



Land Injustice in Northern Uganda: Select Studies from Amuru, Agago and Otuke

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Select Studies from Amuru, Agago and Otuke



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ACRONYMS

ACCS	Advisory Consortium on Conflict Sensitivity
ADR	Alternative Dispute Resolution
ALC	Area Land Committee
CAO	Chief Administrative Officer
CDD	Community-Driven Development
CSO	Civil Society Organisation
DLB	District Land Board
DPC	District Police Commander
FAO	Food and Agriculture Organisation
FGD	Focus Group Discussion
GI	Grade One Magistrate
GoU	Government of Uganda
HURIPEC	Human Rights and Peace Centre
KII	Key Informant Interview
LC	Local Council
LCC	Local Council Court
MLHUD	Ministry of Land, Housing and Urban Development
NAADS	National Agricultural Advisory Services
NGO	Non-Governmental Organisation
NLP	National Land Policy
OWC	Operational Wealth Creation
PRDP	Peace and Reconstruction Development Programme
RDC	Resident District Commissioner
UWA	Uganda Wildlife Authority
WB	World Bank

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HUR�PEC is also indebted to all participants in the study who accepted to share their experiences and views on the issues under investigation both during the interview sessions and at the regional dissemination forums held on 8 June 2017 in Lira (northern region), 15 June 2017 in Fort Portal (western) and 22 June 2017 in Kampala (central). This study is all about you. In addition, HUR�PEC is indebted to the experts who participated in the validation workshops for the drafts of the regional reports and the legal jurisprudence analysis report held at the School of Law on June 30 and July 6 2017, respectively. Your critical observations on the drafts opened the team's eyes to a number of important issues that would otherwise have been ignored.

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ABOUT THE PROJECT

The Land Justice and Post-Election Governance in Uganda Project is a one-year project implemented by the Human Rights and Peace Centre (HURIPEC) between 2016 and 2017. In HURIPEC's experience, working on the 2016 elections, with the support of OSIEA, land and natural resources became highly contentious issues. Particularly the 2016 election-related incidents of violence in the western district of Kasese and the eastern region of Kapchorwa were directly associated with the extraction, use and distribution of benefits from the natural resources, including land, in these areas.

In the aftermath of the 18 February 2016 presidential elections, the country witnessed a political crisis characterised by a disagreement which arose between the opposition, a cross section of the public especially the youth, civil society organisations and a number of election observers on the one hand, and the government, the Electoral Commission and the NRM party on the other, who were, respectively, dissatisfied and satisfied with especially the presidential election results. Although one of the presidential contestants challenged the presidential election results before the Supreme Court, which ruled in favour of the same presidential candidate who had been announced winner by the Electoral Commission, the legitimacy of the outcome of the election remains contested by a number of actors. For this reason, the Elders' Forum and the Inter-religious Council of Uganda, together with a number of other actors, proposed a national dialogue process in order to bring about post-election reconciliation and better governance in Uganda.

HURIPEC believes that in order for the national dialogue process to achieve its objective, it must have a strong focus on issues of human rights and governance, including those relating to land and natural resources, which are undeniably critical mobilising and aggregating factors. As a group interest, also, the biggest resource for most Ugandans and with its close nexus to politics and the law, land is a strong galvanising factor that can be used to reach out to many people. Predictably, therefore, land is a central question for Uganda's post-electoral economic recovery.

Accordingly, the Land Justice and Post-Election Governance in Uganda Project brings to the national dialogue process research-based information on land and natural resources governance, including current trends of ownership or access to land and other natural resources as well as the processes through which groups lose these resources while other individuals and groups gain them. This information was generated through the project's interventions, which included four separate studies involving a critical examination of the legal and policy framework relating to land governance in the country and empirical studies which covered the districts of northern Uganda (Agago, Amuru and Otuke), western Uganda/Rwenzori (Bundibugyo, Kabarole and Kasese) and central Uganda (Kampala, Kayunga and Mukono). These studies resulted in four separate reports, namely: The legal jurisprudence analysis report as well as the three reports covering issues in three of the districts surveyed in each region. On 8, 15 and 22 June 2017 HURIPEC organised dialogues in Lira (north),

Fort Portal (west) and Kampala (central) to both disseminate findings and provide a forum for the different stakeholders concerned with land justice to engage each other in order to appreciate and prescribe remedies to the emerging issues in the respective areas.

To bring the discussion forward and to the national level, HURIPPEC organised a National Stakeholders' Convention on 9 November 2017, to both enable the key stakeholders, including senior citizens, religious leaders, cultural leaders, local leaders as well as academia, to critically reflect on issues of governance as they relate to land and other natural resources, as well as to disseminate and launch the combined/national Status Report on Land Justice and Governance in Contemporary Uganda, which is a synthesis of the reports from the four separate studies undertaken under the project.

In all this, the project seeks to generate public consciousness of governance issues and, more widely, of leadership and accountability by state agencies with a focus on land and natural resources.



EXECUTIVE SUMMARY

In northern Uganda, land is still a prerequisite for both economic development and survival. Ninety-five per cent of the total area in the region is governed under the customary tenure system. Approximately 80% of the land is used for subsistence purposes: food crops are grown on a large scale for home consumption, with traditional cash crops still being grown to earn external income. Land disputes in the region can be viewed from three dimensions, with the major causes being economic forces for survival; sales without the consent of the other family members; and increased personal wealth. The influx of investors, political interference and forcible acquisitions by the government are also taking on greater importance as a contributing factor to land conflict in northern Uganda. Formal and informal mechanisms of dispute settlement exist concurrently; however, the latter has proven more efficient for the handling of conflict. The formal system is increasingly shunned for being expensive and for being compounded by intricate bureaucracy and corruption, which favours mainly those with adequate financial resources.

Key state actors involved in the handling of land matters include the magistrates' courts, institutions of land governance such as the District Land Boards, Area Land Committees, Resident District Commissioners (RDCs), LC V chairpersons, and District Police Commanders (DPCs). Non-state actors range from cultural and religious leaders to civil society organisations (CSOs). The study established that politicians integrated issues of land into their manifestos in order to mobilise votes in the 2016 election, and voters were very eager to hear politicians talking about land issues. Some of the leaders whose interest in land was unclear faced hardship in mobilising people to attend their campaigns. Key issues that emerged from the study include forceful land acquisition by Uganda Wildlife Authority (UWA) in Apaa, Amuru district; the impact of economic forces; political interference; and the lack of harmony in the existing land justice systems. To improve on the handling of land-related disputes in northern Uganda, the government needs to give more leeway to cultural institutions as the courts of first instance. As regards the historical claims to gazetted lands in the region, the study suggests that the people in question should be involved in order to authenticate their claims with a possibility of compensating persons and communities that unfairly lost their land as a result of the gazetting.

I. INTRODUCTION

1.1 Background

For over 20 years, the northern part of Uganda suffered brutal acts visited on them during the civil war that occurred in that region. This kept them in a state of refuge due to displacement from their homes and in a state of fear. For over two decades, the social, economic and political lifestyle of the people in northern Uganda was shaped by this war. Thanks to efforts of the Uganda People's Defence Forces (UPDF), this region has witnessed a stable security atmosphere for over a decade now. Ordinarily, pacification of the northern region would be accompanied by steady improvement in the socio-economic and political welfare of the people. Unfortunately, this is not happening to many people in that region. Key among the hindrances to full recovery in northern Uganda are land conflicts which have, at best, led to a new era of displacement of the people from their land which has been appropriated by land grabbers and, at worst, to loss of lives in the course of conflicts. As Mabikke observes, despite all the efforts by the Government of Uganda to reduce poverty, revive the economy and promote development in the post-conflict regions of northern Uganda, land grabbing has continued to flourish (2011: 21-24). According to Charles Amone and Charles Lakwo, a recent household survey report in six districts of northern Uganda revealed that there was an increase in the number of land disputes in most of the districts in Acholi-land (Amone & Lakwo, 2014: 119). This has happened despite the fact that Uganda has an elaborate legal and policy framework that seeks to reinforce enjoyment by the citizens of their right to property.

