

Escalating Land Grabbing In Post-conflict Regions of Northern Uganda

A Need for Strengthening Good Land Governance in Acholi Region

Samuel B. Mabikke

Chair of Land Management
Center of Land, Water and Environmental Risk Management
Faculty of Civil Engineering and Geodesy
Technische Universität München, Germany
E-M: mabikkes@gmail.com

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Land Grabbing – the subject of Media Debates



What is Land Grabbing ?

- The acquisition of land by a public, private enterprise, or individual in a manner that is illegal, fraudulent, or unfair taking advantage of existing power differences, corruption, and breakdown of law and order in the society
- Includes both foreign and domestic land acquisitions
- Many actors including, governments, domestic elites, foreign investors, family / clan heads, politicians, military officials etc.
- These actors deliberately misuse their powers to grab land from their victims

Some Foreign Land Deals in Uganda

Screening Source	Investor Country	Allocated Land Size (ha)
ILC Blog Screening	Agri SA (South Africa)	170,000
	Egyptian Agricultural Ministry	200
	Egypt	809,071
GTZ	Heibei Company China	40,500
GRAIN	Private investors China	4,046
	Private investors & the government of Egypt	840,127

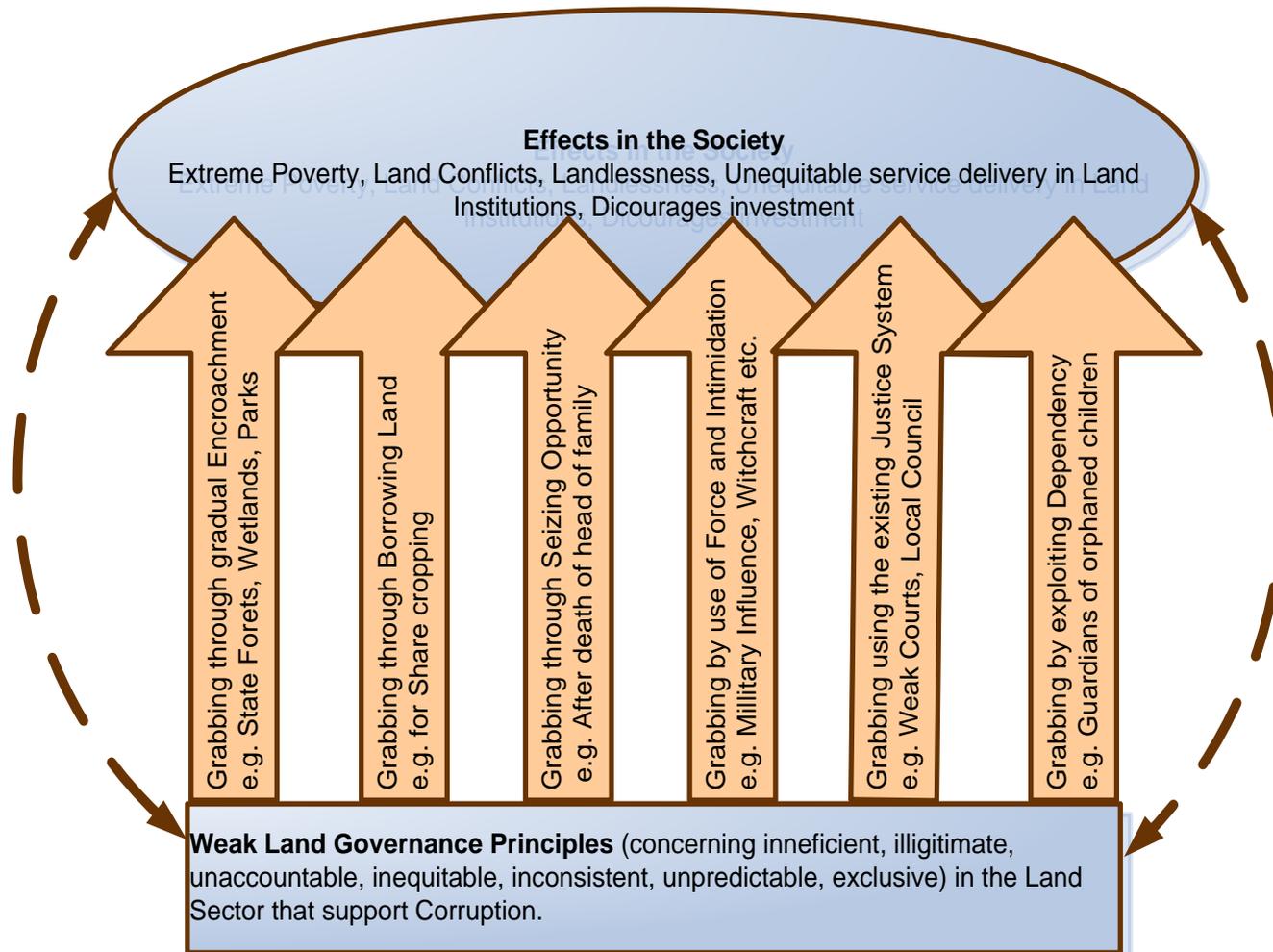
This paper focuses on the domestic deals that pave way for foreign large scale land acquisition

