

ISSUE 4 2008

THE EXAMINER



QUARTERLY PUBLICATION OF HUMAN RIGHTS FOCUS (HURIFO)



His Highness Rwot David Onen Acana II presents an award to the winner of women's bicycle race in Gulu on UN Day in Commemoration of UDHR December 2006

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Printed by:
Jilak Co. Ltd
P. O Box 5585, Kampala Uganda
Tel: +256-41-257338
Fax: +256-41-347848

The Examiner is produced and published by Human Rights Focus (HURIFO). It is a component of the HUGGO-DANIDA funded programme under the Medium Term Strategy [MTS] 2006 – 2009]. Through this Newsletter, Human Rights Focus gratefully acknowledges the support from HUGGO-DANIDA.

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Although this publication is made possible with the support of the HUGGO-DANIDA, the views expressed in this publication are those of the authors and do not necessarily express the views and position of Human Rights Focus OR for that matter, of HUGGO-DANIDA.

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Foreword

In this 4th and indeed last issue of the Examiner bidding farewell to the eventual year [2008] we at the same time carry out a reflection on some of the major events that found dominant spaces in the media.

An event worth noting was the arraignment of Brig. Kazini charged with corruption and his subsequent sentencing by a military court to a 3 year jail terms at Luzira maximum security prisons. The seemingly law abiding Brigadier complied with the court ruling, moved from a life of comfort to the most humble – behind the bars - life in a prison cell. The Brigadier as a coping mechanism had no choice but to turn to God. What followed was more bizarre when a contingent of Generals who make things happen in this country without recourse to any law least of all due diligence simply got Brg.Kazini out of prison. This seems to suggest that Brig. Kazini's resort to God seemed to have had his prayers answered through the acts of the Generals-who could have been used by God to intervene in order to secure the release of the Brigadier. The questions that still beg answers include: what happens to the record at the presiding Court Martial that handled this case? Is Uganda governed by the rule of law or by the rule of the gun? Equality before the law is a rights issue as well must and should know. Why was the law applied discriminately in Brig. Kazini's case?

The Southern Sudan brokered peace process through the Juba Peace Talks has been moving one step forward and several steps backward since the first ever Cessation of Hostility Agreement was signed in August 2006. It is apparent not much was done nor achieved during 2008. There have, however, been several attempts at reaching out the rebel leader Joseph Kony by among others: Cultural and Religious leaders, elders and politicians in order to sensitise Joseph Kony into accepting to sign the Comprehensive Peace Agreement from informed position but to no avail. The all the time evasive Kony on several occasion dodged planned meeting he himself initiated with assortment of leaders. The only achievement so far if any is the fact that the relative peace ushered as a result of signing the first Cessation of Hostility Agreement still holds in the entire Acholi sub-region though the fragility counter any room for complacency. It is indeed a real cause for concern for the community of people living in the sub-region. Uncalculated utterances by UPDF that the rebels won't pose security threats in Acholi land is largely seen here to be wishful thinking. Our position has remained unchanged that only dialogue and not guns can bring lasting peace. The most recent and perhaps on-going attacks on LRA positions in Garamba in the name of pressuring the rebels back to the negotiation is counter-productive. To drive this point home, one has to take time off to learn and know Kony as the typical Acholi. A typical Acholi believes in what he does and does what he believes in. As a community of people Acholi believes and indeed fight unto death in defence of: (1) Contemptuous injustices (2) recalcitrant in accepting defeat (3) his wife and (4) Land. This is perhaps the areas where our colonial masters missed out on the knowledge of a typical Acholi of which Joseph Kony is one. The dialogue approach to which Uganda Government has since yielded still remains the best and viable option capable of getting us as Ugandans out of the quagmire. Let us handle Kony the way a typical Acholi would wish to be handled as the current carrot and stick approach is less likely to deliver.

The year 2008 was also shrouded with public debates around the controversial Land Bill seeking to amend the 1998 Land Act. The Religious Leaders [Catholic Bishops] especially

have urged the government not only to go slow on this but also to consult widely. In response, the government attempted to consult though very narrowly. For instance, out of the current 82 districts, reportedly poorly attended consultation workshop/seminars were done in only 22 districts leaving out 60 districts. This obviously means the views articulated from such fora can not be taken in any way to be representative.

The sensitivity of this proposed bill can be best seen by what transpired with the Committee of Parliament tasked to scrutinise this bill. The said Committee got divided and even sub-divided leading to the submission of two separate reports – the main and the minority reports.

Over reaction of the government was another cause of concern of Ugandans in general and Buganda government and communal land owners in particular. The over reaction of the state was seen in the arrest and subsequent detention in diverse places in Western Uganda in July 2008

Narrowing of space where people could peacefully assemble and address rallies and unilateral pronouncement by Resident District Commissioners like that of Amuru prohibiting rallies by elected leaders over land were some the over reactions by the state. All these put together, can only be subjected to interpretation. Such interpretation is likely to be varied and could be recipe for social unrest and instability especially when the government who should be telling us the all truth is perceived other-wise.

The Acholi land poses yet another dimension to the run-away un-resolve northern Uganda conflict. It was not, therefore, surprising that the government deemed it unfit to consult in Acholi sub-region over the Land Bill. Some districts in the Acholi sub-region have come under spot light on this. Amuru district has lately during the year attracted a profound interest of investors buttressed by the state to acquire for free swathe of land ostensibly for development. This was done without regards to the views of the communal land owners who were still holed up in the idp camps. A case in point is that of the sugar mogul Madvhani where the Cabinet reportedly in their February 2008 meeting ordered that Madvhani be given 20,000 hectares for building sugar factory and cane growing. This cabinet move provoked a lot of emotions in the population leading the elected leaders spear heading a resort to the Courts of law.

In conclusion, as we say bye to the current year and welcoming the new one 2009, we all including government need to do a serious reflection on what we have done well so as to continue with in the new year; the reflection should also help us to correct were we could have been wrong in the attainment of our goal or perhaps approach so as to make amends with the aggrieved parties. This should be done by swallowing our pride in the name of harmonious co-existence for God and Our Country.

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PILGRIMAGE TO PAIMOL.

By Anena Lucy.

Following the signing of the Cessation of Hostilities (CoH) between the Government of Uganda and the Lords Resistance Army on August 26, 2006, the Northern region has experienced relative peace. With the guns falling silent on both side, people have slowly began adapting back to life away from the camps.

On the religious front, ever since two martyrs were beatified by John Paul II, Paimol has been beehive of activity especially when Christians make pilgrimage every year on October 20 to Kalongo, 70km from Kitgum to a place later named *Wipolo*.

to world-famous sites, as well as visits to places sacred, perhaps, only to the individual. Yet, solemn or playful to somewhere far or near, or simply within, pilgrimage entails mindfulness - a soulful presence that summons meaning to the surface. *Pilgrimage* showcases an exquisite, diverse array of such spirit-renewing journeys, as told by pilgrims of all kinds. From Egypt's Mount Sinai to Tibet's Mount Kailash, from the birthplace of the Virgin Mary to the site one's brother "fell to the earth,"

On Holy Pilgrimage – a long journey for freedom is a beautiful true story about how two young men, Daudi Okello and Jildo Irwa, dared to have a dream. Their dream was to go to Paimol and spread the gospel



Girls perform the dingidingi dance. Such has been possible with the prevailing peace.

Pilgrimage comes in all forms: traditional and unconventional, religious and secular, intended and unintended. It includes trips

of the Lord Jesus Christ to the people, in 1917 after being commissioned by Fr.C.Gambarreto.

It was on a Sunday morning when we all gathered at 8.30am in front of our office for the journey to Paimol. The day was very cool, and in some parts of the districts, there were heavy rains. The road was a little bit good. We reached Kalongo Town council at 12.00 noon and we went to the restaurant where we had our Lunch. While the 'wise ones' thought of getting accommodation first but the others thought of eating first. After the meal, getting accommodation became a problem because most of the places were already booked by the pilgrimage.

accommodation, she accepted. Despite her old age, she carried herself around with the agility of a teenager. When she came back, you could tell from the expression on her face that her trip was unsuccessful. She however told us that an alternative could be found. Finally, we managed and got accommodation and they were all double but affordable.

After getting accommodation we decided to have a nice look at the beautiful town and mountain, the Jabu Labor Mountain which stands an MTN mast and a big holy crucifix



Grave of the two young martyrs, Jildo Irwa and Daudi Okello.

We tried two places but all in vain until we met a lovely elderly lady called Ajuu who was from Church and said,

“Ah lotina man obino? Aa wa pwoyo bino”

Meaning my children thank you for coming. When we asked her if she could get for us

on top. Others decided to climb the mountain but some proceeded to Paimol to have view of this wonderful place full of miracle. On our way to Paimol we met some pilgrims from Gulu on foot and were so tired. One of them who happened to be a soldier almost failed to walk and was really limping because he used gumboots that gave blisters on his feet.

When we reached Paimol we first went straight to greet the first pilgrimage who had arrived from Kitgum led by a Rev. Father, and then went inside the beautiful Church built from rocks only. After prayers, we proceeded to the shrine where the two catechist's remains were buried.

Inside the house we got Rev. Sr. Angelina, two elders and a catechist organizing the place where the two martyrs were buried. She told us a brief history of how these two young catechists were murdered, after which we prayed and left.

When we got out of the shrine it was threatening to rain seriously and in some parts of the area it was already raining.

On the day of the celebration, we prepared and arrived early at the venue. The skies were sombre and moody, looked like raining. There were already lots of people crisscrossing; some walking towards the place where the two martyrs were buried, others into the church, businessmen and women selling snacks, water, while others were being directed to the respective seating places. There were also priests seated at different corners of the venue administering the sacrament of penance as well.

Each time, I thought the rain would disrupt the mass, we were always reminded that it never rains at *Wipolo*. Indeed it never rained seriously, but a slight drizzle.

However, it rained along the way, forcing several of the invited guests' arrival delayed including the main celebrant of the mass, the Apostolic Nuncio to Uganda, His Grace, Archbishop Paul Tschang. The mass finally began midday.

Other co-celebrants of the day included His Grace Arch-Bishop John Baptist Odama, Gulu Archdiocese and his auxiliary Bishop Sabino Odoki as well as retired Cardinal Emmanuel Wamala of Kampala Archdiocese.