In the context of these developments, this study interrogated land conflicts in northern Uganda using the case studies of Amuru, Agago and Otuke districts. This interrogation is conducted by way of five sections: Section I is this Introduction; followed by Section II, which highlights the nature of the land tenure, usage and land governance mechanisms in the region. Section III then follows with an interrogation of the land conflicts in northern Uganda by highlighting the key causes and actors, and the nature of land conflicts in this region. On its part, Section IV delves into the impact of land conflicts upon the people of northern Uganda. Finally, in Section V the final analysis, conclusions and recommendations are made.

1.2 Statement of the Problem

Many people in northern Uganda cannot allocate their land and boundaries are not easily discernible. Different groups are affected by the limited protection offered by the customary land tenure system. Additionally, there have been public land acquisitions in this region as part of the activities to create national parks. Interestingly also, there has been a scramble by private individuals, especially political leaders, to acquire large pieces of land in northern Uganda, in places such as Amuru, based on the speculation that this area contains large oil reserves. All these have affected the livelihoods of many people, especially women and children.

1.3 Objectives of the Study

The major objective of this study was to draw a consensus on the participation and inclusion of all Ugandans in key aspects of governance, particularly natural resources – including land – governance, as part of a wider agenda for a national dialogue.

The specific objectives of the project were:

1. To examine, through comprehensive narratives, the extent to which and the context within which different groups of persons enjoy their right to ownership of land and other natural resources in Uganda.
2. To document the current practices of large-scale land acquisition and loss for marginalised communities in Uganda.
3. To document and review the current patterns and trends in protecting land and natural resources by state structures, especially the courts.
4. To assess the role of state and non-state agencies, especially the military, in matters related to land and other natural resources in Uganda.
5. To provide neutral regional forums countrywide for stakeholders to express themselves on key issues affecting land rights and natural resources.

The major question of this research was: In light of the many historical and legal interventions, why are there continuing and increasing injustices regarding land in Uganda?

1.4 Scope

In its investigation of the land conflicts in northern Uganda, the study covered three districts, namely Amuru, Agago and Otuke. In Amuru, the study was conducted in Apaa and Kololo parishes in Amuru sub-county. In Agago district, the study was conducted in Kot Omor and Lapono sub-counties. In Otuke, the study investigated land injustices in Barimar in Ogwete sub-county, as well as in Atira. In all the three districts, the research team visited the key administrative centres: district headquarters, town councils, sub-county offices, as well as other offices where key stakeholders, especially the local leaders with relevant information, could be found. The religious and cultural leaders were also visited.

1.5 Methodology

The study adopted purely qualitative methods involving interviews with victims of land injustices in the three target districts (Amuru, Agago and Otuke), as well as in-depth interviews with a broad range of key stakeholders, such as district and local leaders of the areas affected by massive land conflicts, officials from land administrative agencies, religious and cultural and leaders, among others.

II

LAND TENURE, USAGE AND GOVERNANCE MECHANISMS IN NORTHERN UGANDA

2.1 Common Form of Land Tenure in the Three Districts

Land tenure systems are the product of historical and cultural factors reflecting relationships between people and society (Payne, 2002). This definition provides the background against which the different forms of land tenure must be practically approached. The working definition of land tenure adopted by this paper is ‘the relationship, whether legally or customarily defined, among people as individuals or groups, with respect to land and associated natural resources’ (FAO, 2002: 7).

The 1995 Constitution of Uganda and the 1998 Land Act provide for four land tenure systems in Uganda, namely customary, leasehold, *mailo* and freehold. In northern Uganda, 95% of the land is owned under customary tenure.¹ Only a very small portion of land falls under the freehold and leasehold tenure systems. Freehold tenure is common within the peri-urban, trading centres and institutions, while leaseholds are a common practice between government and private investors, and also in urban centres.² In the Acholi and Lango sub-regions, customary land is known as ‘*ngom kwaro*’ and it is mainly communally owned with access based on membership in a community, clan or family. Traditionally, customary land in Lango and Acholi has been used for hunting, grazing, cultivation and settlement, and as a source of wood for fuel and herbal medicine.

The Acholi and Lango principles, practices, rights and responsibilities (PPRRs) define customary land as land in Acholi and Lango that is not registered under the Registration of Titles Act or officially registered under the Registrar of Titles Act. Section 3 of the 1998 Land Act (Cap.227) defines ‘customary tenure’ as a form of tenure –

- a) applicable to a specific area of land and a specific description or class of persons;
- b) subject to Section 27, governed by rules generally accepted as binding and authoritative by the class of persons to which it applies;
- c) applicable to any persons acquiring land in that area in accordance with those rules;
- d) subject to Section 27, characterised by local customary regulation;
- e) applying local customary regulation and management to individual and household ownership, use and occupation of, and transactions in land;
- f) providing for communal ownership and use of land;
- g) in which parcels of land may be recognised as sub-divisions belonging to a person, a family or a traditional institution; and
- h) which is owned in perpetuity.

1 Oxfam research on women’s land rights in northern Uganda, 2014.

2 Ibid.

A study conducted by Oxfam postulated that 95% of the land in northern Uganda is held under customary tenure, where its owners have no documentation, but they are still the legal owners of the land.³ The Town Clerk of Otuke Town Council, Mr John Bosco Opio, estimates that the percentage may reach up to 99%.

2.2 Common Forms of Land Usage

About 21% of Uganda's 236,000 km² is arable, and farmers enjoy two growing seasons, with harvests in June and January. Nearly two-thirds of the country's 4 million rural households produce food, largely for their own consumption, in some combination with cash crops, on an average of less than 2 hectares of land. The pattern of seasons and agricultural production in northern Uganda, especially in two of the case study districts of Agago and Otuke, is largely the same, with a rainy season starting around late April and lasting until late October and the dry season starting in November and running until March. These seasons are dominated by activities like harvesting and seasonal fishing, among others.

Compared to Agago and Otuke, Amuru – which borders the semi-arid desert – has at least two growing seasons which see the growth of short-term crops. The study revealed that food crops are grown on a large scale for home consumption, with traditional cash crops still being grown to earn income for home use. The main food crops mentioned include cassava, sweet potatoes and various vegetables (beans, soya beans, peas, tomatoes, cabbages) and cereals (sorghum, maize, millet). Some traditional cash crops are also grown, such as cotton, sugarcane and simsim (sesame) as well as newer ones, such as upland (non-irrigated) rice, sunflower and spices (vanilla).

Late rains and changes in the rain pattern have forced people to resort to the massive cutting down of trees for charcoal burning. In Lapono sub-county in Agago district, and in several areas across Amuru district, tree-felling has been resorted to as part of a survival mechanism or as the shortest means of getting money to meet daily needs.⁴ This practice of deforestation is an important factor in climate change and easily leads to the loss of many different species of plants, trees etc. that are cut down in the quest for arable farmland. It also leads to inadvertent change in the water cycle, the absorption of greenhouse gases, soil moistening, and the production of oxygen and carbon dioxide, which are essential for human life and environmental protection.

The above developments, combined with the quest for increased farmland, paper production and mining/oil exploration, have led to the degazetting of public land and forests, and the allocation of land to private investors, while population growth has forced people to encroach on wetlands. Poverty is a cross-cutting issue.

In Amuru, for instance, the respondents in the focus group discussion (FGD) held in Apaa noted that before people relocated to the displaced persons (DP) camps on account of the

3 Oxfam research on 'Securing Women's Land and Property Rights in Northern Uganda (West Nile, Acholi, Lango, Teso and Karamoja)'.

4 FGD conducted with communities in Amuru and Lapono sub-counties.

war with the Lord's Resistance Army (LRA), vast sections of land now occupied by ordinary peasants, and some of which was sold to investors for farming, had remained forested. This was mainly used for hunting, timber harvest and as a source of herbal medicine. However, when the displaced persons returned from the camps, there was a massive rush for the acquisition of land. Forested land was cleared for farming, with most such land being sold to investors for farming, some to the rich, while some was used by the locals for commercial rice cultivation.

Distinct changes took place in land usage in Otuke district in the post-conflict period. Among the most important has been the introduction of new crop varieties such as soya beans, onions, cabbages, rice, beans, sunflowers and cassava. All these have overshadowed old varieties of crops (such as sorghum, peas and millet) in terms of market value, although they are being grown alongside other crops. The market imperatives are attributable to the forces of demand, the influx of investors such as Mukwano and Madhvani, and middlemen who are specific about the goods which are required in the current market.