How Domestic Land Grabbing Occurs in Uganda

- Through Gradual Enchroachment on land e.g. 1,000 h grabbed by pastoralists in Buliisa district
- Grabbing using force and intimidation e.g. ex-military (veterans) seized public land in Kampala,
- Grabbing through borrowing land (common among in-laws borrowing land from widows)
- Grabbing using the Judicial System – the poor can not win a case in which the rich are the financiers of the judicial system.
- Grabbing through seizing opportunity (after death of a husband) e.g 80% of widows in northern Uganda are denied their land rights.

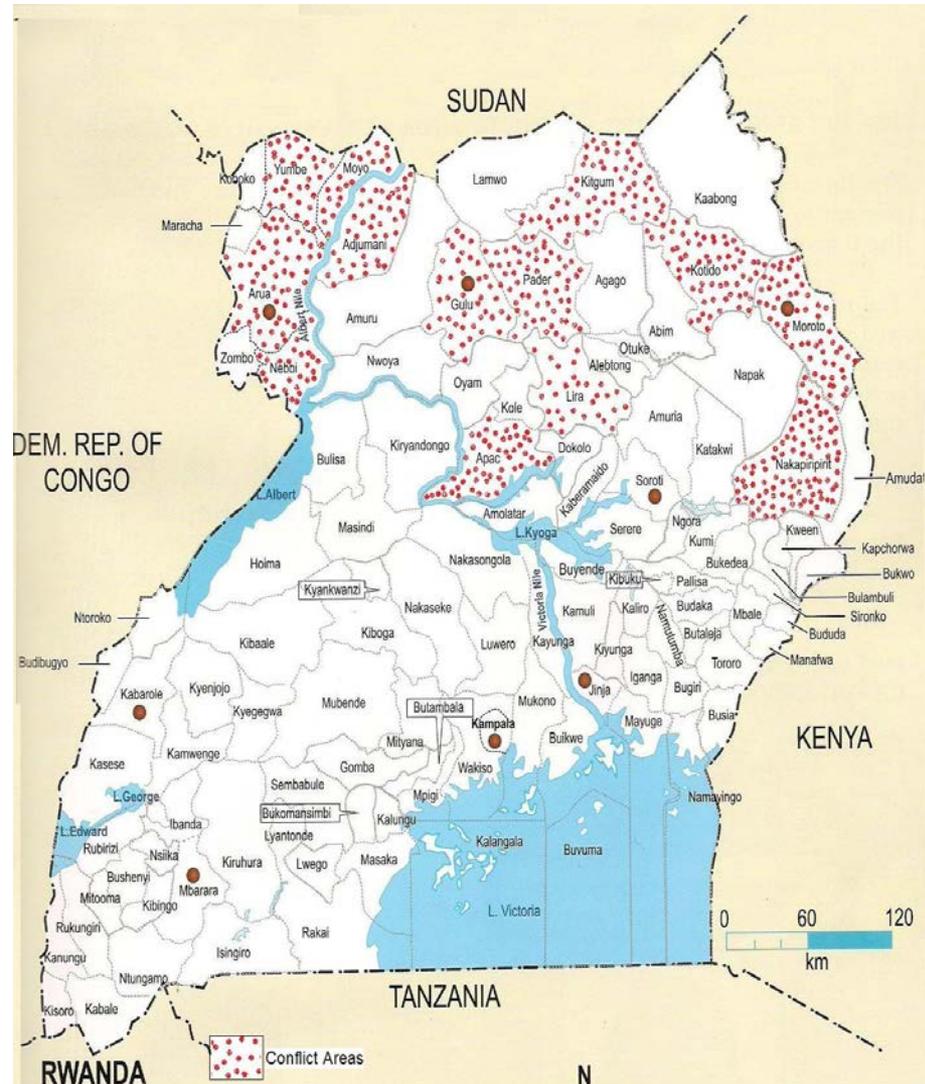
Land grabbers mainly target vulnerable communities that would offer less resistance e.g. post conflict regions like northern Uganda