When the mass finally ended, everyone departed to their respective homes, having woken up to a new life in Christ symbolized by the death of the two martyrs.

ENDS

“Land Issues in Acholi in the Transition from War to Peace”¹

Ronald R. Atkinson
University of South Carolina

“What do you think of this unpopulated place? Couldn't it be utilized for growing food, cash crops and ranching to improve our economy, being such a fertile area?”

The northern Uganda war that began in 1986 has devastated that region, and eventually spilled over into neighbouring South Sudan and, more recently, the Democratic Republic of Congo (DRC) and Central African Republic. Civilians – as in all such wars in the later 20th and early 21st centuries – have been caught in the middle as the war's greatest victims. Many thousands have been abducted, mutilated, raped, wounded, and killed. By 2005, nearly 2 million northern Ugandans had been driven from their homes and fields and forcibly relocated into squalid, disease-ridden camps, mostly unable to cultivate and dependent on food aid for survival – almost the same number of displaced as in the much more widely known case of Darfur. After visiting northern Uganda during this period, the then-UN's chief humanitarian officer, Jan Egeland – a man who knows humanitarian disasters – referred to the situation in northern Uganda as a “human tragedy,” “a moral outrage,” and “the biggest neglected humanitarian emergency in the world.”²

At its peak, the war extended over a vast area of northern and eastern Uganda, as well as neighbouring countries, but its

epicenter, with the largest concentration of people in the camps (over a million people, more than 90% of the population) has been the four districts of Acholi. The relative, de-facto peace that began with (or actually prior to) the Juba peace talks in mid-2006 has led to the return home of the vast majority of people in war-affected areas outside Acholi. In Acholi, however, many have remained wary, and have kept at least one foot in the camps even as they begin venturing out to – or at least nearer to, in what are termed “satellite” or “decongestion” camps – the communal land that they occupied before displacement.

On 30 November 2008, Joseph Kony failed – once again – to sign the Final Peace Agreement negotiated in Juba between the Lord’s Resistance Army/Movement (LRA/M) rebels and the Government of Uganda (GoU). The peace talks in Juba were a long, sometimes halting, and often contentious process that began formally in July 2006 and continued into 2008. The failure to obtain Kony’s signature (and, as a result, the signature of Pres. Museveni as well), worries many, and has contributed to the still sluggish pace of people in Acholi returning home to their customary land. The absence of these final signatures has cast an ominous shadow over the future of the Juba peace process, as well as placing in jeopardy the fate of the agreement that the two sides signed onto earlier in the year. This agreement contained some impressively comprehensive components that, if actually and fully implemented, would contribute to a real, sustainable peace.

Fortunately, the GoU is on record, both before and after Kony’s failure to sign, as having affirmed its commitment to implementing the agreement even without final signatures.

But even with the continuing uncertainty and frustration caused by the absence of final signatures to the peace agreement, 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 that has come to 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.

To be successful, the transition now underway will require – most basically – building a sustainable peace and reconstructing a northern Uganda ravaged by two decades of war. Doing so presents a daunting array of challenges. This paper first notes briefly a number of these challenges, before turning to a more detailed discussion of perhaps the most crucial challenge of all: land. This part of the paper begins by looking at recent and current issues and debates surrounding displacement, return, and threats to Acholi land. It continues with a foray into some earlier debates over Acholi land; then presents a brief discussion of the basic characteristics of Acholi customary land; and conclude with a quick look at two ideas that could help secure land rights in Acholi – an Acholi Communal Land Trust and participatory mapping of Acholi communal land boundaries.

Some basic challenges involved in building sustainable peace and reconstructing northern Uganda

One of the first conditions necessary to build sustainable peace and begin reconstructing northern Uganda will be for the government not only to make good faith efforts to implement the peace

agreement (even without final signatures), but to be seen as doing so, especially with Agenda Items 2 and 3 on “Comprehensive Solutions” and “Accountability and Reconciliation.” Empty rhetoric or purposeful neglect concerning these parts of the final agreement – particularly those aspects that entail scrutiny of government accountability or require commitments to address existing regional and ethnic disparities – will not suffice, and, at least in the long run, will undermine peace in northern Uganda in general and in the Acholi sub-region – the epicenter of the war – in particular.³

Sustainable peace, meaningful implementation of the final peace agreement, and reconstruction of the north will require major – and expensive – economic and infrastructural development. Major investments will be needed to transform crowded, squalid camps into more livable, sustainable urban or peri-urban communities. And throughout rural Acholi, boreholes and other safe water points need to be established or reestablished; rural health clinics and schools need to be built and staffed; road networks and the electricity grid need to be improved and extended.

A major government program ostensibly intended to address such needs – the PRDP, or Peace, Recovery, and Development Plan – was launched by the GoU in October 2007. A soon-to-be published report on the plan by the Refugee Law Project, more than a year after the plan was launched, finds an opaque process unfolding in a slow and confusing way, with no explanations or criteria for how projects for funding are to be selected, and no mechanisms in place for monitoring or evaluating those projects. A prominent local politician in Acholi characterized the PRDP as like rain at the beginning of the rainy season: Rain is

promised, but it might or might not fall; it might fall in one place and not others; it may not fall at all. This metaphor conveys both the uncertainty of PRDP, but also the absence of any control on the part of those on whom the “rain” may or may not fall. And, the first PRDP-funded local budget item that the researcher found, after months of interviewing local government officials, was money to build a road in Mbale district (far from the conflict-affected areas of northern Uganda that were the original target of the plan, after the area to be covered was expanded for political reasons to more than double the original 18 districts). And according to a local government official in Mbale, the road was from Mbale town to the village of a central government politician from the ruling party.⁴

Along with infrastructural development – if ever forthcoming – sustainable peace in Acholi will also require the building (or rebuilding) of public trust in virtually every governmental, political, and civil society institution and organization in the sub-region. Numerous surveys as well as everyday conversations in Acholi over the past several years demonstrate a fundamental lack of public trust in almost all realms of institutional life.⁵ This lack of trust – for which there are many understandable and legitimate reasons – encompasses elders and the cultural leadership embodied in *Ker Kwaro Acholi*, UN and non-governmental organizations, local government, and most of all, national government and its army.

Economic and infrastructural development, along with the building of some degree of public trust in civic and public institutions, will help – though it will not be sufficient – to incorporate (or re-incorporate) northern Uganda and its economy back into Uganda as a whole. Anthropologist Sverker Finnstrom’s work with young people in

Acholi indicates that many feel cut off and cast aside from the larger Uganda.⁶ Long-term sustainable peace will require that the people of Acholi and northern Uganda more generally, feel that they are getting a fair shake, and fair opportunities, from their shared Ugandan citizenship, and thus feel a stake in the country as a whole.

Long-term sustainable peace will also require listening to what people in the north say is important to them, to what they have experienced, to what they want and need – about reconciliation and accountability; about those who lead and govern; about exclusion or inclusion in Uganda; about land; and more.⁷

However important these elements are in reconstructing northern Uganda and building a sustainable peace there, none will be ultimately meaningful – or even possible – without security, the lack of which was one of the most debilitating aspects of life for most Acholi during the long years of war and encampment.

As a recent UN report on displaced people states: “The first pre-condition for achieving sustainable recovery and resettlement displaced populations is the challenge of ensuring security and protection, and the elimination of the circumstances and occurrences that generate dispute and conflict. . . . When people have security where they live, they are better able to manage the space, and engage in activities that will reduce, rather than increase their vulnerability.”⁸

Especially in Acholi, most people have still not felt enough sense of security to leave the internally displaced persons’ camps into which they were forced by the government to move and (until just over two years ago) to stay. The latest failure of Joseph Kony to sign the Juba peace agreement will not help in this regard.

Statistics concerning the camps and returns in Acholi are not always reliable. But the UN report issued at the end of October 2008 on return indicates that only about one-fourth of the displaced people in the Acholi sub-region have returned to their original home areas (while another third have moved to satellite or decongestion camps).⁹

In order for significantly larger numbers of people to leave the camps and return to their original homes and land, they will need – and need to feel – basic physical security, from possibly returning LRA, from common criminals, from possibly violent disputes with neighbours or others over land, and, in eastern Acholi, from raids by pastoralists from neighbouring Karamoja. All pose security threats (and the threat from Karamoja will almost certainly grow, as pressures on increasingly degraded land and water resources continue). There have already been instances of people who have left the camps and fallen afoul of criminals, neighbours or others disputing their presence, or Karamojong raiders, after which numbers of households have returned in fear to the camps, while others continue to remain (or at least maintain one foot) in the camps because of concerns over the safety of relocating to more isolated homesteads outside.¹⁰

So security, physical security, is crucial for the return process. As the UN report quoted just above makes clear, however, “security” does not refer only to physical safety: “Security of tenure and access to land is therefore a central issue . . . , in particular with reference to displaced populations. Secure tenure is crucial . . . to minimize vulnerability of populations to future crises, with key elements of protecting the land and property rights of affected/displaced persons, and developing longer term solutions for land

and property dispute resolution.”¹¹ This is certainly true in Acholi.

Displacement, return, and threats to Acholi land

The issue of people in Acholi leaving the camps and returning home was initially broached by the GoU in late October 2006, four and a half months into the peace talks in Juba and after nearly a year without rebel attacks on civilians in northern Uganda. And this was done in typical government high-handed fashion – announced in a 30 October front-page article in government-owned *The New Vision*, with little or no consultation with local government, NGOs, or civil society in Acholi. The announcement signaled the abrupt reversal of the government’s long-term policy of forcing people in Acholi to stay in internally displaced persons camps, stating that the people would be forced (rather than be free) to leave the camps by the end of the year, after which the camps would be destroyed. The next day, 31 October, the same message was repeated on the front page of the opposition *Daily Monitor*.¹²

Also on the 31st, the Minister for Disaster Preparedness, Prof. Tarsis Kabwegyere arrived in Gulu for two meetings with local government officials and local and international NGOs (called at the last minute without prior notice or consultation). In the meetings, both the Minister’s message and tone were arrogant and dismissive, as he brushed aside questions raised by many in the meetings about security and other concerns that could hinder people leaving the camps, insisted that people must leave, and refused to clarify – despite several requests to do so – whether the government actually meant that camp dwellers would be forced to leave the camps, which would abrogate government and international policies on

internally displaced persons, or would be free to do so.¹³ Only later, under considerable donor, UN, and NGO pressure, would the GoU “clarify” its position as one of “supporting” and “encouraging” voluntary return.