The growing of rice and sugarcane is taking place on a large scale in Amuru, as opposed to Agago and Otuke. This has been attributed to the fertility of the land, which has attracted both local farmers and investors from outside the district. According to the Principal Assistant Secretary (PAS) of Amuru district local government, Mr Oola Donato Olam, land is used for small-scale crop production and livestock rearing.⁵ The major crops grown in Amuru include sugarcane, rice, sorghum, millet, sweet potatoes, cassava, groundnuts, peas, beans, cowpeas, vegetables, cotton and simsim (sesame), among others. Land is also used for grazing animals such as cattle, goats, pigs and sheep; and for rearing birds such as chickens, ducks and turkeys.

An FGD conducted in Apaa village in Amuru district revealed that much of the grazing and hunting land in Apaa was taken away by the government and converted into forest and game reserves. The residents further revealed that, in addition to gazetting, part of their land was given to private investors for commercial agriculture. The respondents noticed changes in recent times since commercial agriculture has taken shape in the district. These developments were attributed to the presence of private investors such as Omer Farm in Amuru and a sugar factory in Atiak where people are being engaged as out-growers.⁶ These changes have had effects in some areas, such as Apaa, because up to now some people cannot access their land for farming. Attempts are met with beatings, while crops are destroyed by both wildlife guards and the animals. Such actions have made land in the area a precious commodity – less affordable and less accessible.

Respondents in Lira Palwo sub-county, in Agago district, revealed that land has been used for grazing, hunting and cultivation.⁷ Traditional hunting grounds have been turned into land for settlement and farming. Crop cultivation has been extended to wetlands where

5 Interview with the Principal Assistant Secretary of Amuru district local government, Mr Oola Donato Olam, on Tuesday, 14 February 2017.

6 FGD with residents of Apaa village, Amuru district.

7 Interview with residents of Lira Palwo sub-county in Agago district, on 16 February 2017.

people have also adopted activities such as brick-making, charcoal-burning and quarrying on a small scale. According to the chairperson LC III, Lira Palwo sub-county, 'these changes have affected arable farming because people now associate the work they do to money, the crops grown are based on their economic values driven by the market forces.'⁸ The common crops (cash and food) mentioned in Lira Palwo include beans, maize, cowpeas, simsim (sesame), groundnuts, sweet potatoes, sorghum, millet, rice, onions, cabbages, red pepper, okra, and *boo*, among others.

The sub-county borders Abim district (in Karamoja) and has been affected by both cattle raiders and by the LRA conflict. Before the cattle stocks were more or less depleted, land was used for grazing, hunting and the cultivation of crops. As time went on, the land usage changed and, as of now, land is mainly used for crop farming and grazing on a small scale. The respondents added that other activities, such as tree planting, brick-making and vegetable and rice growing in the swamp has been adopted. The new crop varieties and animal breeds have been introduced in the sub-county, and this has influenced the way in which land has been used compared to the past.

In Lapono sub-county, simsim (sesame) is the main crop grown currently for sale but other old crops such as maize, millet and sorghum have been maintained as important crops for home consumption and sometimes for sale. This means that people are growing crops which are in high demand in the market (e.g. simsim) and continue to grow those which are vital for subsistence purposes. In addition, the chairperson of the Area Land Committee of Lapono sub-county, Agago district, Mr Ladwar Lucepo, revealed that the shift in land usage has woken people up to the economic value of land. As a consequence, widows, orphans, nephews and sisters with illegitimate children have been denied access to land.⁹ This transition has also seen the younger generation attempt to retract land gifts and grants made by their fathers and ancestors to churches, schools and health centres.

2.3 Land Justice Mechanisms in the Region

The 1995 Constitution of Uganda recognises the institution of traditional or cultural leaders in any area of Uganda in accordance with the culture, customs and traditions of the people to whom it applies. It is in line with this provision that the Ker Kwaro Acholi and the Lango cultural institutions have been recognised. Section 88(1) of the Land Act 1998 stipulates that traditional authorities may determine disputes over customary tenure or act as a mediator between persons who are in dispute over any matters arising out of customary tenure. It is thus clear that legal recognition is extended to customary law in this respect. Traditional institutions apply customary rules and norms in order to resolve land disputes. The structural, procedural and normative structure of this institution is not dictated by the state. The structure of the Acholi and Lango cultural/traditional institutions has evolved following the traditional and cultural practices of the Lango and Acholi peoples.

⁸ Interview with the chairperson LCIII, Lira Palwo sub-county.

⁹ Interview with the chairperson of the Area Land Committee of Lapono sub-county, Agago district Mr Ladwar Lucepo, on Thursday, 16 February 2017.

Added to the above is alternative dispute resolution (ADR). According to Lanyero Madison Stevens (2013, at 46), ADR mechanisms are gaining prominence in the international sphere of conflict resolution as a way to deal with conflicts outside the formal justice system, especially in situations like Uganda where that structure is known to be practically moribund. There is a wide variety of ADR mechanisms, and they apply to situations ranging from those where the conflicting parties have the most control over decision-making (negotiation) to those where the conflicting parties have the least control (arbitration).

In the context of land conflicts in northern Uganda, mediation is the most common form of ADR. This is in line with the study findings where the respondents from the three districts of Agago, Amuru and Otuke postulated that this informal mechanism is commonly used and that this is because of its efficiency and effectiveness in resolving land conflicts in the region. It should be noted that land in northern Uganda is largely owned customarily; as such conflict over it can best be resolved by the custodians who in most cases are clan leaders, clan chiefs, *rwot kweri*, *rwot okoro* and elders. Below is a respondent's opinion in support of the informal mechanism:

When a victim reports a land conflict, the clan leader/elder calls the two parties together with their families to assess their land rights and hidden intentions, if any. They present all sorts of evidence to prove their rights to the land in a participatory manner. If the team is satisfied with the evidence presented, the adjudicator proceeds to the dispute land before giving their final opinion. Once the opinion is given, and, as is normally the case, it is respected by the parties, it is put into writing. The parties and the elders append their signatures and it is stamped. In some communities, this is followed up with planting of trees to mark the boundaries of the land, although others stop at the point of the agreement.¹⁰

According to this respondent, these processes are friendlier compared to the court process, which is bureaucratic, expensive and time-consuming, thereby failing to deliver quick justice to, especially, the vulnerable people.

Indeed, most of the participants in the FGDs and the key informants for this study criticised formal mechanisms for being too bureaucratic, financially expensive, time-consuming and, above all, for having been turned into a tool of the rich and elite to grab land belonging to vulnerable groups. Respondents in Kot Omor and Lira Palwo in Agago district said that 'the court may stop parties from using land for over 5-10 years before giving the final ruling; and by that time the vulnerable person should have given up on following his/her case hence a rich/elite [person] may smartly be favoured on the matter.' Commenting on the elite nature of the court process, the LCIII chairperson of Lira Palwo cited the case of one Dorotea Laping which had been running for seven years on account of her failure to follow the court's scheduled dates properly. Furthermore, once a matter is taken to court, clan leaders are effectively excluded from the resolution of the dispute. In contrast, informal mechanisms

10 Interview with one of the respondents in an FGD in Amuru, February 2017.

are less expensive, they are based on local realities and contexts, they take a short time to settle the conflicts and the justice processes are easy to follow and understand. Once a case is settled through this mechanism, the parties sustain the peace because it follows a win-win approach as opposed to court, which takes a winner-loser approach.

Most of the respondents expressed a strong view that land disputes on customary land which occur at individual or family levels and have not yet culminated in physical violence should best be settled within the clan structures as opposed to the courts. This was based on an understanding that since it is the clan leaders, elders and family members who are the custodians of customary land, and it is they who know the land boundaries and the history of acquisition, and hence it is easy for the disputants to get justice from these mechanisms. The courts of law, on the other hand, primarily rely on a few witnesses, who can easily be bribed and do not have any direct knowledge of the locus or the dispute.

