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Activity Report

Activity: **Documenting Cases on land-based Investments and their status regarding VGGT principles.**

Background

LEMU received funding from International Land Coalition (ILC) through the National Land Coalition (NLC) to document cases related to land based investments and their status (adhering or deviating) regarding the VGGT principles. This was one of the action areas proposed by members of the NLC during the commemoration of the 10 year implementation of the VGGT principles.

To achieve this goal, in the implementation strategy two major short term activities were identified; **1)** to hold district inception meetings/ workshops with key district and local stakeholders in five (5) districts of Acholi sub-region to collect information about cases related on land-based investments and to assess how these investments have adhered or deviated from the VGGT guidelines. **2)** Hold district community follow up meetings focusing on gathering more data on reported cases and to advance preventive legal empowerment remedies to the affected communities so that themselves can be instrumental in fighting injustices on land.

Summary of Key Activity Outputs

1) District Inception Meetings/ Workshops

A total of four (4) district inception meetings were conducted with seven (7) districts of Acholi sub-region, that is, Amuru, Nwoya, Gulu, Omoro, Kitgum, Lamwo and Pader. In two of the meetings, key district leaders and local stakeholders were met in one place, for instance, leaders of Gulu and Omoro were met in Gulu in one inception meeting and leaders of Kitgum, Lamwo and Pader were met in Kitgum district headquarters also in one general meeting, the other districts of Nwoya and Amuru, leaders were met separately in respective districts.

These leaders were enlightened about the VGGT principles of responsible investment, what they are, why they are in existence and how they should be advanced; selected legal empowerment remedies were also advanced to guide them in supporting the affected communities in the fight against injustices in the context of land-based investments. The leaders present presented a number of cases related to land and investments and these were grouped in those that are government, private and community cases, key stakeholders also suggested ways or action points so as to improve land tenure security.

A summary of the cases reported in the district inception meetings is captured in the illustration below;

Amuru District

-33 district leaders(29males,4 females)
-6 major investment cases reported(3 government,2 private and 1 family cases)

Nwoya District

-19 district leaders(14 males, 5 females)
-4 major investment cases reported (1 government and private case)

Gulu and Omoro Districts

-54 district leaders (37 males, 17 females)
- 13 major investment cases reported (8 government and 5 private cases)

Kitgum, Pader and Lamwo Districts

-43 district leaders (34 males, 9 females)
-7 major investment cases reported (2 government cases and 5 private cases)

TOTALS

1. Number of District Inception meetings = 7
2. Number of district leaders met = 149 (35 females and 114 males)
3. Number of major cases reported = 30 (14 government cases, 15 private and 1 community case)

2. Community follow-up Meetings

In this engagement, a total of four (4) community meetings were conducted on ground in Teso (Paliisa district) and Karamoja sub-region (Amudat and Moroto districts). In these meetings members, members of the community expressed their concerns about the endless violations arising from investments. A number of solutions were also suggested by the very people facing injustices as a tool to improve land tenure security. A set of legal empowerment approaches or skills were advanced to these communities to arm them in the fight against abusive investments, among these was sharing knowledge on how to prevent and resolve land conflicts through the use of referral pathways for cases of land conflicts. The community meetings were also used as a data collection accessory on abusive investments on land in Uganda.

Below is a summary of what transpired in the community follow-up meetings;

Paliisa District
-Opwateta sub-
county, Okaracha
Village

-94 participants (community
members and district and sub-
county leaders)

- The community follow up
meeting was about the case
about The Arab Contractors
versus the Community. Arab
contractors is carrying out
Stone quarrying in the
community.

Amudat District
-Lokales
sub,county,
chepkarat parish,
cheptokol village.

- Over 72 participants (community
members and
district leaders)

-The community follow up
meeting was about the case of
the community versus
Evergrande Resources
Company, represented by
Okello Rogers. Okello is
carrying out Gold mining in
the region.

Moroto
District,
Tapac sub
county, Kosiroi
village

-Over 373 participants
(community members
and district leaders)

- The community follow up
meeting was about the
case of Tororo Cement
versus the tepeth
community. Tororo
Cement is carrying out
limestone mining in the
community.

Moroto
District, Lotisun
sub-county,
Mogoth Parish,
Atedeoi village

-Over 193 participants
(community members
and district leaders)

-The community follow up
meeting was about the case
of the community versus
Uganda Wildlife Authority.
UWA is extending the game
reserve in Lotisun into
community lands without any
prior negotiations with the
community.

Major Findings of the Activity.

A total of 30 major cases were reported from the district inception meetings and 4 community meetings were held to follow up on previous reported cases. All the cases reported can be found in table I at the end of the report. Below are the findings from this activity on documenting cases on land based investments and their status regarding the VGGT principles.