As large-scale return failed to materialize after this sudden government shift in policy (and the peace talks in Juba entered a long hiatus), the last six weeks of 2006 and early 2007 saw the flaring up of a long-simmering debate over the future of Acholi land, one that has periodically sparked since. Occupying prominent space in both of Uganda’s English-language newspapers, the debate is typically framed in terms of whether or not there is abundant, available (sometimes characterized as “empty”) land in Acholi that should be opened up for investors, large-scale commercial farming, and other forms of “development,” and the degree to which Acholi land is under threat from such interests.

The opening salvos were fired, on one side, by Acholi MPs and local government leaders. Pointing out that the rightful owners of the land were mostly still in the camps, many Acholi political leaders claimed that both the GoU and private interests threatened this largely unoccupied Acholi land, and vowed resistance. GoU officials and supporters, on the other hand – and sometimes almost as vehemently – denied any such threat. The argument raged over the rest of the year and into January 2007, as evidenced by *The New Vision* printing nearly 40 articles, opinion pieces, and letters on the topic, and the *Daily Monitor*, 25.¹⁴

The debate has simmered, and sometimes flared up, since, although often over the past nearly two years, it has been both subsumed under and overshadowed by the fierce contest over amending the Land Bill,

pitting the central government against especially the Buganda establishment.

For the vast majority of Acholi in the camps, the only productive asset they “own” is the communal land to which they have rights, and regaining secure access to that land will be one of the single most important factors determining sustainable peace, reintegration, and recovery in the region. But concerns and questions about land constitute one of the dominant features of life in Acholi today, including the basic issue of land access (especially for the most vulnerable segments of society such as widows and orphans).

Central to these concerns has been highly public pressure from central government (including the President personally) for the opening up of Acholi land to investors, large-scale commercial farming, and other forms of “development.” The most prominent example of this has been pressure beginning in early 2007 to allocate initially 40 000 hectares, and more recently 20 000 hectares, of land in the westernmost Acholi district of Amuru to the Madhvani group for a sugar cane plantation.¹⁵

This has been opposed by most Acholi parliamentarians, local government officials, and others in the region who have argued – reasonably and persuasively – that people need to be back home on their land before any such alienation occurs. The latest episode in this saga can be followed in the *Daily Monitor* beginning on 13 November 2008, when the paper ran a story indicating that, despite overwhelming local opposition:

The Cabinet has ordered that some 20,000 hectares of Acholi land be given to Kakira Sugar Works Ltd for sugar growing as a matter of urgency, *Daily Monitor* can reveal.

Daily Monitor has obtained a Cabinet memo . . . which . . . approved the allocation of the land in question with a proposal for government to acquire a 40 per cent stake in the deal . . . the Cabinet . . . said in a letter dated February 26 [2008].

And the letter ends with the most devastating element of all in the proposed deal. Instead of being able to access and use communal land that is theirs by both customary right and Uganda land law (and I again quote): “The local population will be allocated land by the relevant authorities to become out-growers for your factory.”¹⁶

Less than two weeks later, on 26 November, the *Daily Monitor* reported that Nwoya MP Simon Oyet and Amuru residents had successfully secured a court order stopping any transactions on land in Amuru District. This was despite an Amuru District Land Board resolution the week before to give the land in question away to the Madhvani Group.¹⁷

Then, with the last word (at least as this was being written), Government in a statement to Parliament on 1 December by the Lands Minister, Omara Atubo, denied land grabbing in Acholi but unequivocally backed the allocation of the 20,000 hectares of land to Madhvani.¹⁸

This long-running saga of central government plans to alienate land for large-scale commercial sugar cane farming has been accompanied by powerful individuals gaining, or attempting to gain, private title to land that overwhelmingly belongs to communal land-holding groups. One example of this can be seen in a short newspaper article that appeared earlier this year, under the heading “Govt gives Amuru farmers Shs 1b” (about half a million dollars). At first glance, the headline

seems positive. The Government has made commitments to reconstruction and development in war-affected areas of northern Uganda; the headline suggested Government action related to that commitment. But the story beneath the headline (and the story behind the story) indicates something quite different.

The billion shillings were going to a group called the “Amuru District Commercial Farmers Association.” It is made up of 20 individuals with large private land holdings, up to 20,000 hectares or more – at least some, if not most, of which are on customary communal land. The 20 include high ranking army officers and government officials, including parliamentarians (it should be noted, from both the ruling party and the opposition). Each of the 20 members of the Association is required to clear 2 hectares of land for each of 20 Amuru displaced households. These households would initially have access to this land for free, but in subsequent years they would be required to pay “interest” – again, on land to which most of these households have traditional communal rights, which they will now be required to pay private land holders to occupy and farm. One member of the Association, an army officer, has been widely accused of evicting scores of families from their land. Another officer was almost lynched by angry local people when he tried to claim 10,000 hectares of communal land, and subsequently had this attempt blocked by the courts.¹⁹

And the Land Board appointed to oversee land issues in Amuru has gotten in on the act as well, as in September the *Daily Monitor* reported: “At least 10,000 people face eviction after Amuru District Land Board officials applied for personal acquisition of an estimated 85,000 hectares of land.”²⁰

The extent to which all of this seems so threatening and ill-considered is reflected in a report on land policy in post-conflict northern Uganda that the World Bank – hardly an opponent in general of commercial farming or private ownership of land – is about to issue. The report’s first two, of three, main recommendations – the 3rd encourages greater central government investment in the north, beyond the PRDP – are: (1) “Cultivating a desired level of trust in the people over land issues through administrative and other procedures that demonstrate explicit government commitment of protecting land and natural resource rights of IDPs [internally displaced persons] on return.” And (2) “Government needs to put an immediate moratorium or suspend the issue of land titles to investors or any other persons who wish at this particular time to acquire legal interests in land in Acholi and [neighbouring] Lango regions until IDP return is completed and sensitization on land rights in both areas has taken place.”²¹

This is not what has been happening thus far. ***(To be continued on P17)***

THE UGANDA ELECTIONS 2011: LEAVE THE SKULLS TO REST IN ETERNAL PEACE.

By Paulinus Nyeko.
Chairman, BOD HURIFO

In 2011, Uganda will hold Parliamentary and Presidential elections. Many Ugandans are harbouring fears in their hearts and minds on the forthcoming elections judging from the results of the past elections of 2001 and 2006 in which there were widespread rigging and intimidation. The recent by- election in Kyadondo North is another case too fresh in the minds of sober Ugandans to be forgotten, in which the NRM candidate was declared winner with just a paltry

margin of 60 votes despite the report that some people were caught red handed stuffing ballot papers in the box of the NRM candidate.

The question that continues to disturb the minds of voters is, what guarantee is there that the 2011 elections will be devoid of such riggings and intimidations by organs of the state?



Skulls from Luwero Triangle should be left to Rest in eternal Peace (Internet photo)

In many developing democracies, there are many threats against free and fair elections. This is because many incumbents are not prepared or willing to surrender power when their term of office expires. Some leaders even go to the extent of treating the country as their personal estates. Prominent cases that can be quoted are Robert Mugabe of Zimbabwe, Mobutu Sese Seko (RIP) of Democratic Republic of Congo, Kamunzu Banda (RIP) of Malawi, Mengistu Haile Mariam, to mention but a few. In such cases when the leader falls, the country is thrown into chaos and bloodshed resulting from widespread reprisals from those that feel that they were oppressed or sidelined in the operations of the regime.

In my earlier article carried in the previous Examiner Issue No. 3 titled "The Uganda Elections 2011: Lessons to learn from

Kenya and Zimbabwe" that appeared in the third issue of The Examiner, I raised a number of issues which needed to be urgently addressed if the 2011 elections have to be free and fair vis-à-vis:

- Need to amend the electoral laws.
- Appointment of an impartial Electoral Commission.
- Updating voters registers.
- Level ground for Political Parties to operate freely.
- Effective system for election monitoring.
- Exclusion of army from active body politics.
- Need for civic education to voters as opposed to mere voter education.

To date, these important issues are not being addressed by government and yet elections are just about two years ahead, which indeed is a very short period. These are very serious matters which need to be addressed by the government as a matter of urgency if we have to avoid chaos such as the ones which characterised Kenya and Zimbabwe during the December 2007 and January 2008 elections respectively.

For elections to be free and fair, we also need total peace and tranquillity of the mind. Past elections in which photos of skulls of the Luwero Triangle war victims were published in the newspapers where the perpetrators were alleged to have been Northerners, was actually intended to alienate the Northerners from the rest of Uganda as people not to be allowed to come anywhere in the power structure of this country. Indeed the publication of photos in the newspaper did a lot of damage to the image of the Northerners. For God's sake and for the sake of nation building, such negative publication should stop. Otherwise if we have to retaliate, the catalogues of atrocities committed by the NRA (now UPDF) could also be exposed like the Mukura massacre, Burcoro,

Pakawera and Attiak massacre to mention but a few.

In order to avoid this kind of scenario, which only goes to put government in bad taste and image, it would be in the interest of reconciliation and peace building in the country to leave the skulls of Luwero Triangle to rest in eternal peace and not use them as weapons for winning elections.

ENDS

CORRUPTION IS IT LIKELY TO BE ERADICATED?

By Omona Julius Philip

Corruption is not an easy matter to deal with. It is a unique phenomenon in the human society associated with theft, fraud, embezzlement, misappropriation and so on. In itself, it is a moral debasement which uses fraudulent ways of manipulating things for selfish gain.

Today when you talk about corruption especially in Uganda, even in very remote areas people understand you very well. This shows the extent by which it has spread. Corruption is like a jigger in the human foot. It keeps on extending its grazing ground. It has a contagious influence to lure even state hands and the police as well as law makers. The tentacle by which it grabs people is money.

Many people fall into its trap because of poverty, but others out of insatiable/excessive greed. The mismanagement of the Global Fund meant to fight TB and HIV/AIDS, NUSAF (Northern Uganda Social Action Fund, employment of ghost workers in some departments are a few examples of corrupt practices on account of excessive greed.



HURINET newsletter photo

Corruption started a long time ago even before Christ was born and is still continuing. In the Old Testament, Gen 27: 1 – 29, we read that Jacob, the younger son of Isaac managed by fraudulent means to steal the blessing that his father had intended to bestow upon his elder brother, Esau.