Section 4 of the 1998 Land Act (Cap. 227) provides that any person, family or community that holds land under customary tenure on former public land may acquire a Certificate of Customary Ownership (CCO) with respect to that land.¹¹ According to LEMU (2008), a CCO is an official document indicating ownership of the land. It can be used as proof of legal ownership if you want to sell the land or if there is any dispute over the same. Following a February 2012 award by the High Court in favour of Madhvani regarding the land dispute in Amuru district, the Ministry of Lands, Housing and Urban Development (MLHUD) initiated steps to issue CCOs to recognise and protect landholdings under customary tenure. However, a significant number of local government and civil society actors across northern Uganda have raised concerns regarding the implementation of CCOs in relation to a range of administrative and procedural issues, including concerns about the lack of clarity about their status. They are urging the government to address these issues before moving forward with the implementation of CCOs, especially to avoid the potential exploitation of women and other vulnerable groups. The Ministry of Lands was requested to suspend the implementation of the CCOs in its current form and to revisit the initiative to ensure that the recognition of customary landownership remains an inclusive, well-thought-out process. Whether this effort manifests itself in the form of a revised CCO or another instrument in order for it to endure successfully in northern Uganda, at least three crucial issues need to be addressed, namely:

1. The cultivation of an enabling legal environment that can practically accommodate customary tenure in its various forms across northern Uganda as a legal system or systems;
2. Grass-roots support for the systematic demarcation of customary land using boundary trees or other agreed-upon marks; and

¹¹ The Ugandan Land Act of 1998 Cap. 227 Section 4 provides that any person, family or community that holds land under customary tenure on former public land may acquire a Certificate of Customary Ownership (CCO) in respect of that land.

3. Generating an accurate record of derived individual, family and community land rights (by clan, sub-clan, family, sale, acquisition or other legal means), possibly in the form of sketch maps.¹²

As at present, however, in northern Uganda the CCOs have not been issued to many people, except in Amuru district where it was piloted. However, the mechanism is faced with many challenges. It has been received with mixed feelings and conceptions, not because people think it is an imposition or a ploy by the state to grab their land, but because there are fears that putting the names of those who will own the certificated land effectively debars the children born after the issuance of the certificate from holding a stake in the customary land. This is contrary to the traditional understanding of land as belonging to both the current and future generations. Besides, if the land in question is jointly owned, custody of the certificate may lead to controversy or the suspicion that someone entrusted with its custody may stealthily mortgage family land to a bank, which would jeopardise the lives of the family members in case of failure to service the loan.

The leaders of the clans argue that if the customary land which belongs to their subjects is allowed to be certificated, the idea of providing oversight on customary ownership will be lost. Furthermore, the individual who is inserted as owner on the certificate more or less secures the right to use the land in any manner they wish. Many people in the northern region have regarded the CCO as the first step in the process of converting customary land into the freehold tenure type or as a way of weakening the cultural institutional power over customary land.

The counter-argument is that the CCO could be one way of reducing the very many current disputes, especially over boundaries. As such, the idea is gaining ground among many clans, although at a very slow pace. In the table below, we outline the key strengths and weaknesses of the CCO.

12 Highlighting the case for Certificate of Customary Ownership (CCO) Issues Paper by Northern Uganda Land Platform (NULP). Published on 9 April 2016.

Pros and cons of the CCO

Strengths related to CCO	Weaknesses related to CCO
<ul style="list-style-type: none"> • Official document recognised by all courts in the country as proof of legal ownership of customary land • CCOs have a map attached to it to prove land boundaries • Land registered under CCOs can be transferable, mortgaged, sub-divided etc. and passed on to spouses, children etc. upon death. • CCOs are much cheaper to acquire than a freehold title • The procedure to obtain and amend is easier than that for a freehold title 	<ul style="list-style-type: none"> • CCOs are not as 'strong' in some ways as a title. The law may regard someone with a title on the same land as having a stronger claim on the land • CCO 'maps' are not formally surveyed hence the possibility for boundary disputes to arise • A certificate is not free, though it is cheaper than a title. You need to 'keep it alive' by registering and paying a fee of UGX 5,000 each time land is inherited, or UGX 10,000 if it is sold or given as a gift • Most financial institutions prefer titles to CCOs due to the perceptions that land is communal and boundaries are inaccurate • The process is currently very difficult, because a claim to the land has to be verified by an Area Land Committee and then registered by the sub-county recorder (who is also the sub-county chief). However, in most places, Area Land Committees have never been set up by the district, and sub-county chiefs are not working as recorders • The rights that different people have over the land will not change. For example, if members of a family or a community had claims to use the land in some way, perhaps to graze animals or to fetch water, they should keep these rights. This limits CCO holders when transferring land use without the approval of the community • The fact that the Land Act encourages CCOs to be converted into freehold titles means they are not intermediate tools and they do not provide full security of tenure • Most CCOs are issued in the name of the family head (mostly men) rather than the family. Very few women own CCOs • Individualisation of customary land is prone to land grabbing and elite capture

According to Dinah M. *et al.* (2015: 20), people prefer freehold titles to CCOs. This view is based on the seeming priority given to the former by the Land Act itself, which makes provision for the conversion of customary tenure to freehold tenure,¹³ hence the argument that customary tenure does not provide full security of tenure (Dinah M. *et al.*, 2015: 20). Hence, proposals have been made for 'freehold customary land' in northern Uganda.¹⁴

13 Section 9.

14 One of the proponents of a freehold customary certificate is former MP and LCV chairperson of Gulu district,

III.

UNPACKING LAND CONFLICTS IN NORTHERN UGANDA

3.1 Common Causes of Land Conflicts

Land conflicts in northern Uganda are attributable to a number of factors. Key among these are the economic interests, coupled with other factors such as confusion over boundaries and ownership after years of displacement, weaknesses in both customary and formal systems of land regulation, and the disconnect between the different systems of tenure. Additional factors include the history of mistrust between customary landowners and the national government. These factors are highlighted below.

3.1.1 Economic factors

The respondents interviewed for this study were of the view that it is mainly economic interests that drive most of the land conflicts in northern Uganda. It is quite clear that economic factors –including basic survival and a desire to increase personal wealth – carry a great deal of responsibility for many of the land disputes in the region. The FGDs conducted in Otuke, Amuru and Agago outlined the following economic factors:

- **Survival:** Land is the key economic asset for most families in northern Uganda. Thus, for example, the land conflict between the Joo-Abwor/Karamojong on the border of Otuke and Abim districts has been over fertile land in Barimar village, Ogwete sub-county, Otuke district. Those lands are crucial for the survival of the communities that reside there. As one respondent commented, 'people look at land as their only source of survival. Conflict over land arises when individuals and families compete for use of the same piece of land.' This competition is exacerbated by the perception that land is increasingly getting scarce owing to population increases that have occurred over the past 20 years. It is anticipated that at the current rates of population growth, the situation will continue to worsen.
- **Cash sales of land:** Land is a property that can be acquired through purchase, lease, inheritance or other legal means. Article 26 of the 1995 Constitution guarantees every person a right to own property. In the free market economy, growing demand for land among local people and investors outside the region have enticed those with low incomes to resort to the sale of land. The temptation to sell to rich companies and persons at low prices renders them landless. In one of the key informant interviews (KIIs) conducted in Amuru district, the view expressed was that poverty plays a great role as far as the land conflicts in northern Uganda are concerned. Such conflicts are

the Hon. Norbert Mao, who mooted it during the The Frontline programme on NBS TV, on 23 February 2017.



particularly acute when one family member sells off land without the consent of his/her relatives and yet the customary principle requires one to first seek the consent of the family members and clan leaders before doing so. According to the FGD with the community in Lapono, Agago and Amuru district, the youth are among the most prominent sellers of family land in the region. They do sell land without permission and pocket the proceeds for their own use.¹⁵

- While young people may have become more desperate, it is also true that the wealthy often take advantage of the vulnerable in order to appropriate their property. This is especially true with regard to land that has been redundant for a very long period of time. Such land becomes a target for land grabbers in the region. It is noteworthy that many youth in northern Uganda are unemployed, poor and saddled with numerous material challenges; unfortunately, once the land is sold the youth end up landless.
- **Increasing personal wealth:** In almost all the interviews and FGDs conducted for this study, it was confirmed that rich and influential people use their power or take advantage of the uncertainty around landownership and unclear boundaries to grab the land of vulnerable people such as widows, orphans and the poor. Well-connected individuals in government use their power to take over community hunting grounds for their own benefit.