1. The state or state agencies are at the centre of most of the investment cases reported in Acholi and karamoja sub-regions and this involvement is defined by secrecy, suspicion and militarization with the army guarding these investments. In one inception meeting in Moroto district, leaders described the situation in Rupa sub-county where gold mining is taking place as on where the army is in charge, the army closed off community access roads to grazing lands and penetration is close to impossible. This has threatened the sustainable use of land as well as livelihoods for the people of Rupa sub-county. As for the local people who work in the mines crushing marble stones, the labour conditions are worrying in that most of them if not all work without safety gears and they work for longer hours yet earning just peanuts. This style of work is highly against the national and international labour standards. In other regions, from the cases reported, the state is occupying private lands without compensation and even where it is negotiated it does not actually come through, take the case of Apaa land versus the community in Amuru district, Uganda Wildlife Authority (UWA) versus the community in Lotisun sub-county-Moroto district, in Nwoya district where Ministry of Agriculture, Animals and Fisheries is fencing off community lands in Gotopwayo sub-county, in Gulu where Uganda Prison Service ranch is in the business of illegal title acquisitions and so many others as captured in table I. Most of these investments by the state are harming and dispossessing legitimate tenure rights holders and in some scenarios highly damage the environment which in turn undermines the primary role of the state in advancing the VGGTs and protecting its own citizens.
2. Most of the investments reported are greatly contributing to poverty and food insecurity in the region. In Acholi land where agriculture is the main economic activity, people are facing high risks of losing out more and more at the expense of the investors both government and private, local and private. These investors are grabbing huge chunks of land and of recent the community is also selling land cheaply in exchange for petty cash, for example a one member of parliament (MP) in Namukora sub-county, Kitgum district is buying land cheaply from the community at just Ugx 200,000 which is less than USD 60. Most of these investments do not even compensate the community especially the government projects or those owned by private people linked to government agencies (the mafias), for example, Uganda Wildlife Authority (UWA) has fenced off community grazing lands in lotisun sub-county in Moroto district, karamoja sub-region and Namukora sub-county in Kitgum district respectively. Taking away the main factor of production which is land means that in the future people will have to run to the market to pay for what to eat which in the long run will be expensive therefore ending up destroying peoples livelihoods.
3. Almost all the investments reported do not take into consideration the issue of transparency and inclusiveness. This is common in Acholi and Karamoja where there is high level of secrecy mostly around state funded projects or investments in that little or no information is given to land owners prior to breaking ground. Another major finding is that even the district leaders and officials are merely isolated in the entire process of coming and carrying out investments in the region. The investors do not provide comprehensive information to ensure that all relevant persons are engaged and informed in the negotiations and even their documents are not easily accessed or they are not easily understood by the affected persons. Because of this a lot of problems have

been caused by these investments like environmental damage since there is nothing like due diligence made to properly guide these investments. In those few cases where agreements have been prior to investments, the clauses of these agreements are not respected or always violated , for example in Rupa sub-county, Moroto district, in the marble mining sites, the investor promised that the community will take the off cuts of the marble stones but the situation on ground is different as the investor takes everything, in Teso region, katakwi district, kapujan sub-county, ministry of water and environment acquired community lands to carry out the EURECCCA project promising billions as compensation to the community but only 29 million was delivered to be shared by the whole community.

A summary of all the cases reported from each district is illustrated in table I at the end of this report.

Key Action areas to improve the adherence to VGGTs as suggested by the district leaders and local stakeholders.

- I. Communities supported by organisations like LEMU should work closely not in isolation with different key stakeholders and line ministries to handle investment projects.
- II. Build the capacity of local stakeholders to always stand up against injustices on land. Always make your interventions inclusive especially with the political leaders who just care about the ballot at the expense of the community. Focus on building the capacity of district security and investment committees to monitor violations on land.
- III. Support communities to register their customary land rights, support district land boards and land administrators to better handle land management issues.
- IV. Create awareness to the communities in relation to their land rights through massive sensitization on issues of documentation of titles, agreements, contracts, sales and rentals of land.
- V. Train mediation structures like ADR at the community level to resolve conflicts on land as soon as they arise.
- VI. Conduct constant monitoring to always track investor performance or compliance to the VGGTs or against results against promises.