In the New Testament, in St Matthew 27: 3 – 4, we read the story of Judas Iscariot who betrayed Jesus for thirty pieces of silver. Similarly, in the Acts of the Apostles 5: 1- 4 we get the story of a man called Ananias and his wife called Sapphira. They sold a piece of land for money to be given to the church but by sheer greed, hid part of the money. Consequently, they provoked God's anger which killed them instantly.

The corruption that we see now therefore is not a new phenomenon but rather a rolling ball set off by our ancestors, it is gathering moth with the weight continually increasing and threatening to crash anyone that stands on its way. So the question remains, is it likely to be eradicated? The correct answer is left to anybody's quest. But what we see is that despite the NGOs joining hands with the government to fight it, its strength seems to be increasing. Maybe because of the overt lack of political will in handling very

high ranking government and party officials who should in fact join hands in fighting it.

Thus, fighting corruption should not only be direct that is by arresting and imprisoning the culprits, but rather indirect, by fighting poverty which is the major cause of corruption. This can be done by increasing the minimum wage to a level which can make a worker sustain himself and his/her family for at least a month and enable him/her send children to school with all the requirements, pay rent, purchase most essentials in the home and finally should be able to save. This strategy if followed may make corruption at least be reduced considerably.

ENDS

ONE HUNDRED THIRTY THREE HUMAN RIGHTS VOLUNTEERS TRAINED

By Goretti Okello Odoki



LC V Chairman Amuru District Atube Omach addresses the participants during the Workshop. On his left is HURIFO Executive Director, James Otto

With the ever increasing need to have people knowledgeable on their rights,

Human Rights Focus (HURIFO) in the year 2000 recruited, trained and placed one volunteer per parish in the districts of Gulu and Amuru. Subsequently, with funding support from the Swedish NGO Foundation for Human Rights, an additional

one hundred thirty three Human Rights Volunteers (HRVs) were recruited and trained in the same districts. Thus in the end each parish had two volunteers, a male and female. The female volunteers were to pay special attention to female victims of human rights who may not be very comfortable sharing their problems/experiences with male volunteers. The exercise of recruitment, training and placement took place in June 2008 and thereafter were sent for facilitated community sensitisation which lasted for three months from June to September 2008

HURIFO held a one week review workshops from 22nd – 29th October 2008 for these volunteers at the District Council Hall, Gulu. The aim of the review workshop was to bring the volunteers together so that they could share practical experiences from actual work carried out in the

field.

During the workshop, the Chairman Board of Director, HURIFO, Paulinus Nyeko on behalf of HURIFO Board members thanked the district leaders of Gulu and Amuru for the continuous support rendered to HURIFO and hoped that the cooperation would continue.

The workshop for group one from Amuru was officially opened by LC V Chairman Amuru District, Hon Atube Omach. In his opening remarks, the Chief Guest pointed out that human rights were God given irrespective of tribes, culture, race, sex social status or political affiliation thus needed to be protected and guarded.

“In the quest to protect and promote human rights, the Government of Uganda had entrenched in its Constitution issues of human rights and has gone ahead to establish Uganda Human Rights Commission (UHRC) specifically to address issues of human rights violations and abuses,” Atube continued.

He noted that UHRC was over whelmed by cases of Human Rights violations and abuses hence registration of other NGOs to handle these issues. The Chief Guest also added that to be a Human Rights Activist one has to have self esteem and to abide by the commandment of God, Love your neighbour as you love yourself or do unto others what you want done unto you.



RDC Amuru District, E. Y Komakech hands over a Certificate of Attendance to one of the volunteers

Human dignity is one of the fundamental principles of human rights implying that whatever actions we take must be with utmost respect for people. As Human Rights Activists, the volunteers should be guided by the National and International laws in the course of carrying out their duties and should address issues of human rights with zeal despite the challenges out there.

Finally, Atube thanked the participants for volunteering to be Human Rights advocates and the Executive Director, HURIFO for championing the advocacy for human rights in Amuru District.

The second workshop involving volunteers from Gulu was opened by the Vice LC V Chairperson Gulu District, Hon. Makmot Kitara. He began by thanking individuals and organisations who had continued to make the effort of Human Rights a success. On behalf of the district, he further he thanked the Swedish NGO Foundation for Human Rights for the continued support to HURIFO and

extended his thanks to HURIFO for being focused and result oriented.

He informed the participants that under the leadership of LC V Chairperson, Hon. Norbert Mao, Gulu District was focused on achieving peace in the region and added that one of the ingredients of peace was the observance of human rights thus Gulu District Local Government was strongly behind the work of HRVs. He requested the office of HURIFO and HRVs to come up with different interpretation of rights in Luo because the current interpretation of rights, 'twero' was authoritative hence causing conflicts between parents and children, teachers and pupils/students.

The workshops were closed by the RDC of Amuru district and Chairperson BoD, HURIFO for Amuru and Gulu groups respectively. In his closing remarks, the RDC said that Human Rights violations in Uganda went as far back to the colonial time and had continued from regime to regime. He cited land wrangles being the biggest problem in Amuru District. He urged HRVs to report to HURIFO or his office anyone barring anybody's return to the original homes. The RDC noted the effort invested by HURIFO in the protection and promotion of human rights being felt at the grassroots and urged volunteers to continue sensitising the community about rights. He also thanked the Swedish NGO Foundation for Human Rights for the funding support.

The Chairperson BoD HURIFO, Mr. Nyeko Paulinus in his closing remarks for group two thanked the participants for their active involvement and urged them to work hard and read widely so as to be well informed and confident. He continued that as the population were returning from camps to original homes, the main issue was land and noted that there were some people blocking others from returning to their

homes yet the law stated clearly that everyone should return to where he/she was staying before moving to the camps and added that volunteers had the role of making this information clear to the people. He advised the volunteers to be courageous and report any local council leader who may try to block their work to the office of HURIFO.

At the conclusion of the workshop, the participants were presented with certificates of attendance.

ENDS

YOUTH AND SUSTAINABLE LIVELIHOOD IN NORTHERN UGANDA

By Joyce Auma

For more than two decades, the Conflict in Northern Uganda has disrupted social structure and destroyed livelihoods and employment opportunities. A generation of



Unprocessed honey from ADO group sponsored by HURIFO

youths have grown up in internally displaced persons (IDP) Camps amidst Poverty and insecurity and without access to reliable services including health, education, food, clothing and shelter among others.

In addition to wide spread exposure to violence, the youth in the North have had

limited access to primary education and almost no access to higher education. Thus, as the youth look towards peace, recovery and return, majority face the challenge of securing a livelihood with little or no formal education or training.

The conflict in Northern Uganda has disrupted social structures and destroyed livelihoods and employment opportunities especially for the girl child leading to early pregnancies, early marriage and the demands of household responsibilities thus encountering greater obstacles to accessing education than their male peers.

International support for Vocational Training programs has grown in recent years as the destabilizing effect of youth unemployment is increasingly recognized as a significant challenge to post-conflict reconstruction.

Vocational training prepares and arms learners with practical hands on experience in fields including carpentry, bee keeping, tailoring, brick making, masonry and counselling in HIV/AIDS among others.



A local blacksmith at work. Such skills can be developed through vocational training.

In regions where peace is tenuous, large populations of unemployed youth can contribute to continued instability and threaten the peace process. Thus,

Vocational Training programs targeting young people in general as well as specific sub-populations such as ex-combatants and the most vulnerable have become increasingly common. Youth consistently demand programs that provide tangible skills and improve livelihood opportunities since Vocational Training is uniquely positioned to meet demands and the broader goals of reconstruction.

In conclusion, Vocational Training is at the intersection of economic recovery, education, rehabilitation and reintegration. It can be a key component of development, a method for up-grading the work force and a factor in holistic development of youth.

ENDS

GOING DOWN DEATH LANE.

By Emmanuel A. Okello

The battle continues in Uganda as to whether the capital punishment or rather the death penalty should be upheld or abolished from the Constitution. The term *Capital* was derived from a Latin word *Capitalis* literally meaning “regarding the head.” Thus capital crime was originally punished by severing the head. Several Human Rights Organisations have come outright against this form of justice which they observe as a violation of fundamental human rights, like the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment.

In Uganda, among the offences punishable by death include; treason contrary to Section 23 (1), (2), (3) and (4) of the Penal Code, smuggling where the offender is armed with, uses or threatens to use a deadly weapon, Section 319 (2), detention with sexual intent, where a person having authority to detain or keep the victim in custody participates in or

facilitates unlawful sexual intercourse, Section 134 (5), murder contrary to Section 189 of the Penal Code, kidnapping with intent to murder contrary to Section 243 of the Penal Code Act, rape contrary to Section 124 of the Penal Code Act, defilement contrary to Section 129 (1) of the Penal Code Act, robbery with aggravation contrary to Section 286 (2) of the Penal Code.

On the other hand, the military setting though the Uganda People's Defence Forces Act does have offences that may culminate into the death sentence including; treachery, mutiny, disobeying lawful orders, failing to execute one's duties, offences relating to prisoners of war, cowardice in

action, offences by persons in command when in action, breaching concealment, failure to protect war materials, failure to brief, offences relating to security, spreading harmful propaganda, desertion, offences relating to convoys, losing, stranding or putting vessels in danger, wrongful acts in relation to aircraft, inaccurate certificate, dangerous acts in relation to aircraft and/or attempt to hijack aircraft

Some sections of society have argued that the death penalty 'protects' society from wrong elements and future criminals would think twice before indulging in such crimes. However, others believe that a prison is supposed to be a home to rehabilitate criminals. When these prisoners are reintroduced back to society, they may then fit with the cultures and norms of that setting.

A Human Rights Watch report stated that the number of persons condemned to death in Uganda rose from nearly 300 at the end of 2001 to 354 in December 31, 2000 and 399 by June 2003. The same report also came out that at present, there

are more than 1,000 prisoners on death row.

According to the Executive director, Human Rights Focus, James Otto, the law of the death penalty is outdated and does not stop crime in any way.

"The law of an eye for an eye, a tooth for tooth is archaic and has not proved to be a deterrent to crime," Otto said.