3.1.2 Private investment

Some land disputes in the region arise when private sector actors attempt to acquire land in a non-transparent manner without the full consent of the community. In some areas such as Amuru, foreign investors have tried to acquire large portions of land for commercial use against the people's will. For example, when the Madhvani Sugar Company sought permission from the central government to acquire a large portion of land to be used for growing sugarcane, district officials were outraged. Furthermore, the discovery of oil and the fertile land within the district has resulted in conflicts. These external interventions have increased the fear that 'outsiders' were attempting to 'grab' the land in Amuru. As a result, some individuals have resorted to using any means available to protect their land, including the threat of violence. One FGD member in Amuru declared, 'I will spear anyone who tries to come and take my land away to give to the rich.'¹⁶ There is also a growing tendency among wealthy land grabbers to lodge complaints and cases against the innocent powerless with the intention of taking their land.

15 According to the LCV Amuru district, the Hon. Lakony Michael, 'sons and daughters of Amuru [are] being used by wealthy people in the country to manipulate the community of Amuru, more importantly the youth who are vulnerable with no employment to sell off customary land without the consent of the family members.' Interview on 14 February 2017.

16 FGD discussion with residents of Amuru, on 14 February 2017.

3.1.3 Conflicts associated with displacement during the LRA war

According to respondents talked to during this study, land disputes in northern Uganda increased dramatically when IDPs began returning home from the camps. Many Acholi and Langi households had been in camps for over a generation and upon returning had difficulty accessing their land, reestablishing their rights to the land, and defining the precise boundaries. A returnee could find that land they previously occupied was inhabited and farmed by people from another family or village. Knowledge of the boundaries has been lost as the elders who traditionally held this knowledge have died. Also, natural landmarks and markers, such as trees, have changed over time, and people have simply forgotten. In each of the sampled districts conflicts between 'stayees', 'returnees' and even those who are simply fraudulent have been abundant. In an interview with the clan leader of Atek Adyang Okwer Kic clan, Mr Okuk Abal in Otuke district, he said that distorted land boundaries have provided a golden opportunity for greedy people to expand their land through claiming boundaries where their land did not exist.¹⁷

Furthermore, the displacement led to the breakdown of customary systems of governance. The two decades of instability in the northern region greatly weakened the ability of the elders to manage land issues and resolve land disputes. The legitimacy of the elders is further compromised by those who allegedly solicit and/or accept bribes for the resolution of land disputes. Related to this is the death of elders during the war, yet they were the ones who knew the boundaries of their land. Currently, the young people claim wrong areas as their land boundaries.

Added to this is the suspicion by many Acholi and some politicians that the government had intentions of grabbing land in the region for purposes of giving it to investors. As a result, many returnees from the camps continue to live in fear that the right of eminent domain will be used by the government to grab their land illegally. These fears are worsened by the emergence of groups of Acholi elites and government authorities who have been entrusted with the legal mandate to address land tenure issues in the region. Such people are generally viewed as land-grabbing agents.

3.1.4 Misinterpretation of customary law

While the customary system of land tenure is not to blame for land disputes and can be a powerful tool for the resolution of land disputes, several facets of customary law fuel the emergence of land conflicts. Decades of displacement has eroded the people's understanding of customary law and, indeed, many youth born in the camps have no knowledge regarding how land in the region was traditionally governed. Many are also ignorant of the rights of widows and orphans under customary principles and practice. This has led to the forceful eviction of such vulnerable groups from land that is rightfully theirs. There has also been a gradual (and opportunistic) re-interpretation of the law. For example, it has been asserted that if a husband dies, the wife has no rights over the land of the deceased. As a result,

¹⁷ Interview with clan leader of Atek Adyang Okwer Kic clan, Mr Okuk Abal, on 17 February 2017.

other family members sometimes seek to deprive widows and their children of this land. However, this is a clear misinterpretation of the customs which traditionally integrated a newly-married woman into the clan of her husband, giving her full rights of ownership of properties, even after his death. Another misinterpretation relates to the status of a child born out of wedlock. The customs of the region provide that such a child automatically belongs to the clan of their father and is provided for in all respects. However, such a position is being challenged by the present generation. The LC III chairperson, Lira Palwo sub-county, Agago district, attributed the misinterpretation of customary law to the ignorance among most clan leaders about the position of the law on such matters. As such, these cultural leaders are still using their traditional ways which may violate the rights of the disadvantaged groups. He contrasted this with the few leaders who have been exposed to some basic principles of human rights through sensitisation by NGOs which, he said, 'at least respect the rights of vulnerable groups.'¹⁸

In the view of the LCV chairperson of Agago district, some of the challenges associated with customary law are attributable to political leaders, who frame the issues in a way that suits their political interest, for example, the issue of 'land of your ancestors'. This raises a lot of interpretations and it is one way of influencing people to reclaim lands previously gifted out by their ancestors.¹⁹ The chairperson added that in Agago district, the land conflicts were related to the history of internal conflict between the Acholi and the Karamojong. Between the 1950s and early 1990s, Karamojong raiders forced the people of Agago – especially those of Omiya Pacwa, Paimol, Lapono and Adilang sub-counties – to move further westwards. They left behind what people called 'ancestral land'. With the disarmament of the Karamojong raiders, people started moving back to their original lands. However, they were faced with land boundaries that were not clear. Most of the elders, who should have clarified the boundaries to young people, had either died during the war, or had sunk into depression or poverty, and were thus unable to help in resolving the disputes.

3.1.5 Weaknesses of the land governance institutions

Given the complexity of land matters in northern Uganda and the number of amendments that have been effected to the land laws over time, including the Land Act and its amendments and the 2013 National Land Policy, many leaders lack the knowledge and resources needed to successfully resolve land conflicts. Since there are many institutions mandated to deal with land conflicts with similar and diverse roles, at times some leaders do not know their limits and fail to work with those who are better placed to handle the matter. Many institutions also struggle to handle land-related cases in a timely manner. However, owing to a backlog of cases, there are delays which at times force people to take the resolution of the conflict into their own hands.

18 Interview with LCIII chairperson, Lira Palwo, Agago district, Mr Ladwar Lucepo, on 15 February 2017.

19 Interview with the LCV chairperson, Agago district, Mr Opio Leonard Ojok, on 16 February 2017.

3.1.6 Political interference

Politics plays a great role in the land conflicts in northern Uganda. In an FGD conducted in Lapono sub-county, Agago district, it was discovered that land conflicts are especially serious when political interests are involved. Politicians want to demonstrate to the people they lead that they are powerful but their words are designed to obscure and mislead. The respondents to this study revealed that conflicts become worse when politicians introduce partisan interests into land matters or when with limited knowledge of the land laws and policies they mislead the community.²⁰ A case in point is the land conflict between the people of Barimar in Otuke district and the people of Abim, which was said to have been fuelled by the politics of the area.²¹ However, during the validation meeting for this study, the politicians insisted that they only intervene in land matters when they see that the responsible authorities are failing to resolve them, and that they do all this in good faith.

3.1.7 Disconnect between the formal and informal mechanisms of land governance

Uganda adopted both formal and informal mechanisms for addressing issues to do with land justice. The 1998 Land Act (as amended) concretised the role of formal land justice mechanisms, covering the role of land boards, land tribunals and magistrates' courts. The 1995 Constitution also recognises the customary land tenure system, although it appears to have given it less legal weight compared to the other tenure types. As a consequence, the traditional system has been weakened by the formal system and yet the traditional institutions still remain strong regarding customary land matters.²² The escalating land conflict in northern Uganda was also blamed on lack of harmonisation between court processes and the mechanisms of mediation. People with bad faith and money prefer courts to mediation because they believe the latter will undermine their land claims. Courts are preferred because the process is slow and too complicated for illiterate and vulnerable people to comprehend. It is also believed that courts are much more corruptible than the alternative mechanisms. Land justice activists talked to in the course of the study expressed the concern that land grabbing will continue to happen on customary land as long as the formal and informal justice systems are not harmonised. Much as the current National Land Policy (2013) provides for this harmonisation, practical implementation of the same has not taken place anywhere in northern Uganda.

Relatedly, the inadequate capacity of the formal system is a major hindrance to the resolution of land conflicts in northern Uganda. For example, the ratio of magistrates to clients is very large (approximately 1:50 clients per month). As such, the case backlog is extensive and the court process takes a very time long to be concluded. Land grabbers use this as an opportunity to take over land from vulnerable people.

