat to civilians and regional stability posed by the Lord's Resistance Army;

Whereas, on October 14, 2011, President Obama notified Congress that he had authorized approximately 100 combat-equipped members of the Armed Forces to deploy to central Africa to provide assistance to regional forces that are working toward the removal of Joseph Kony and senior leadership of the Lord's Resistance Army from the battlefield;

Whereas section 1206 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 22 U.S.C. 2151 note) authorized the Secretary of Defense, with the concurrence of the Secretary of State, to provide logistical support, supplies, and services for foreign forces participating in operations to mitigate and eliminate the threat of the Lord's Resistance Army;

Whereas that section provides that no United States Armed Forces personnel, United States civilian employees, or United States civilian contractor personnel may participate in combat operations in connection with the provision of support for foreign forces participating in operations to mitigate and eliminate the threat posed by the Lord's Resistance Army, except for the purpose of acting in self-defense or of rescuing any United States citizen (including any member of the United States Armed Forces, any United States civilian employee, or any United States civilian contractor);

Whereas the Consolidated Appropriations Act, 2012 (Public Law 112–74) directed the President to support increased peace and security efforts in areas affected by the Lord's Resistance Army, including programs to improve physical

access, telecommunications infrastructure, and early-warning mechanisms and to support the disarmament, demobilization, and reintegration of former Lord's Resistance Army combatants, especially child soldiers;

Whereas the United Nations and African Union, acting with encouragement and support from the United States Government, have renewed their efforts to help governments in the region address the threat posed by the Lord's Resistance Army, and on November 22, 2011, the African Union designated the Lord's Resistance Army as a terrorist group and authorized a new initiative to help strengthen the coordination among the affected governments in the fight against the Lord's Resistance Army;

Whereas, on March 24, 2012, the African Union formally announced the intent to deploy up to 5,000 troops to advance regional efforts to counter the Lord's Resistance Army, and the next day formally inaugurated the Headquarters of the Regional Task Force in the Republic of South Sudan to coordinate efforts to capture Joseph Kony and neutralize the Lord's Resistance Army; and

Whereas targeted United States assistance and leadership can help prevent further mass atrocities and curtail humanitarian suffering in central Africa: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) condemns Joseph Kony and the Lord's Re-
 3 sistance Army for committing crimes against hu-
 4 manity and mass atrocities, and supports ongoing
 5 efforts by the United States and countries in central

1 Africa to remove Joseph Kony and Lord's Resist-
2 ance Army commanders from the battlefield;

3 (2) commends continued efforts by the Govern-
4 ments of Uganda, the Democratic Republic of
5 Congo, the Republic of South Sudan, the Central Af-
6 rican Republic, and other countries in the region, as
7 well as the African Union and United Nations, to
8 end the threat posed by the Lord's Resistance Army;

9 (3) welcomes the ongoing efforts of the United
10 States Government to assist regional governments to
11 bring Joseph Kony to justice and end atrocities per-
12 petuated by the Lord's Resistance Army, pursuant
13 to the comprehensive strategy required by the Lord's
14 Resistance Army Disarmament and Northern Ugan-
15 da Recovery Act of 2009;

16 (4) calls on the President to keep Congress
17 fully informed of the efforts of the United States
18 Government and to work closely with Congress to
19 identify and address critical gaps in the United
20 States Government's strategy to support the efforts
21 of the regional governments to counter the Lord's
22 Resistance Army;

23 (5) commends the Department of Defense,
24 United States Africa Command (U.S. AFRICOM),
25 and members of the United States Armed Forces

1 currently deployed to serve as advisors to the na-
2 tional militaries in the region seeking to protect local
3 communities and pursuing Joseph Kony and top
4 Lord's Resistance Army commanders;

5 (6) commends the African Union for commit-
6 ting to enhance troop deployments in order to fortify
7 the military response to the Lord's Resistance Army,
8 in coordination with the Governments of Uganda,
9 the Central African Republic, the Democratic Re-
10 public of Congo, and the Republic of South Sudan,
11 and in order to strengthen ongoing efforts to appre-
12 hend Joseph Kony and senior commanders of the
13 Lord's Resistance Army or remove them from the
14 battlefield;

15 (7) supports increased collaboration and coordi-
16 nation between the African Union and the Govern-
17 ments of Uganda, the Central African Republic, the
18 Democratic Republic of Congo, and the Republic of
19 South Sudan in order to apprehend Joseph Kony or
20 remove him from the battlefield;

21 (8) supports continued efforts by the Secretary
22 of State and representatives of the United States to
23 work with partner nations and the international
24 community—

1 (A) to strengthen the capabilities of re-
2 gional military forces deployed to protect civil-
3 ians and pursue commanders of the Lord's Re-
4 sistance Army;

5 (B) to enhance cooperation and cross-bor-
6 der coordination among regional governments;

7 (C) to promote increased contributions
8 from donor nations for regional efforts to ad-
9 dress the Lord's Resistance Army; and

10 (D) to enhance overall efforts to increase
11 civilian protection to populations affected by the
12 Lord's Resistance Army;

13 (9) calls on the Secretary of State, the Sec-
14 retary of Defense, the Administrator of the United
15 States Agency for International Development, and
16 the heads of other relevant government agencies to
17 utilize existing funds for ongoing programs—

18 (A) to enhance mobility, intelligence, and
19 logistical capabilities for regional partner forces
20 engaged in efforts to protect civilians and ap-
21 prehend or remove Joseph Kony and his top
22 commanders from the battlefield;

23 (B) to expand physical access and tele-
24 communications infrastructure to facilitate the

1 timely flow of information and access for hu-
2 manitarian and protection actors;

3 (C) to support programs to encourage and
4 help non-indicted Lord's Resistance Army com-
5 manders, fighters, abductees, and associated
6 noncombatants to safely defect from the group,
7 including through radio and community pro-
8 grams; and

9 (D) to support regionally-led rehabilitation
10 programs for children and youth affected by
11 war that are tailored to address the specific
12 trauma and physical and mental abuse these
13 children and youth may have experienced as a
14 result of indoctrination by the Lord's Resist-
15 ance Army and to serve to reconnect them with
16 their families and communities;

17 (10) calls on the President to place restrictions
18 on any individuals or governments found to be pro-
19 viding training, supplies, financing, or support of
20 any kind to Joseph Kony or the Lord's Resistance
21 Army;

22 (11) urges that civilian protection and early-
23 warning programs led by regional militaries and the
24 United States Agency for International Development
25 continue to be prioritized in areas affected by the

1 Lord's Resistance Army and that steps be taken to
2 inform potentially vulnerable communities about
3 known Lord's Resistance Army movements and
4 threats;

5 (12) welcomes the recent defections of men,
6 women, and children from the ranks of the Lord's
7 Resistance Army, and calls on governments in the
8 region and the international community to continue
9 to support safe return, demobilization, rehabilitation,
10 and reintegration efforts; and

11 (13) urges the Governments of Uganda, the
12 Democratic Republic of Congo, the Republic of
13 South Sudan, the Republic of Sudan, and the Cen-
14 tral African Republic to work together to address
15 the ongoing threat posed by the Lord's Resistance
16 Army.

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