He further added that victims that were legally executed did not learn any lessons. Rather, if they were served with long term prison sentences, then they could be learning through the bitterness and agony in prison. Thus, through interaction with cellmates and members of their families, they could pass on the message outside that they would not want their relatives or children to suffer what they care going through.

The traditional restorative justice system among the Acholi placed a lot of emphasis on respect and sanctity of life. Corrective measures like *mato oput* ensured a harmonious coexistence in the face of damage and life would go on normally after. There was also an element of compensation to the families of the victims. Other circles attest that the death punishment is actually cruel and dehumanising. In Uganda, the common execution methods include hanging and the firing squad especially in the military justice system. However, there are no statistics to show a drop in crime activity with these executions. An execution could potentially end the life of a breadwinner of a family thus leaving the family in limbo.

Among the remedies that have been proposed for capital punishment include life imprisonment. It is argued that life imprisonment on its own is harsh enough

since one is already deprived of liberty. Hence, prisoners are likely to rehabilitate. The prisoners could be involved in life skills and income generating projects like making handicrafts. Proceeds received from the sale of these items would then be sent to their respective families to support them.

At the end of the day, nobody has the right to give life and take it away other than God.

ENDS

(Continued from P9)

Earlier manifestations of the debate

But debate over Acholi land is hardly new. As noted in a landmark report written by Judy Adoko and Simon Levine, in 1998 “a project initiated by a senior army officer gave loans to a group of farmers for mechanized farming in the Amuru area . . . on privately owned land, without the consent of the landowner.” Then, in 1999:

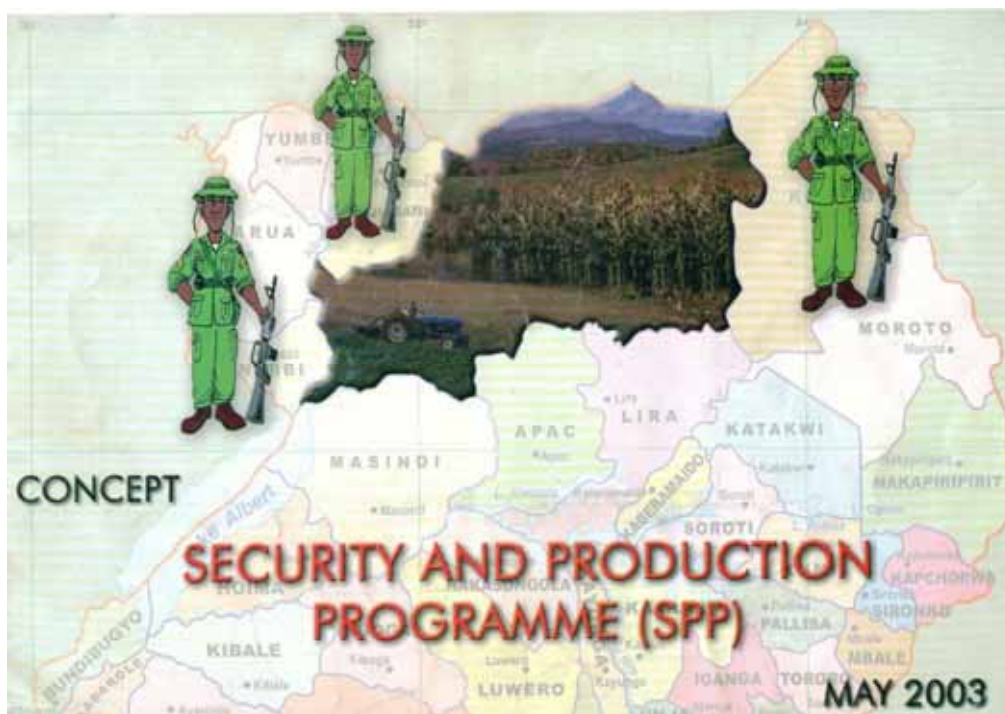
a proposal was distributed by a company for turning Northern Uganda into the bread basket of central Africa, where it was stated “vast, highly fertile lands . . . are available for large scale grain production”. Again, this caused much distrust among many Acholi, as many specific areas of land were mentioned without any contact having been made with the clans to whom the land belonged

to see whether the land would be available.²²

The “company” was the Divinity Union Ltd. It was headed by President Museveni’s younger brother (and then fellow high-ranking army officer), Salim Saleh.²³

Two years later, in a 2001 report, the Acholi Religious Leaders Peace Initiative conveyed the Acholi reaction to the Divinity Union scheme:

During our consultations with people in the camps many expressed the fear that the policy of putting the population of Acholi in camps was a well-calculated move in order to grab their land. . . . [The Divinity Union proposal] highlighted some large



chunks of land in Acholi to be used for large-scale commercial farming. Whether founded or unfounded, the people’s fear of having their land grabbed is real. It cannot be underestimated as an important factor that deepens the already existing rift between the people of Acholi and the National Resistance Movement (NRM) Government.²⁴

In June 2003, Salim Saleh and Divinity Union put forth a sweeping new plan, conveyed in a slick, full-color pamphlet entitled “Security and Production Programme (SPP),” adding fuel to the still-flickering flames set off by their 1999 proposal.²⁵ The pamphlet describes the SPP as: a strategic plan for solving the insecurity in Acholi region. It will work through beefing up local defense using community youth volunteers who are recruited and trained specifically to secure the production areas in which they live. . . . The project is aimed at reducing the workload of the UPDF so that they can be able to concentrate on fighting the rebellion. It is aimed at bringing back other social economic services which have been

It later describes, incorrectly (more below), what it means by communal land:

All land which is not tilled, being grazed on or privately registered is customary communal land. The district land boards manage it on behalf of the people. The Uganda Land Act (1988) [actually 1998] recognizes customary communal land ownership and allows associations to use it for community development. SPP will work together with community leaders, local chiefs and the district land registrar to acquire certificates of communal ownership to the SPUs that will give the project legal status to use the land.²⁷

Finally, the document identifies the central government agencies (not local government or local communities) that, as a “government Project Implementation Unit,” would run the project: the Ministries of Defence, Agriculture, Water Lands and Environment, Education, and Health.²⁸

The essence of the program is perhaps best conveyed in two images from the document (and in this case, each picture is worth a thousand words, especially in

full colour):²⁹



pulled back leaving only the UPDF to operate in the countryside and a plethora of NGOs to operate only in town centers. . . . The second objective is to allow the population to produce their own food and break the dependence on food aid.²⁶

The brochure further states that the “project intervention will be to make use of the communally owned land system predominant in northern Uganda as well as government land to create farms called Security and Production Units (SPUs).”

When the idea of the SPP surfaced, most Acholi MPs, Acholi in the diaspora (as reflected on internet sites), as well as an editorial in the *Monitor* rejected Saleh’s ideas. The next year, the landmark report by Judy Adoko and Simon Levine referenced above included the SPP in a list of what the authors characterized as both “real and perceived” threats. And the LRA/M delegation to the peace talks in

Juba incorporated an expression of concern over threats to Acholi land into their opening statement, which they reiterated when I met with them in Juba in November 2006, bringing out a copy of the SPP document to illustrate the threats³⁰

Finally in this section, it is worth noting that Salim Saleh's interest in Acholi as an area of vast, unpopulated, available, and fertile land predates his Divinity Union proposals by more than a decade. On 5 April 1988, two years after the northern Uganda war began, then-Major-General Saleh was flying by military helicopter from Gulu to Kitgum, on a mission to assess the military situation on the ground and investigate problems that had surfaced with the first of many attempts at peace talks that would punctuate the long years of conflict. As he looked out over the Acholi landscape, with scattered homesteads and fields largely neglected or abandoned by people fleeing the ravages of war, Saleh remarked to reporters Caroline Lamwaka of the *New Vision*, and Catherine Bond of the *BBC* (repeating the prefatory quotation above): "What do you think of this unpopulated place? Couldn't it be utilized for growing food, cash crops and ranching to improve our economy, being such a fertile area?"³¹

Customary land in Acholi

Before displacement, almost all Acholi were peasant farmers who kept some goats and cattle but relied primarily on hoes and other hand tools to grow a variety of crops suited to their grassland environment. Land rights were overwhelmingly customary and communal, not private, and were vested in localized patrilineal clans, or sub-clans. Not all who lived and farmed on communal clan land were clan members. Friends, in-laws, and others could be given access to use – but not own – clan land. And an individual clan member who was also a household head

had personal claim to land that he and his wife (or wives) had under cultivation, or that had been cultivated but was lying fallow, and such rights passed from father to son. But ultimate rights to the land were based in clans.³²

In 1995, the Ugandan government adopted a new Constitution, which in turn led to an extensive new land law that promoted the conversion of customary land rights into freehold (private) property and thus the establishment of a land market. Although the 1998 Land Act provides for *de jure* recognition of customary land rights, it clearly privileges private land ownership. It also created a set of institutions for administering customary rights that effectively bypasses traditional leadership, in effect stripping away locally specific and socio-culturally understood processes of land and resource allocation among family or clan members, processes that often help to ensure land access and food security for at-risk households, including the elderly, women, children, and those losing family members to AIDS, war, or for other reasons.³³

The effects of the new property regime created by the 1998 Land Act remain largely unknown in Acholi, as a significant majority of the population is still in camps. But the Acholi are clearly worried about such effects, most basically about whether or not they will regain secure access to their land. Such worries are exacerbated by myriad related concerns: the many years of forced displacement and absence off the land; the weakening of customary leadership after twenty years of war and the passing of knowledgeable and respected elders; the unprecedented numbers of widows and orphans; the heated, sometimes acrimonious public debate on Acholi land noted above being conducted in the newspapers and elsewhere; strong central government

pressure for land in Amuru District to be provided for a Madhvani company sugar plantation; and the establishment of other large-scale commercial farming or ranching schemes on Acholi land – such as is occurring under the Amuru District Commercial Farmers Association – sometimes protected by the Ugandan army, as the following photo from a 2004 Divinity Union document illustrates).³⁴



Helping to secure land rights in Acholi, I: An Acholi Communal Land Trust

As the vast majority of Acholi before displacement had access to land through customary, communal land rights as described above, it is difficult to foresee any viable approach to land access and security other than to re-establish as much as possible the customary communal land tenure system obtaining before displacement. Doing so will not be easy or without its contentions and disputes; nor will it mean that Acholi are “backwards” or “anti-development,” or that customary communal tenure will remain indefinitely the primary way that Acholi allocate and use land. But to base the process of resettlement, reintegration, and reestablishment of sustainable livelihoods in Acholi on any other starting point, after twenty years of war and as long as twelve years of displacement, seems either naively reckless or intentionally harmful. Indeed, dangerous levels of conflict and

large-scale violation of peoples’ customary and legal rights with regards to land would be potential – even likely – results, including those most vulnerable individuals such as unmarried women and orphans.³⁵

Unfortunately, the combination of a mass of Acholi people debilitated by war, displacement, and extreme poverty; a weak, underdeveloped civil society; an under-resourced local government; a central government that often appears disinterested or even malevolent towards Acholi; and rich and powerful interests and individuals seeking to obtain land for large-scale, commercial farming could produce such conflict and violation of rights.