20 FGD with community members in Agago and Otuke districts, February 2017.

21 Interview with residents of Barimar village, Otuke, on 18 February 2017.

22 In northern Uganda, formal justice mechanisms tend to be used only in cases involving registered land (freehold and leaseholds).

The loopholes in the formal justice mechanisms have been exploited by the land grabbers who continue to harass Ugandans. When a judgment is made by court, many of the land grabbers instead lodge appeals to the higher courts even when they know the land does not belong to them. They additionally effect arrests of the vulnerable, sell off the land in dispute, and shut down those who attempt to be heard during mediations. Some of them exploit unfortunate circumstances, such as death and other social problems, to introduce new terms into land matters which have been resolved, using force and intimidating people, among other negative practices. Over time, the vulnerable landowner gives up on their claim to the land in order to free themselves from the wrath of a well-resourced land grabber.

3.1.8 Recent changes in landholding

Also central to land conflicts in the region is the emergence of other land tenure systems that were not prominent in the region before. The hitherto dominant pre-conflict customary land system is slowly and carefully being replaced by a system of landownership that gives priority to individual rights on land at the expense of the community. Thus, a move to individualise what was previously perceived to be communal land is a rampant and increasingly more accepted phenomenon.

3.1.9 Non-enforcement of the law

Land justice in the region is also affected by a lack of enforcement of the laws and policies. Despite the fact that laws and policies are in place to guide land administration, management and acquisition, the practice is very different. The Land Acquisition Act stipulates very clear procedures on how land should be acquired. However, this has not been followed in most of the cases. A case in point is the land that was acquired in Apaa village to establish a game reserve. The landowners were not consulted and compensated; on the contrary, they were simply evicted through the use of military force. Left with no choice, vigilante acts such as undressing and walking naked by women before the state minister were resorted to by the people of Amuru in order to express their plight.

3.1.10 Role of the military

There is also the problem of interventions by military actors such as the Uganda People's Defence Forces (UPDF). Thus, the UPDF and the police played a critical role in the case of Apaa village in Amuru district, where the Uganda Wildlife Authority (UWA)/government claimed Apaa as part of eastern Madi and gazetted it as a game reserve in 2002. Residents claimed that the map used for the boundary was the wrong one. The study revealed that the police and UPDF work on the basis of superior orders rather than the law. One of the victims of the Apaa land conflict said that security officers (both police and UPDF) perceived people of Apaa as their enemies and, as a result, destroyed property and forcefully chased people away from the land. In their defence, the RDC of Amuru district said that the involvement of the military and the police only happened when there was disagreement between the two contending groups from Madi and Acholi. According to him, the deployment was meant to prevent the situation from escalating into a bigger conflict.

3.1.11 Multiple land titles

Multiple land titles were said to be one of the factors driving land conflict in the region. Such conflicts are especially common within urban settings where physical planners should have ensured that matters were kept within bounds. Both the LCV chairperson and the RDC of Lira district said that the issue of issuing multiple titles is very common in Lira municipality and that much of the blame should go to the urban planners. It is mainly the use of illegal means of acquiring land titles which has increased the cases of multiple titles in the region, especially in urban areas. Alongside the forgery of land titles is the bribery of physical planners to alter the location of mark stones.

3.2 Nature of Land Conflicts in Northern Uganda

Most land disputes in northern Uganda fall into three dimensions: those between individuals and families; those related to private sector investment; and those between government institutions and individuals. All three are discussed below:

1.1.1 Disputes between individuals and families

The majority of land disputes in Lango and Acholi are between individuals with relatives, neighbours, and families/clans. Most of these disputes are related to the delineation of boundaries or competing claims for land use and ownership. This kind of dispute pits senior family members against junior family members, widows against in-laws, divorced women against brothers, and landowners against squatters. It commonly happens because of many factors, such as sale of land without the consent of family members, greed, bad faith or a change in social status. However, the majority of land disputes in northern Uganda occur between relatives, neighbours and families/clans, and most of these conflicts are related to: the delineation of boundaries or competing claims for land; disputes between junior and senior family members; disputes between widows and members of their late husband's family; land grabbing by neighbouring families or villages; selling family land without permission; disputes between landowners and squatters; and disputes related to gifting and other unrecorded transfers of ownership.

3.2.2 Disputes related to private sector investment

The growing interest of private sector actors to acquire land in northern Uganda and, more importantly, areas identified with minerals, such as Amuru district, has sharply increased the competition for land, sparking disputes with local communities. Conflict between communities and private investors arises owing to several factors, including a reluctance to sell land to outsiders, the fear of land grabs, a lack of transparency and of stakeholder involvement in negotiations over land use, and the issue of compensation.

These disputes are due to the way in which businesspeople have approached and interacted with communities rather than because of a lack of local interest in private sector investment.

Several FGDs revealed that people's minds have been deeply affected by the varied speculations about why the government wants to 'grab' people's land and lease it out to investors.

3.2.3 Disputes related to government (individuals in government and government institutions)

The study established that land disputes occur when the government takes any illegal actions to acquire individual or community land without consultation or discussion of compensation issues. The land disputes in Apaa and Kilak counties in Amuru district, for example, were blamed on government failure to consult the landowners and the affected communities.

3.3 Actors

There are several state and non-state actors involved in land disputes in the northern region that play various roles in fuelling or resolving the land disputes in the region. Some of the high-level actors include cultural institutions, local governments, land management structures like UWA, the National Forest Authority (NFA) and other authorities, District Land Boards, Area Land Committees, land tribunals, courts of law, CSOs, individual land and human rights activists, and informal land governance structures. Others are large-scale individual landowners and institutions, such as the Catholic and Anglican churches, as well as several government agencies and institutions. Besides these are investors, banks and moneylenders.

Among the actors are those that may be branded as low-level actors on the basis of the power and influence they have over the land resource. These include squatters, the landless, those who own smaller pieces of land, those who live in overpopulated areas, persons living in areas with competing or conflicting land use such as pastoralists and cultivators, the youth, widows and orphans. Other low-level actors include persons living on communal lands, lands in close proximity to protected areas and lands that are prone to natural disasters.

In terms of benefit, high-level actors have the great potential to benefit from land resources and/or protect their land rights much more than their low-level counterparts are able to. High-level actors have the money to buy land and also put to effective use the land they own or have access to. They have the capacity to register and safeguard their land from conflict, seek expensive formal justice at several levels and influence the processes of land acquisition and usage to their advantage. On a positive note, some high-level actors have used their power and influence to tremendously contribute to the furtherance of land justice. Notable cases include CSOs and activists petitioning against land injustices, political leaders mediating land conflicts, and courts dispensing justice even in cases that appear highly political. By and large, low-level actors are commonly affected owing to their vulnerability to land injustices like land losses and evictions. Low-level actors lack the capacity to register their lands; they often suffer adverse effects of natural disasters like floods and have limited

land options.



IV. EFFECTS OF LAND INJUSTICES ON SPECIAL GROUPS AND INDIVIDUALS

Land injustices in the northern region have had far-reaching impacts for special groups and individuals, as highlighted below.

Loss of lives was found to be one of the major impacts of the land conflicts in northern Uganda. For example, the inter-clan land conflict in Ocwiko village, Kotomor, Agago district between the Acholi and Langi at the border is said to have led to the death of a three-year-old child.²³ Additionally, over 15 other people, mainly women and children, got injured in the same conflict.²⁴ This is in addition to four huts and 25 granaries which were burnt down and the over 15 head of cattle, five goats and an unknown number of chickens which got lost as a result of the dispute.²⁵ Overall, 62 households were displaced and temporarily took shelter at the sub-county headquarters under UPDF and police protection and 22 suspects were arrested and transferred to Patongo police post where they would be answerable to court.²⁶ As a result of this conflict, the cost of living for these people has rapidly increased mainly because they have to start afresh and they face a lot of hardships to both educate their children as well as to find land to cultivate food for home consumption.

Furthermore, in cases where the conflicts have involved extreme violence, many people have been left homeless, either because they had to run away from the terror meted out to them in the course of the conflict, or because their homesteads had been completely destroyed by way of scorching. This was the case in Apaa village, in Amuru district, where over 2,000 households were displaced. As a result, a number of vulnerable groups, notably widows, orphans and the elderly, were left homeless.