Pathways of domestic land grabbing

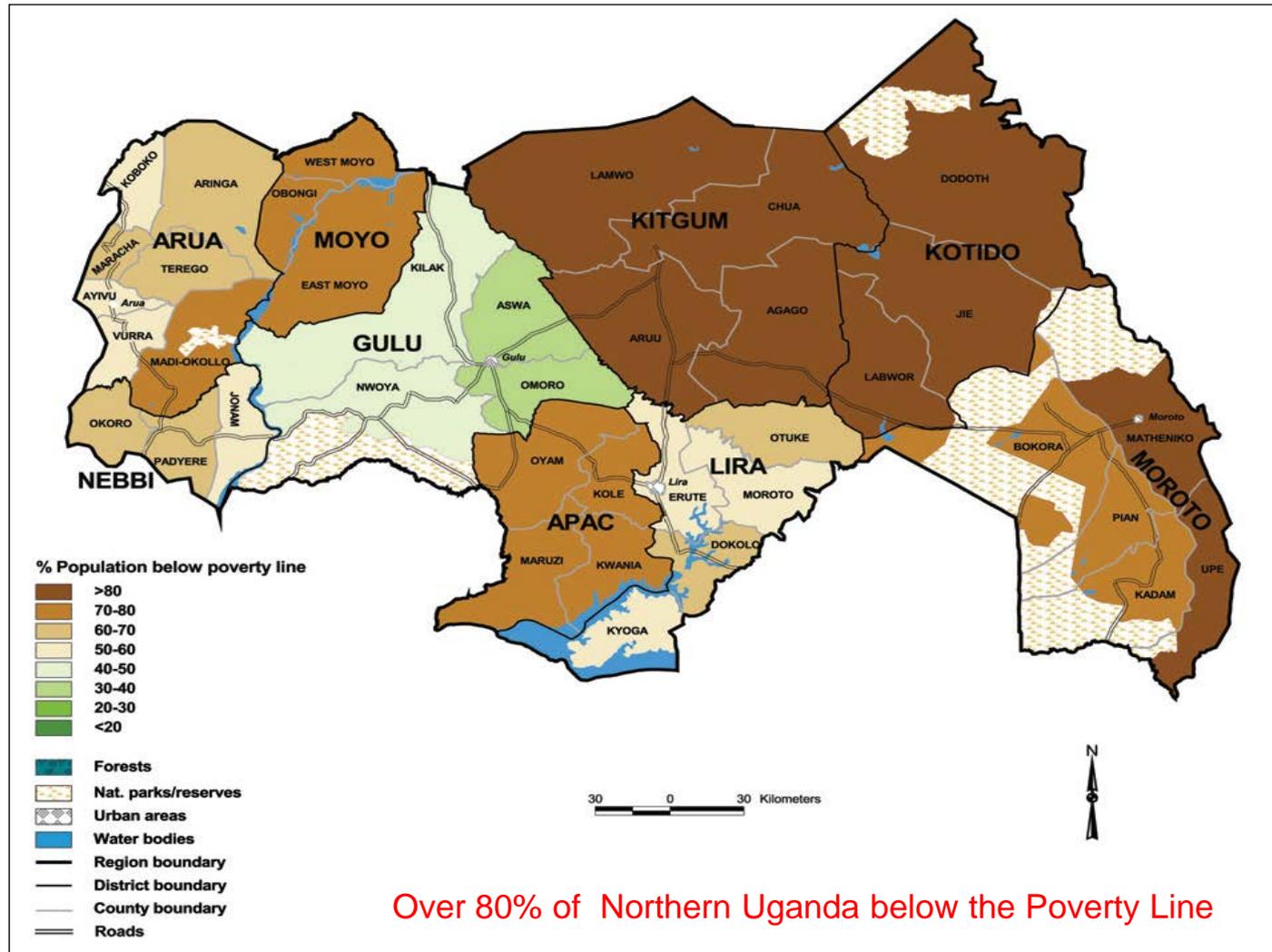


Why Northern Uganda ?

- Regional been under Armed conflict for the last 2 decades
- Armed rebellion by LRA rebels & Karamajong cattle rustlers
- Over 300,000 Civilians killed
- While 25,000 children abducted
- Over 1.8 Million (about 90% of northern population) was displaced into squalid conditions in “protected” camps.
- Though Juba negotiations between GoU & LRA failed, the security situation improved which prompted return of IDP



Northern Uganda Poverty Map



Source: UBOS and ILRS 2003/04 Poverty Atlas Map

The Land Question in northern Uganda

- North- the largest region (35%) used to be the bread basket of Uganda
- 90% of the land held under Customary Tenure (CT) was left unused or unoccupied due to armed conflict
- Multiple conflicting and undocumented land rights under CT
- Significant areas have been given Lease prior to the IDP return
- Many cases of land grabbing involving military, politicians etc
- Gov't interest in redeveloping northern Uganda has increased fears among IDP
- Issues of land needed by gov't for for public welfare, safety, infrastructure not clearly addressed
- **As a result, increased land conflicts among returnees which can not all be resolved by the Court. e.g. 1,045 (52%) out of 2,001 land cases remain unresolved**

Land Grabbing – Increasing Hostility



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Acholi land next point of hostility