A crucial first step in reducing the risk of such dangers is a moratorium on any alienation of communal Acholi land for “investment” or “development” until people are peacefully resettled – a position frequently reiterated by Acholi parliamentarians, the Acholi customary leadership (*Ker Kwaro Acholi*), civil society organizations and leaders, local government leaders such as Gulu LC 5 Chairman Norbert Mao, and notably, as indicated above, the World Bank.

At the same time, both *Ker Kwaro* and the local governments of the four Acholi districts (under the leadership of Norbert Mao) have been exploring ways over the past few years to establish an overarching body to help protect, coordinate, and oversee Acholi communal land. Up to now, these two groups have similar, but also competing, ideas about such a body.

In late March this year, as part of a long series of exchanges on this topic over the past few years, Norbert Mao wrote to inform me that after many months of seeking support from numerous sources, a donor government had agreed to meet the costs of preparing a comprehensive policy

document – including draft legislation – that would prepare the way for setting up an Acholi Communal Land Trust. Such a Trust could provide a focal point for NGO and donor involvement in land issues in Acholi, in such areas as legal assistance and training (such as currently being provided by the Norwegian Refugee Council), and other infrastructural development and capacity building.

A primary example of the latter would be for the Trust to serve as the umbrella organization sponsoring, seeking funding for, and overseeing the participatory, communal land-mapping project described immediately below. The Trust would also be the logical repository for both electronic and hard copies of all the maps of communal land holdings generated through the project. Moreover, it is hoped that a communal land-mapping project under the auspices of an Acholi Communal Land Trust would help to bridge existing differences among the cultural leadership and local governments of Acholi concerning such a Trust, and generate broad support for the Trust as **the** appropriate body to protect and enhance Acholi communal land rights.³⁶

Helping to secure land rights in Acholi, II: A proposal to map communal land boundaries

As long ago as 17 January 2007, the *Daily Monitor* reported that the Acholi Parliamentary Group, through its Chairman Livingston Okello-Okello, sought help from the international community to protect Acholi land rights.³⁷ One possible concrete response to this request would be a participatory clan- or communal-land mapping project. As proposed here – and as discussed with representatives of both local government and *Ker Kwaro* for two or three years – this project would begin with a needs assessment and extensive

consultation with local communities. If support was forthcoming, the project would then bring together local government, cultural leaders, local community knowledge of historical clan boundaries, and technical expertise in geographical information systems (GIS), remote sensing, and large-scale data collection. Such a partnership would bring the combination of administrative, political, technical, and community cooperation and support necessary to deal with both the logistical challenges involved and the sensitive nature of land issues in the current context of Acholi.³⁸

While exact procedures would be determined by pilot testing, preliminary fieldwork suggests that the effort should include brief focus group discussions in neighbouring land-holding clans (and sub-clans) about clan history, conducted with small groups of community members, including clan elders, women leaders/representatives, and youth. It is during this discussion (or series of discussions) that an initial sense of each clan's land holding area would be developed.

Clan members would then be asked to draw clan boundaries, including useful markers such as streams, rivers, and roads, on paper maps. Once consensus on boundaries is reached within the clan, meetings would be arranged between this group and neighbouring clans with communal land rights who would have gone through the same process. When adjacent groups concur on the boundary between them (which most local government and cultural leaders say will be the norm, though this will have to be tested), this boundary would be traversed by members of each group along with the research team who would facilitate the use of hand-held Global Positioning System (GPS) devices. The resulting boundaries

would then be plotted on digitized Government of Uganda topographical maps, and both digital and hard-copy maps would be produced.

The project would thus generate both digital and hard-copy documents showing agreed-upon communal, clan-land boundaries, while at the same time helping promote and build community both within and between clans. The maps generated would provide – for the first time – corroborated, documentary evidence delimiting the precise territorial extent of specific communal land rights. Each clan or sub-clan mapped in this way would be given a certified copy of the mapping results, providing each such land-holding unit a type and degree of security that is unprecedented. Assuming that an Acholi Communal Land Trust is established and seen as a legitimate overarching body to protect and oversee Acholi communal land, and land rights, both electronic and hard copies of each clan's or sub-clan's lands will also be deposited with the Trust.

Such documentation would provide the basis for much greater security of communal land-holding rights in Acholi, and could provide the basis for such communal land-holding groups to establish formal Customary Land Associations (CLAs), which would in turn facilitate the acquisition of official certification under the 1998 Uganda Land Law, designated as Certificates of Customary Ownership (CCOs). All of this would add layers of security to land rights in Acholi, which would in turn help protect those rights in future transactions with developers or anyone else outside the customary land-holding group who wishes to utilize Acholi land.

Conclusion

But I have to conclude this presentation by noting that at this critical juncture, neither an Acholi communal land trust nor a participatory communal land-mapping project is moving forward. Local government, with Mao as the key individual, and *Ker Kwaro*, both focused on other issues and seemingly with other priorities, are not talking. Although not nearly as depressing and dangerous as the various threats to land in Acholi, the lack of movement on these two ideas to help protect against these threats seems to me sad and unfortunate.

ENDNOTES

¹ This paper is a revised version of presentations at the conference “Reconstructing Northern Uganda,” under the auspices of the Nationalism and Ethnic Conflict Research Group at the University of Western Ontario (London, Ontario), April 2008; at the annual conference of Friends for Peace in Africa in San Diego, CA, July 2008; and at a session organized by the Public Affairs Office of the U.S. Embassy in Kampala, Uganda, in Dec. 2008.

² Egeland's comments were widely reported – see, for example, *The Guardian* (U.K.), “Northern Uganda ‘world’s biggest neglected crisis’” (22 Oct 2004); can be accessed at www.guardian.co.uk. The situation of the civilian population being caught in the middle of this conflict is conveyed, for example, in the aptly titled report by the Gulu-based Human Rights Focus (HURIFO), *Between Two Fires: The Human Rights Situation within IDP Camps in Gulu District* (Gulu, 2002) – access at www.hurifo.org/publications.html.

³ The Final Peace Agreement (as a series of separate documents) can be accessed at the U.S. Department of State Virtual Presence Post <http://northernuganda.usvpp.gov/downloads.html>. For a discussion of the process, see Ronald R. Atkinson, “‘The Realists in Juba’?: An Analysis of the Juba Peace Talks,” in T. Allen and K. Vlassenroot, eds., *Understanding the LRA: War, Peace and Reconciliation in Northern Uganda* (London, forthcoming, 2009). See also Atkinson, “Building Sustainable Peace in Northern Uganda,” paper presented to the Oxford Transitional Justice Seminar Series (University of Oxford, Nov. 2008); and two articles with the same title by S.

Finnström and R.R. Atkinson in the *Horn of Africa Bulletin* (April 2008) – see link at www.life-peace.org, and *Sudan Tribune* (Paris, 12 May 2008) – at www.SudanTribune.com.

⁴ The forthcoming Refugee Law Project report on the PRDP, “Is the PRDP Politics as Usual,” will be available in early 2009 at www.refugeelawproject.org, where the PRDP document itself can also be accessed.

⁵ See, for example, International Center for Transitional Justice (ICTJ), Human Rights Center, University of California, Berkeley (HRC), and Makerere University Institute of Public Health, *Forgotten Voices: A Population-Based Survey on Attitudes about Peace and Justice in Northern Uganda* (July 2005); and HRC, ICTJ, and Payson Center for International Development, Tulane University, *When the War Ends: A Population-Based Survey on Attitudes about Peace, Justice, and Social Reconstruction in Northern Uganda* (December 2007) – access both at www.ictj.org.

⁶ Sverker Finnström, *Living with Bad Surroundings: War, History, and Everyday Moments in Northern Uganda* (Durham and London, 2008), pp. 116-17.

⁷ One impressive example of such listening is a report from the Office of the United Nations High Commissioner for Human Rights (UNOHCHR), “Making Peace Our Own: Victims’ Perceptions of Accountability, Reconciliation and Transitional Justice in Northern Uganda” (United Nations, 2007); see also refs. in n. 5 above.

⁸ UN-HABITAT, “Think Piece: Sustainable Recovery in Post-Crisis Situations” (Nairobi, Kenya: United Nations Human Settlements Programme, 2004), pp. 3-4.

⁹ UN Office for the Coordination of Humanitarian Affairs (OCHA), Uganda Humanitarian Situation Report (UN OCHA, Oct. 2007), p. 2. On some of the problems concerning data on return, see Eric P. Green, “Addressing Potential Errors in Data Collection and Interpretation: Involving Local Communities as Data Collectors and Recipients,” Working Paper (August 2007).

¹⁰ Stories on environmental stress and its consequences in Karamoja frequently appear in *The New Vision* and *Daily Monitor* newspapers, as somewhat less frequently do reports of attacks on people who have left the camps to return home in Acholi, for all of the reasons mentioned. The monthly UN OCHA reports as cited in n. 9 immediately above also include detailed security updates. And a discussion of land disputes in northern Uganda is included in the forthcoming World Bank report, *Post-Conflict Land Policy and Administrative*

Options. Vol. 3: Lessons from Northern Uganda (Kampala, late 2008/early 2009), Annex C, pp. 58-74.

¹¹ UN-HABITAT, “Think Piece,” (2004), p. 4.

¹² “IDP camps close in December,” *The New Vision* [hereafter *NV*] (30 Oct. 2006); “IDPs given until Dec. 31 to leave the camps,” *Daily Monitor* [hereafter, *Monitor*] (31 Oct. 2006).

¹³ Personal notes from Minister Kabwegyere’s meetings, Gulu District Administration Offices, 31 Oct. 2006.