4.1 Shift in land usage 2005-2015

The respondents to this study revealed that a shift in land use from subsistence to commercial farming within the swampy areas, the adoption of modern methods of farming and the use of technology has had significant effects on special groups of people, including orphans, women, disabled persons, the elderly, and other needy categories.²⁷ In Otuke district, the vice chairperson LCV (the Hon. Agang Cecilia) said that 'land for the last ten years has been used for hunting, rearing domestic animals, cultivation of cereal crops such as sorghum, millet, simsim, groundnuts, sweet potatoes, cassava and peas and cash crops such as cotton.'

23 Human Rights Situation Report on the Apaa Land Conflict, December 2015, produced by the research department, Human Rights Focus (HURIFO).

24 Ibid.

25 Ibid.

26 Ibid.

27 FGDs in Amuru, Agago and Otuke districts.

Agang's assertion was confirmed by Mr Opio John Bosco, the Town Clerk Otuke district, who said that the district had been using their land to grow both food and cash crops. They added that there is a shift over time in the way land is being used. Currently, land in most parts of Otuke district is being used for growing cash and food crops, besides other new activities which are coming up, such as charcoal-burning and brick-making. 'Farmers have adopted farming along the swamps which somewhat has been a place for rearing animals but are now places for growing vegetables and rice,' said a clan leader, Mr Okuk Abal Emmy. The newly introduced crop varieties, such as soya beans, onions, cabbages, rice, beans, sunflower and cassava have, for example, overshadowed the old varieties of crops (sorghum, peas, millet, cassava) in terms of market value, although the respondents said that they were being grown alongside the others across the district of Otuke. Market attachment has been given to crops such as rice, vegetables, sunflower, groundnuts, cowpeas and beans. This has been attributed to forces of demand from the market, the influx of investors such as Mukwano and Madhvani, and middlemen who are specific about the types of goods which are needed in the current market.

In Amuru rice and sugarcane growing is now being done on a large scale. The respondents noticed a change in recent times since commercial agriculture is taking shape in the district. In other areas, such as Apaa, the land is now a game reserve, while in Atiak a sugarcane factory and other mills are in operation. This has been attributed to the presence of some private investors such as Omer Farm and Madhvani, among others. The value for land has increased for the low-income population, hence making it less affordable. One of the respondents said that the price of an acre in Amuru ranges from UGX 800,000 to 1,500,000.

In Agago district, all the land that has previously been called community land/playgrounds or hunting grounds have been occupied by people. Crop cultivation has been extended to wetlands, people adopted activities such as brick-making, charcoal-burning and quarrying on a small scale on land as a way of earning income. According to Mr Bosco Otim, the chairperson LCIII, Lira Palwo sub-county, Agago district, these changes have affected arable farming because people now associate the work they do with money. Furthermore, in Lapono sub-county, Agago district, new methods have been introduced on land, for instance tree planting, rice and vegetable growing within the swamp, and the growing of sunflower.

Based on the above findings, the shift in land usage has been a parallel transition. The traditional crops are being cultivated alongside the new ones; and new farming approaches, such as growing vegetables and rice within the swamp, have been introduced.

This transition has both positive and negative effects on the food security of marginalised group. The positive effects include increased productivity, food security in households and, eventually, household income. The adoption of diverse methods and approaches of practicing agriculture, such as animal husbandry and crop production, help in enhancing sustainability. However, this shift in land use has had negative effects on marginalised groups. It has pushed up the demand for land, making land attractive, and exposed it to land grabbers. The forceful acquisition of land by the government without compensation, like in Apaa village, Amuru district has exacerbated the vulnerability of the marginalised groups

with regard to land. The acquisition of land through purchase has become less affordable by the marginalised groups; for instance in Amuru district the cost of buying an acre of land ranges between UGX 800,000 and 1,500,000. Owing to the increasing demand for land, it was realised that gaining access to land had become difficult for the vulnerable groups, especially those whose access is stopped by court. These find it hard to survive and hence suffer from food insecurity.

The eviction of the local community from Apaa by the UWA remains one of the serious incidents of human rights violation in the region. The study revealed that over 2,000 people were left homeless and a lot of property destroyed. In an interview with leaders and community members during this study, it was realised that the process of acquiring land in Apaa sub-county was done in total disregard of the people's right to property. The said land was compulsorily acquired by the government in the public interest and the landowners were not consulted. Neither was the issue of compensation tabled. These acts further constitute a violation of the rights to economic and social development, the right to self-determination, the right to freedom from torture, cruel, inhuman and degrading treatment, the right to culture and identity, and the right to physical and mental integrity as provided in international and regional legal frameworks such as in the Universal Declaration of Human Rights (UDHR) Articles 1, 3, 5, 9, 12, 13, 17, 22, 15, ICCPR Articles 1, 7 (Section I), 17 (Sections I & II), ICESCR Article 1 (Sections I & III), 3, and 11, ACHPR Articles 5, 6, 12 (Section I) and 14 which the Government of Uganda ratified. Therefore, nationally, the forceful evictions of residents constituted a violation of Chapter 4, Articles 24, 26 (Sections 1 & 2), 37 and 40, and Chapter XV, Articles 237, 241, 243 of the Constitution of Uganda, Section 2, 3, and 42 of the Land Act, and the Land Policy of Uganda.²⁸

28 Refer to 9.

V. ANALYSIS, CONCLUSIONS AND RECOMMENDATIONS ON CURBING LAND INJUSTICES IN THE REGION (SHORT- AND LONG- TERM)

5.1 Analysis and Conclusions

The established fact is that land is still a prerequisite for economic development and survival of the people in northern Uganda. The fact that over 95% of land in northern Uganda is owned under customary tenure renders it to be used for subsistence at the expense of commercial purposes. The study revealed that food crops are grown on a large scale for home consumption, with traditional cash crops still being grown to earn income for home use. The main food crops mentioned include cassava, sweet potatoes, various vegetables (beans, soya beans, tomatoes, cabbages, peas) and cereals (sorghum, maize, millet); while the major cash crops are cotton, sugarcane and simsim (sesame). Newer cash crops include upland (non-irrigated) rice, sunflower and spices (vanilla).

Land conflicts take three dimensions, and these are: land disputes between individuals and families; disputes related to private sector investment; and dispute related to government initiatives. These land disputes are caused by broader factors as elaborated below: First and foremost, economic drivers such as the need for survival, forces that drive one to opt for cash sales, and the increasing personal wealth. The next causes of land conflict include the influx of private investors, the impact of displacement, the misinterpretation of customary law, institutions that are too weak to handle land issues, political interference and, lastly, the disconnect between formal and informal laws in handling land justice.

Land in northern Uganda is governed through formal and informal mechanisms; and informal mechanisms are commonly used across the districts of study as a powerful mechanism to handle disputes relating to the customary land tenure system. Formal mechanisms are still viewed as elitist in nature, costly in terms of money and time, and remain compounded by intricate bureaucracy. The study identified several actors that play different roles in contributing to the occurrence of land disputes and to the resolution of these disputes. These actors, characterised as high-level and low-level owing to the influence they wield in society and on the land resources, include political, cultural and religious leaders as well as large-scale landowners and users. Low-level actors include the landless, persons with small pieces of land, groups and communities living in close proximity to protected lands and those living in disaster-prone areas. In both formal and informal governance mechanisms, the misuse of power, political interference, lack of honesty among people involved in land matters, ineffectiveness of law courts, corruption, militarism and lack of harmony between the formal and informal justice system are prevalent.

Across the districts of study, the key extrajudicial legal actors and institutions include the office of RDCs, LCVs, DPCs, human rights defenders, human rights organisations, and cultural and religious leaders.

5.2 Recommendations on How to Improve on Handling Land Disputes in Northern Uganda

5.2.1 Short-term steps

First, the Government of Uganda needs to intervene in the matter of the boundary of Apaa which earlier escalated into a bigger land conflict. In cases where public land is under dispute, as is the case between the UWA and communities of Apaa village in Pabbo sub-county in Amuru district, delineation of clear boundaries would solve the land question in this area.