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Poor Best

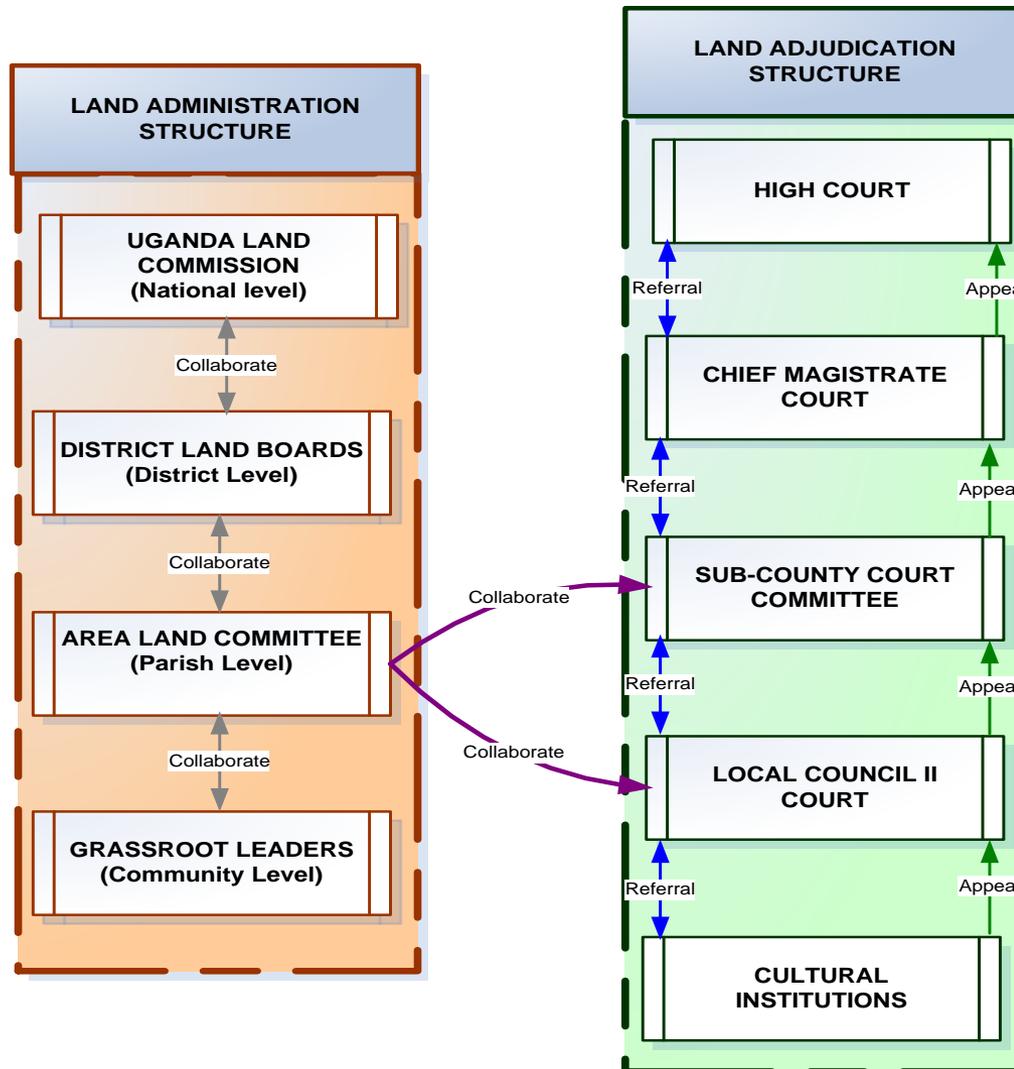
On 30 November, Joseph Kony failed – once again – to sign the Final Peace Agreement negotiated in Juba between the LRA/M rebels and the Government of Uganda (GoU). The absence of Kony's signature (and, thus, that of President Museveni), worries many in Acholi, and has contributed to their still sluggish pace of returning home to their customary land.

The military raid last week by a combined Ugandan, Congolese and South Sudan force on the rebel camps in Garamba can only increase their apprehension.