¹⁴ See the *NV* and *Monitor*, mid-November 2006 through January 2007, passim. The *Monitor* even offered readers the chance to send text messages with their ideas about northern Ugandan land being given to investors for development – see reader responses, Regional SMS, 19 Dec. 2006 and 9 Jan. 2007. Two of the most important documents produced by Acholi MPs are “A Statement to Parliament on the Issues of Acholi Land” by the Chair of the Acholi Parliamentary Group, Livingston Okello-Okello (14 Dec. 2006), and his follow-up “Press Statement” (21 Dec. 2006).

¹⁵ The first public indication of Madhvani’s interest in a sugar cane plantation in the “north’s central part” of Uganda – that is, Acholi – came in a New Year’s Day *NV* Business article, “Madhvani to set up second sugar factory” (1 Jan 2007). By July, this interest had become specifically identified as a 40,000 hectare tract of land in Amuru District – see, for example, two *NV* articles from 30 July 2007, one from the Local North section, “Acholi MPs asked to support sugar factory,” the other an Opinion piece by Gulu District Chairman, Norbert Mao, “Sugar is sweet but Acholi cannot afford a raw deal.” It is important to note that the land sought by Madhvani is situated in an area cleared of people by the colonial government almost a hundred years ago and made a game reserve. But this is also in a part of Amuru where preliminary research indicates possible oil reserves, and where Government has given out licenses for oil exploration – as confirmed in a letter dd. 4 September 2008 from Daudi Migereko, the Minister of Energy and Mineral Development, in response to a request for information on the matter by J.J. Okello-Okello, Chairman of the Acholi Parliamentary Group.

¹⁶ “Kakira offered 20,000 hectares of land in Amuru,” News, *Monitor* (13 Nov 2008).

¹⁷ “Court bars land giveaway to Madhvani [sic],” Regional Special, *Monitor* (26 Nov 2008).

¹⁸ “Govt okays Amuru land allocation deal,” News, *Monitor* (2 December 2008).

¹⁹ The article title comes from the Regional Special section of the *Monitor* (19 March 2008); a similar story, “Latigo, Ochora get sh1b from govt,” appeared a week later in the Local North section of the *NV* (26 March 2008). See also “UPDF General survives lynching over land,” News, *Monitor* (18 June 2008); “Court blocks Amuru board from giving UPDF officer land,” Regional Special, *Monitor* (1 July 2008); “Brigadier evicts 100 families,” News, *Monitor* (23 July 2008); “No army officer has evicted families from land in Amuru,” Letters, *Monitor* (29 July 2008); “Museveni warns land grabbing generals,” News, *Monitor* (18 August 2008).

²⁰ “10,000 facing eviction as land board claims 85,000 ha,” Regional Special, *Monitor* (3 Sept 2008).

²¹ World Bank, *Post-Conflict Land Policy and Administrative*, pp. iii-iv. See also Abby Sebina-Zziwa, Mary Nabacwa, Rose Mwebaza, George Bogere, and Rita Achiro, *Emerging Land Related Issues in the Acholi Sub-Region: Northern Uganda* (Makerere Institute of Social Research, Kampala, March 2008); Human Rights Focus, *Elucidation of the Challenges of Return in Acholiland: Learning across Lived Realities* (Gulu, Nov 2008).

²² Judy Adoko and Simon Levine, *Land Matters in Displacement: The Importance of Land Rights in Acholiland and What Threatens Them* (Kampala, 2004), p. 16.

²³ Divinity Union Limited, *Uganda – The Bread Basket of Africa: Conceptual Outline of a Private Sector Strategy for Uganda’s Grain Belt* (Kampala, 1999).

²⁴ Acholi Religious Leaders Peace Initiative (ARLPI), *Let My People Go. The Forgotten Plight of the People in Displaced Camps in Acholi: An Assessment Carried Out by the Acholi Religious Leaders Peace Initiative and the Justice and Peace Commission of the Gulu Archdiocese* (Gulu, Uganda, 2001), p. 7.

²⁵ See Divinity Union Limited, “Security and Production Programme (SPP),” (Kampala, dated May 2003 but released in June). Although its origins are not made completely clear from the source itself, the Union also produced a follow-up document, “Piloting a Farmer Assisted Agricultural Project” (July 2004). See also D. Okee-Obong, “The Security and Production Programme for Acholi Region: A Critical Review,” (unpub. paper, n.d. [but almost certainly 2006]).

²⁶ Divinity Union, *Security and Production Programme*, p. 1.

²⁷ *Ibid.*, pp. 1, 6.

²⁸ See the organizational implementation structure, *ibid.*, p. 8.

²⁹ *Ibid.*, cover page and p. 7.

³⁰ See the internet sites Acholinet and Acholi Forum; Editorial, *Monitor* (29 June 2003); Adoko and Levine, *Land Matters in Displacement*, pp.15-18; Lord’s Resistance Army/Movement, “Opening Statement of the LRA Peace Delegation Juba – Southern Sudan” (16 July 2006).

³¹ Caroline Lamwaka, “4,000 UPDAs in peace centres,” *NV*, (8 April 1988).

³² The standard ethnography of Acholi, with information on land throughout, is F.K. Girling, *The Acholi of Uganda* (London, 1960). See also R.M. Bere, “Traditional System of Land Tenure amongst the Acholi,” Appendix D (ii) in Girling, pp. 231-33; R.R. Atkinson, *The Origins of the Acholi of Uganda* (Kampala, 1999), esp. pp. 54-61, 75-77; and Adoko and Levine, *Land Matters in Displacement* (although I would argue that this last, generally excellent, study overemphasizes individual family “ownership” of land within Acholi customary land tenure).

³³ Adoko and Levine, *Land Matters in Displacement*; also R. Mwebaza, “How to Integrate Statutory and Customary Tenure?: The Uganda Case” and E. Nsamba-Gayiiya, “Implementing Land Reform in Uganda: A Complex Task Ahead,” both presented at the DIFD Workshop on “Land Rights and Sustainable Development in Sub-Saharan Africa” (Berkshire, UK, 1999).

³⁴ See, for example, Adoko and Levine, *Land Matters in Displacement*; Human Rights Focus, *Fostering the Transition in Acholiland: From War to Peace, from Camps to Home* (September 2007) – access at www.hurifo.org/publications.html; World Bank, *Northern Uganda Land Study* (February 2008); World Bank, *Post-Conflict Land Policy*, pp. iii-iv; Sebina-Zziwa, et al., *Emerging Land Related Issues*. For more general discussion, see UN FAO, *Access to Rural Land and Land Administration after Violent Conflicts* (Rome, 2005); M.A. Rugadya and E. Nsamba-Gayiiya, “A Review of Literature on Post Conflict Land Policy and Administration Issues, During Return and Resettlement of IDPs: International Experience and Lessons from Uganda,” report for the World Bank, *Northern Uganda Recovery and Development Program (RDP)* (Sept. 2006). The Madhvani sugar cane plantation and other land alienation threats in Amuru are discussed above. The photo is from Divinity Union, *Piloting a Farmer Assisted Agricultural Project* (July 2004).

³⁵ See the sources in n. 34 just above.

³⁶ Norbert Mao (personal communication). As early as 15 Nov 2006, the "In Brief" section of the *NV* cites Mao as saying that "Acholi sub-region district leaders have resolved to establish one land board to handle land issues and disputes as people resettle in their homes."

³⁷ See "Acholi MPs seek un help on land issues," News, *Monitor* (17 January 2007), which quoted Okello-Okello as saying: "We call upon the international communities and the UN in particular to help us see that the land rights of our people are protected. It is their only hope for the future."

³⁸ Ronald R. Atkinson and Eric P. Green, "Participatory Clan Land Mapping in Acholi: A Concept Paper to Facilitate Resettlement, Foster Community, and Enhance Security of Land Tenure in Acholi," Working Paper (April 2008).

UGANDA'S ECONOMY: AILING OR HEALING!

By James Otto

Despite assurance given by Mr. Tumusiime Mutebile that the final crunch which had since hit American economy with devastating effect would not affect Uganda has become more or less, a wishful thinking.

Practical hard evidence that our economy is greatly affected abounds. Take for instance consumer goods like groceries have all gone up by in most cases by more than 30%. The dollar rate itself leaped from 1,622 as at July 29 2008 buying to 1,970 an increase of 21.45 % over a period of just less than six months. What our Central Bank governor has not and perhaps won't even in future tell us is the fact that the Central Bank has actually been pumping dollar into money market as mitigating measures. This but alas! Is just a temporary solution. It is likened to the old adage of borrowing from Peter in order to pay Paul – when essentially, at the end of the day, you will end up being a debtor.

What we are saying is that we should be told the truth for our appreciation of the situation. Assuming that all of are unsuspecting is not in any way helpful to the national cause. It also erodes the feeling and indeed spirit of patriotism in those law abiding citizens who would wish to settle for nothing less than the bare truth.

The oil desk at the Central bank continues to reap probably where it has not shown. Where as the world market price for crude oil has since dropped from over U.S.\$ 100 plus to around 50 dollar a barrel, Uganda is yet to have this downward trend reflected in our pump prices. Rwanda a disadvantaged land lock country ferries its fuel through Uganda and charges a much

lower pump prices than ours. What does our renowned economist Mutebile saying?

ENDS

COALITION PARTNERS TO CELEBRATE HUMAN RIGHTS DAY.

By Emmanuel A. Okello.

The history of the biological man and his rights has been that of continuous and seemingly endless struggle. Issues of human rights came more into the picture especially after the 2nd world war and the mass killings that came of Hiroshima and Nagasaki in Japan.

Thus as a result, a number of nations under the United Nations came together with some working guidelines on fundamental human rights and dignity worth a human being. The Universal Declaration of Human Rights as is known is a declaration adopted by United Nations General Assembly on 10th December 1948. Thirty Articles were agreed upon and have become standards by which man should be governed, co-exist and relate with one another.

60 years down the road, a coalition of partner members join the rest of the world in preparation for the commemoration of the Universal Declaration of Human Rights with week - long activities, climaxing with a march around town, with the main celebrations being held at Kaunda grounds.

The international theme for this year's event is '**Dignity & Justice for All.**' However, a local theme has also been identified, thus '**Accountability for Violence against Women.**' Worldwide, human rights violations are still rampant with women bearing a greater brunt compared to men.