Second, in order to improve on the handling of land disputes in northern Uganda, the government needs to let all land disputes of a customary nature be handled by the cultural institutions. The mandate of customary institutions should, therefore, be granted by the courts of law such that they become the court of first instance in respect of customary land matters. Effectively, the LC 1 would become the court of appeal. This should, however, apply only to land that is customarily held. This may require enactment of the law to bridge this gap.

Third, the land office should coordinate with the districts in northern Uganda to ensure that community members and other stakeholders, such as the police, soldiers, clan leaders and other civil servants, are sensitized to land laws, policies and rights. The same strategy should also be adopted by the paramount chiefs of Lango and Acholi to ensure that the above stakeholders understand the customary principles, practices, rights and responsibilities (PPRR). These will help address issues of land conflict, which has been attributed to limited awareness of the customary principles and practices vis-à-vis human rights with regard to land as well as the land laws and policies.

Furthermore, the government should take immediate action, especially with regard to land conflicts that involve more than one tribe, for instance the land dispute between the Langi of Otuke district, on one side, and the Jo-Abwor and Karamojong of Abim and Kotido districts, respectively, on the other side. The respondents suggested the deployment of soldiers to protect citizens' lives and property in Atira and Anyalima where land conflicts commonly occur as a short-term approach, undertake appropriate procedures as stipulated by the law, and gazette the place for future public development to stop such a dispute from happening again.

On their part, mediation teams in the region should encourage the parties to land conflicts to plant trees to mark their boundaries immediately after the conflicts on the same have been resolved. Additionally, copies of the resolution agreement should be given to other land legal actors for reference in future. It is also important that the mediations go hand in hand with enforcement of resolutions and that the use of social exclusion as a means of deterrence should be practised.

Furthermore, the land office responsible for acquisitions of land on behalf of the government should comply with the formal laws and customary principles and practices of Lango and Acholi to avoid land disputes as in Atira village of Otuke and Apaa in Amuru, where people were evicted without any discussion on compensation and other issues.

Additionally, the investors should come and meet the owners of the land and obtain the terms and conditions for the use of the land from the owners and should not displace people but should instead respect the human rights to hold land; the Madhvani project should be dropped and another project brought with the approval of the people of Amuru for purposes of development; and the government should be open and specific regarding where there are minerals rather than carrying out massive evictions.

There is also a need to conduct awareness campaigns on the land rights of vulnerable groups. The study established several land conflicts that partly emanate from limited awareness of land rights and issues, including the land rights of widows and children in matters pertaining to inheritance; the rights surrounding protected land-user rights; land rights under a different land tenure; the importance of gazetted lands; the jurisdiction of different land management structures; and the roles of different stakeholders such as the police, office of the RDC, district chairperson and cultural leaders in land-related matters. This awareness may be created using radio platforms and community meetings.

As regards the issuing of CCOs, there is need to thoroughly review the process thereof; and this should be done through wide consultations with cultural leaders who are seen to be the custodians of customary lands. This is especially so because a number of elders are still skeptical about the process of issuing CCOs and the manner in which it is managed. There are perceptions that the young generation, who are not keen on the restoration and preservation of cultural values, may use CCOs to mortgage and/or sell land to investors without considering cultural values. This would contradict the customary principles and practices in which landownership is attributed to the entire community, including the ancestors, those who are currently living on the land, and future generations.

Leaders in the region also have a central role to play in resolving land conflicts. For example, the cultural leaders need to be vigilant and transparent in land protection by integrating cultural rituals into mediation in order to cleanse the people of disharmony and dispute. As regards the Acholi-Madi conflict, the leaders of the Acholi sub-region need to liaise with the leaders of the Madi sub-region and the central government to resolve the border conflicts between the regions using the map of 1963 to establish the real boundary between Acholi-land and Madi-land.

Finally, there is need for cultural transformation on the issue of landholding in order to embrace development. The post-conflict socio-cultural settings and institutions also need to be strengthened with a view to revamping cultural values and traditional governance.

5.2.2 Long-term steps

In the long term, the Government of Uganda should involve the community on any discussions related to land acquisition or investment in land. The process of acquiring land in Apaa village to set up a game reserve was described as non-participatory, top-down, forceful and, above all, amounting to a violation of human rights. Future land acquisitions require the Government of Uganda to undertake community consultations, awareness-creation and negotiations to address issues of compensation and other benefits.

More importantly, the government should ensure its patronage and enforcement of the 1995 Constitution. As such, the existing land law should be amended to enable customary landownership to carry equal legal weight as the other types of land tenure. The current provision in the NLP²⁹ is to make the customary land tenure fit the competitive market without converting it into freehold. The respondents proposed a ‘customary certificate’ with equal legal weight as the freehold where the landowner possesses a land title instead of a certificate of customary landownership.

The national land policy provides for harmonisation of ADR with the courts on issues of land but this has not yet been put into practice, so there is urgent need for land policy implementation by the government. The study established the need to integrate ADR as the first court of instance in matters of customary land tenure.

The government should stop the practice of negotiating for land on behalf of the investors. It should, instead, oversee the process of negotiation between the landowners and the investors based on the current laws.

There is need for capacity-building for formal and informal structures of land justice, including mediation teams, lower structures of land management (Area Land Committees and District Land Boards) and lower court structures (LC courts). The government should solicit support (financial, technical and technological) from NGOs and other independent institutions to strengthen the capacity of the above structures to improve access to land justice. Furthermore, there is need for an increased budget allocation for the Department of Land to carry out such activities.

The land office should print and distribute original boundary maps to all districts and sub-county authorities to be used as reference sources in cases of land disputes related to the boundaries and borders within northern Uganda and elsewhere in the country.

On their part, the companies and individual investors seeking land for investment in northern Uganda should adopt more conflict-sensitive approaches to community engagement. They need to conduct context and conflict analyses on the sites that they have identified for investment in order to establish the existing landownership patterns/history, key actors, and any potential or actual conflicts. Dialogue and wide community consultations should be carried out as part of the process of acquiring surface rights. Furthermore, companies should be transparent and accountable in the way they conduct business and relate to local communities.

²⁹ Uganda National Land Policy 2013.

Furthermore, leaders of the cultural institutions, i.e. the paramount chiefs (*Lawi Rwodi* of Acholi and *Won-Nyaci* of Lango), should embark on the mapping and registration of clans and families within their areas of jurisdiction as provided for in the National Land Policy (2013) – a process that will lead to acquiring legal documents for customary land as proposed, i.e. ‘customary freehold’.

The government also needs to authenticate different historical claims to various gazetted lands in the region with a possibility of compensating persons and communities that unfairly lost their land rights. The Apaa community in Amuru district has, for example, continued to express their dissatisfaction with the government decision to evict them from their land, ostensibly to establish a game reserve. Alternatively, the government should re-degazette national parks so as to come up with clear boundaries with a view to protecting both animals and people.

There is also need for conducting research to explore the land-use best practice across the northern region. The changing climate and the shift in land use have made farmers behave in a blind way. Establishing the efficiency and effectiveness of the current land-use practice remains a challenge, hence research will be of great help to put this issue to rest across northern Uganda districts.

Local governments and cultural institutions should encourage effective land use. Clearly, there is a vast amount of fertile land that, if used, could make northern Uganda the food basket for the region and the country. Districts should encourage effective land use by implementing land-use policies and designing programmes to help communities open up land for agriculture. In order to enhance this, the government should provide mechanised equipment and make sustainable agricultural support services available to districts. Your land is only as good as what it produces.

The district leadership in the region should come up with ordinances and bye-laws to handle the prevalent land conflicts.

Finally, the region’s population dynamics for livelihood demand should be reviewed and properly directed to embrace population growth.

BIBLIOGRAPHY

Christopher Burke and Nancy Kobusingye, *Women's Land Rights in Northern Uganda (West Nile, Acholi, Lango, Teso and Karamoja)*, Oxfam, 2014. Available at http://www.landcoalition.org/sites/default/files/documents/resources/Securing%20Women%20Land%20Rights%20Report_with%20covers%20_0.pdf

Human Rights Focus (HURIFO), *Human Rights Situation Report on the Apaa Land Conflict*, December 2015.

Northern Uganda Land Platform (NULP), *Highlighting the Case for Certificate of Customary Ownership (CCO)*, Issue Paper, April 2016.

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