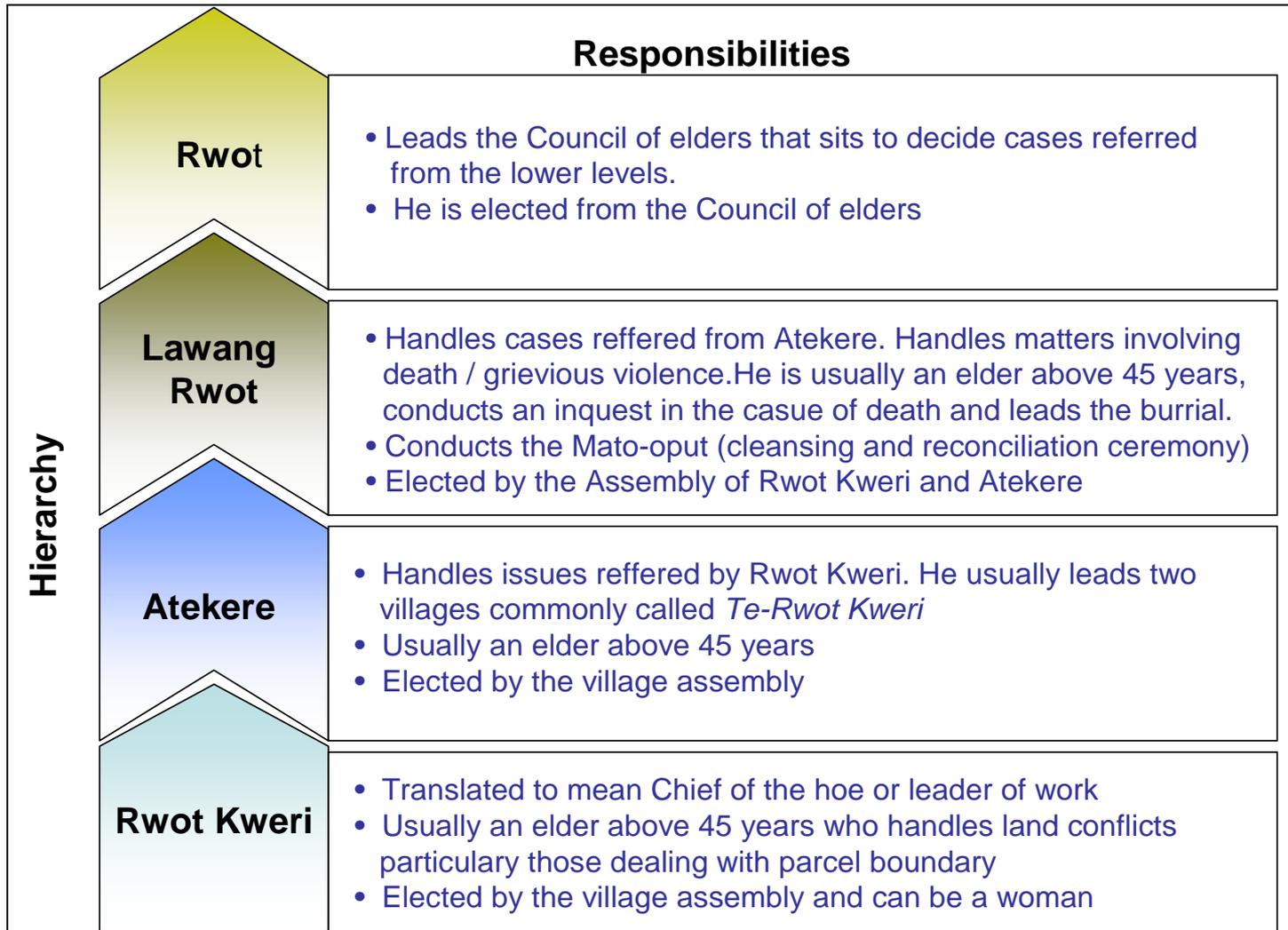
Even so, a transition on the ground in Acholi from war to peace is underway, and will – everyone must hope – continue and even accelerate over 2009. The relative peace in Acholi since the silencing of the guns in late 2005 may be still fragile, but it is real and palpable, as anyone who went to Acholi anytime before late 2005, and has been back recently, can attest. And without meaning to be trite, I would emphasize that peace – even if still not yet secure – is better than war.

- E.g Land in Amuru district leased to Madhvani Group for large-scale sugar plantations
- Other cases included protocol signed with Libyan Gov't to have large chunks of land in Bukaleba Ranch(4,000h), Aswa Rach (46,000h), and Marunzi Rach (16,376h)

Land Administration and Adjudication Structure



Traditional Land dispute Resolution structure in Acholi



Why has Land Grabbing Persisted in Uganda?

- Weak land governance
- Corruption in land sector agencies
- Lack of institutional capacity e.g. over 56% of unsolved land cases at Chief Magistrates courts
- Failure to protect the land rights of the poor e.g over 80% of divorcees or unmarried women are denied their legal rights to land in northern Uganda
- Traditional institutions are incapacitated, and weakened after 2 decades of war
- Inconsistence in the law (Customary Vs Statutory laws)

Recommendations

- It starts with the **will** by those holding power esp. Governments to stop large scale land acquisitions that exploit their natives
- Improve Land Governance
- Build capacity in land sector institutions
- Harmonise Customary & State land Admin systems to avoid contradictions
- Support to both Traditional and State Justice Systems
- Restore and strengthen Traditional culture that promotes peace, reconciliation and development
- Disarmament of cattle rustlers in Kotido, Moroto, Nakapiripirit districts

Thank you for listening !



I acknowledge the support of GIZ 