The week-long event will draw together a cross section of Ugandans including the Cultural Leaders of Acholi, Coalition Partners involved in the organisation of the event, Human Rights Volunteers, District political heads as well as the local community among others.

Activities put in place include sensitisation by Human Rights Volunteers and Rapid Action team in camps of Unyama, Coo Pee, Koro, Lacor, Alokolum and Awer. Additionally, there are radio programmes running through the week on Mega FM and Radio King. A street caravan relaying human rights messages has been traversing Gulu District over a radius of 3km. Apart from cultural performances of the day, dance competitions by Aguma are also in place.

ENDS

WOMEN, LAND AND THE RETURN PROCESS

By Irene Anying

As a rural and agrarian community, the most important resource for Northern Ugandans is land. (see Refugee Law Project, 2006). One of the crucial factors shaping return decision is therefore access to land (see also Oxfam, 2007).

The people of Northern Uganda traditionally lived in villages on their own land with their livestock and cattle. Prior to the war, the primary activity was agriculture, with millet and sorghum being the staple crops. Farmers also grew substantial amounts of maize, sweet potatoes, cassava, peas, beans, sesame, groundnuts, and various vegetables, as well as other savannah crops, largely for consumption.

Before the war, fruits like avocados, mangoes, pineapples were also cultivated for commercial purposes. Small-scale agro-businesses based on tobacco, cotton, sugarcane, sunflower and rice also operated. The land in Northern Uganda is very fertile, particularly in Gulu and Amuru, and hardworking farmers could make a good living before the conflict started.

Most land in Acholi is held under customary tenure. This means that it is private property, but the owners need no documents to prove ownership. Their claims to the land are locally recognized, and this recognition is given the full protection of the state (Constitution Article 237 (3)). Customary law gives protection of all ownership rights. Women specifically were guaranteed rights to land, either from their parents or through their husband, and clan elders could

intervene if their rights were being violated. Traditionally, customary law gave widows security to remain and farm their husbands land, and the land rights of minors were protected. (LEMU-policy discussion paper 4).

Particularly, a woman had rights to use her parents' land prior to marriage, and her husband's land afterwards. No husband was supposed to prevent his wife from using his land, and if he predeceased her, she still had user rights: she could use the land as she deemed fit and pass it on to her children, but could not sell it. If somebody tried to take this right from her, she could appeal to the elders who would then intervene on her behalf. On the other hand, if she remarried, she would get the right to her new husband's land, but would also relinquish her user rights to her first husband's land (see also Bøås and Hatløy, 2005a).



A woman cultivates a piece of land. Will she have the same rights upon return from the camp?

Although the system created and maintained hierarchies of power (especially along gendered lines), it had the advantage of being relatively transparent. People knew their rights and how to protect them, and who to appeal to if they felt these had been violated. However, this transparency or relative predictability cannot be taken for granted in the return situation, as years of displacement have weakened these mechanisms. However, a lot has changed with life in the camps. The role of men as breadwinners has changed completely. No adequate farming has been taking place, as people survived on food handouts from UN agencies and small scale farming, enough to just sustain a family. So while the men sat and had more or less nothing to do, it's the women who turned out to fend for the families as they put food on the table at the end of the day.

The significant physical hardship and suffering that women experienced trying to feed the family brought them together into groups for economic empowerment. They have gained access to loans, run small businesses and retain possession over the proceeds, and a few have also learnt to sell agricultural produce and save the money and in addition many of them gained relative independence in

particular from their husbands and fathers.

As the return process is being effected, a big challenge remains in the position of women back to the return sites. The question remains, since they were breadwinners while in the camps, shall they continue to carry the mantle at present? Shall they now have a say on land matters? Women still remain the major producers and the major subsistence farmers. So some of these women and child headed families find themselves facing opposition from society that still lives by the old cultural norms that men are the heads of the family.

As already mentioned above there were all systems in place to make sure land rights of the vulnerable like women are protected. The clan systems for land administrations and justice have progressively been weakened, in Acholi particularly among many reasons; war and displacement have weakened the traditional authority structure –many elders having died and also the setting of displacement which led to the disintegration of so many clans. In addition as the local economy is increasingly monetarized and integrated in to a national economy, social norms are being abandoned in favour of personal profit and more so the power of land being concentrated in the hands of the household head (male) as an individual. The system which protected women and children has thus grown weak when it is most needed.

Finally, as people return back to their homes, land remains the single most prized asset that the formerly displaced can return to. Since agriculture still remains the backbone of the community in Northern Uganda, it remains to be seen how the quagmire of land wrangles, ownership rights and the return process will be merged together for the success of

the region, and also taking into account the newly acquired roles of women during the displacement period.

ENDS

SCHOOL COLUMN

MORAL BEHAVIOUR IN SCHOOLS

By Ojok James Onono
Gulu Central High School

Moral behaviour relates to the principle of what is right and wrong in circumstances of human beings. Taking it back to school, it considers the general school life bringing both behaviours of students and that of teaching and non teaching staff in a school system. Thus accordingly, behaviours in school could be analysed as follows:

Dressing Code:

In government schools, students are normally smart in full uniforms with the teachers dressing decently. Although most of the private schools don't enforce decent dressing as much, for instance, girls like shortening their uniform skirts and boys would wear trousers similar to that of the school, but not the school uniform. To add on, indecencies have been registered a lot especially with female teachers in private school and others in government headed schools. Dressing code is so important in a learning institution; poor dressing code, "dress to kill" distort minds in learning process in one way or another.

Temptation as Weakness of Man:

In single sex boys' schools, female teachers get difficulties of facing abuses and chorus, cat calls, whispers of the boys among others. Meanwhile, their male counterparts are on many times tempted to get involved with their female students because they are not immune to seduction, mainly when teaching in single sex girl schools.

According to one of the teachers interviewed, it is hard for a male teacher without a wife to teach in a single school of girls. Since many beautiful girls would often dodge examination but believe they would still obtain higher marks. This was highlighted in a conversation.

“Oyella (not real name) have you done the chemistry test of Sir Peter (not real name)?”

She replied in Luo that “*makun Lapwonyi yotayota*, meaning that the teacher is easy to convince,” This becomes the weakness of many male teachers in fighting the desire of the mind and heart in temptation.

Meanwhile, gatekeepers among non-teaching staff were found to be the worst in the field of getting involved with girls and receiving bribes from male students to sneak out at night.

On several occasions they also receive gifts from girls and often promise many things in return that they make girls sneak out at night to serve their lust for them. They would rather receive from the students than sneak out, which money at times is more than the salaries they receive.

Parents have been keen in sending their girls into private hostels outside school because at public hostels, the matrons have been reported worst in outing girls to men even in Gulu.

Personal Hygiene:

Girls are mostly known for keeping their bodies clean while in mixed schools. Boys also try to cope up in looking smart. In single boys' schools, during the rainy season, some would suspend bathing for weeks and those boys like bathing during sunny days when the heat becomes unbearable.

School cooks among the non-teaching staff are considered the dirtiest, since they fail to wash their clothes because they put their expectations on the school to provide them with soap. This in the end puts students at risk of diseases and may 'tickle' their sentiments, which may lead to bad strikes.

Justice and Fairness in Schools:

The primary set up of the judiciary in the schools in Uganda is the Uganda National Students' Association (UNSA) and the prefects of the school. Attaining justice on the side of the students becomes difficult when the UNSA and school prefects are not coordinating amongst themselves.

At times the UNSA says that they have a National law that governs all the organization in the country and they are to defend the student, while the school prefects argue that they work for the interest of the administration and the students in accordance to school rules and regulation. In such a case the students are more likely to miss justice and the student leaders end up favouring their friends.

On the part of school administration teaching staff are favoured. For instance, when a teacher gets drunk during lesson hour, the student who reported would suffer suspension.

One of the students interviewed revealed that in their school, the Head teacher favoured Science teachers in a way. For instance that when a biology teacher took you to the headmaster's office, he would tell the head teacher about your mistakes. The teacher would then put the headmaster at ransom and chose as to whether the student should leave or he.

Private schools on the other hand tend to concentrate more on the business aspect rather than education. Each time when students report for the new term, they are

asked to bring such items as reams for paper, bags of cement, hoes and so forth. Since these items may accumulate over time, and given the number of students available, not all these would be put to use hence diverted and sold out privately. This is in its way unjust to the students and the parents.

Language and Socialism:

In northern Uganda, students like speaking their mother tongue much as the official language is English.

According to research conducted, students from Kitgum, Pader, Lango region, Sudanese normally like isolating themselves from other students and normally they do their reading strictly in vernacular. This not only interferes with the spirit of solidarity in the school, but also the English language becomes nonexistent, yet is very crucial when sitting exams and the environs after school.

Teachers Code of Conduct:

Many teachers who dress decently are always on the move to protect their code and those without their wives or permanent husbands are the ones who get involved with their students.

Thus as a recommendation, administrators should emphasise strictness especially where gate keepers are concerned to avoid the problem of students sneaking out. Just as the boda bodas that sneak these people to their 'lovers.'

Lastly, teachers should be responsible to parents since they are entrusted with the care of students while at school. Discipline should be enforced at all times to make students come out better people when they leave at the end.

ENDS

Human Rights Focus (HURIFO) – Who We Are:

HURIFO's Mandate

HURIFO's Articles and Memorandum of Associations mandates HURIFO to,

"Create an enabling environment for protecting, improving, and promoting human rights and good governance in Uganda in particular and the world in general."

The Vision

"Promotion of human rights and good governance"

The Mission

"To contribute to the promotion of human rights and good governance"

Core Values

The core values of HURIFO are:

- *Seek to be impartial at all times in dealing with clients;*
- *Endeavour to operate with integrity, honesty and accountability and in a professional way;*
- *Committed to equity and equality in diversity in the workplace;*
- *Respect and value the contribution of and network with other people;*
- *Endeavour to communicate consistently & effectively with stakeholders in all programs & activities;*
- *Committed to teamwork, collegiality and solidarity*
- *Promotion, commitment and perseverance*

The Slogan

In living out the core values, HURIFO recites a slogan that describes its behaviour. That is:

"Peace and Justice for all."

HURIFO's Overall Goal

The overall goal of HURIFO is

"To create an enabling environment for protecting, improving, and promoting human rights in Uganda in particular and the world in general."