

LAND AND CONFLICT

Summary of Experiences in Uganda

Uganda Land Alliance, 2005

Background

Uganda has had cycle of conflicts and insecurity since 1979. Some have died out; currently, though, there are three principal conflicts that affect land:

- a) West Nile, where about 200,000 refugees from Congo and Sudan causing local tensions over land.
- b) In Karamoja, in the northeast of the country, where 30 years of armed cattle rustling and insecurity has restricted access to grazing and watering points. It has equally caused displacement of agricultural communities from their ancestral lands into trading Centers and camps.
- c) The most prominent is the 19 year-old conflict in Acholi sub-region in the central part of Northern Uganda. The conflict is between the Lord's Resistance Army rebels and the Government of Uganda. This summary will focus on this conflict.

The Lord's Resistance Army is led by Joseph Kony, a primary six drop-out and former church catechist. Kony says that he wants to purify Uganda and rule according to the Ten Commandments of the Bible.

However, the rebellion lost popular support over the years, and the Lords Resistance Army has resorted to terrorizing the population. The y had support from Sudan (where they have their rear bases) until 2003.

Over the years, the LRA have abducted about 25,000 children, who make up the bulk of their force, and has caused the displacement of about 1.6 million people in the sub-region – 80 percent of its population. The LRA cuts people's lips and limbs, rapes, loots shops, ambushes and burns vehicles. It hardly attacks military units, except civilians.

About 300,000 civilians are estimated to have died so far. Both military and peaceful approaches to resolve the conflict have been tried with little success; however, the LRA has become weak in the recent years, and an end to war is foreseen in the near future.

Land Issues in the Conflict

Land in Acholi is owned under customary system of tenure which is recognized in Uganda Law. As result of the conflict, people have been displaced into 42 squalid

“protected camps”. The largest, Pabbo, has 63,000 people. These have left ancestral lands bare and uncultivated for many years. In the process, two threats have emerged:

- a) One is the threat of the local population generally, more so orphans and women losing their land rights.
- b) The threat of food insecurity and inadequate nutrition due to lack of access to cultivate land.

Threats to Land Rights

The vast majority of land in Acholi land is owned through customary tenure, through rules that have developed over generations. These rules have never been documented, resulting in a number of misunderstandings and misconceptions which, when translated into modern law, could have devastating consequences for large sectors of society, particularly the most vulnerable.

The 1998 land act recognizes customary tenure for the first time in Uganda law alongside freehold, leasehold and mailo. There are, however, a number of inconsistencies and problems with its implementations. One example is the 1924 Registration of Titles Act, which states that the titles are ultimate proof of ownership. This implies that that Certificates of Customary Ownership (CCOs), provided for in the new land law, are inferior to titles.

A number of threats to land exist in Acholi land. Short term threats are illegal occupation and logging, particularly by Army officers or private investors. A second short term threat is the government scheme to start large scale mechanized farm production on customary land to ease food insecurity and raise incomes of IDPs. These have been opposed by IDPs who fear the land will be grabbed. However, Government has not given up the idea. The third threat is the government settling IDPs and soldiers on private family land.

The other longer-term threat is land grabbing by neighbors and relatives – particularly land belonging to orphans and widows. Customary land ownership vests authority in the head of the household, usually men, many of whom have died due to the war. This will intensify when the war ends and resettlement starts.

Conflict, Land and Threats to Food Security

Because of the current military strategy of cutting off the food supply to the Lord's Resistance Army, the Ugandan Army does not allow the IDPs to cultivate land further than a radius of 2 kms from the camps. As a result, 13 percent of IDPs have no access to land, and 50 percent have access to less than half an acre.

Furthermore, the Army is preventing the cultivation of annual crops like sorghum and perennial crops like cassava, on grounds that it could help rebels' access to food. These

crops are important sources of food security measure and can stay in the garden for three years.

This lack of activity is also contributing to social problems such as alcoholism, which further diminishes house hold food security.

Although people survive mainly on food rations from the World Food Program, it is inadequate and does not provide enough nutrition. It's mostly maize flour, beans, Soya meal and cooking oil.

Recommendations

Uganda Land Alliance and other civil society organizations should support IDPs to secure their land rights and codify customary law. They should also advocate for inconsistencies in the land law to be resolved.

The Government should pay compensation to those people who have lost their access to land through war, and reassure people that their lands will not be grabbed. It should also ensure that civilian population has access to land to secure their live hoods and that their original lands are not protected.

In conclusion, the ability of the IDPs to secure land – not only for food security but also from being grabbed – has long term implication for peace and stability in Northern Uganda. This will also avert landlessness and social exclusion