Conclusion

Through the implementation of this activity, all the investment cases reported from Teso, Karamoja, Acholi do not adhere to the VGGT principles of responsible investment. All of these investments in one way or the other undermine the vulnerable members of society, isolate the rights to food security, damage the environment, create unstable livelihoods, contribute greatly to increasing poverty and undermine the national and international labour standards. It is unfortunate that the state which is supposed to enforce these guidelines is at the forefront of violating these principles either directly through its development projects or indirectly as a disguise in form of private individuals. However, if the government puts into practice these guidelines into the national laws, investments will be regulated, livelihoods improved, poverty reduced, improved food security and in turn enhancing social and economic sustainable development.

TABLE I

Summary of Cases reported per district.

AMURU DISTRICT



NO.	CASE	LOCATION	DETAILS ABOUT THE CASE
I	Boarder Conflicts (Government vs. Communities)	Laakang Sub-county	-the creation of the Adjumani district shifted the district borders to laakang river so the new

			<p>people in Adjumani (the madi people) who speak a different language are denying access to the people of Amuru to access the river. It is argued that government made an error in demarcating the boundaries of Adjumani.</p>
2	Lack of compensation	Laakang Sub-county, Kidi Moni village	<p>-A private firm called Eden came to acquire huge chunk of land to set up a ranch and in return they promised to resettle the people which they failed to do. Another company known as GISO made a mistake to go to the community and directly operate without engaging the community members and relevant leaders.</p>
3	Mishandling of leaseholds by the community	Layima sub-county	<p>-There are some farm lands that were leased by the government-but now the lease expired</p>

			and the land went back to the hands of the community. The community is mishandling these leaseholds through cheap land sales
4	The balaalo	Amuru district	-There is the issues of the balaalo who came into the district and they are moving with animals on peoples farms without any permissions. It is believed that the army is behind the nomadic like movement on the balaalo.
5	Apaal land	Amuru	-This conflict started when government demarcated boundaries between Amuru and Adjumani. Apaal village was placed under Adjumani, to the dismay of the Acholi people from Amuru with whom they have inhabited the land for decades. Since then the

			attacks have been recurring as Madi community want the Acholi people pushed out of the land.
6	Atiak Sugar Works vs the Community (Government)	Atiak sub-county	- The matters of Atiak and the community are in court so its not subject to any discussions

NWOYA DISTRICT



NO.	CASE	LOCATION	DETAILS ABOUT THE CASE
1	Investor encroaching on forest reserve	Amaka sub-county	-the investor called SING an Indian doing agricultural investments in extending towards the forest reserve.
2	Displacements, Forceful arrests, Use of the Gun	Gotapwayos/c Obira parish	-the investor called "Mirath Investment Limited" displaced

			over 200 households, arresting community members, threatening their lives using the gun which in turn resulted into injuries.
3	Land Grabbing	<ul style="list-style-type: none"> -Pamwiya Sub-county -Lalobo Lugwani -Latoro -Gotapwayo s/c -Gotringo parish, paminya s/c -Nwoya, pamin owol, punu pa min owot 	<ul style="list-style-type: none"> -In Pamwiya s/c Alelelel Primary School versus Mego Lapura Catherine oloya & her polytechnic school -In Lugwani, there is a land grabbing case that already in court. -In latoro, the investor blindfolded (mego) the land owner in the agreement and now they want to grab more land then what was agreed at the start. -In Gotapwayo, OOLA LOLIM, MAAIF and NAAGRIC is fencing off community lands. - In Gotringo parish, one full parish is being

			<p>claimed by one individual.</p> <p>-in punu pa min owot, an investor called Lukigo Livingstone is fencing off community lands.</p>
4	Enviroment Pollution,	Koch Goma s/c	<p>-discharge of untreated chemicals with Ayayo river. This pollution killed all the fish in the river plus the domestic animals that fed from the river.</p>

GULU AND OMORO DISTRICT



NO.	CASE	LOCATION	DETAILS ABOUT THE CASE
I	Balaalo	Palaaro s/c, Ajan, Angagwa, pader	-encroachment on peoples land degradation, destruction of crops, boundary disputes, illegal entry into the district, pressure on natural resources like the water points

2	-Eng Obura's cattle farm	-omei, Abem, Gulu	- his animals trespass through peoples farm destroying community crops
3	Uganda Prison farm – lugore farm	Lugore	-the farm is expanding its land into farms belonging to the community
4	MP Odongo Otto	Amuru, Amoyokara	-personalized the hot spring and he does not respect the chieftom who tried to settle the matter between him and the community over this matter.
5	Chinese railway	Oram sub-county	-no compensations made to the people who own the land where the mining is taking place.
6	Horial sugar company	Angagura	-the wastes from the sugar company are dumped in community water sources and the smell from the factory is too loud covering the entire community nearby

7	Uganda Prison service Maize ranch	Ajan, Atanga, Angagura	-eviction of people from the land to create space for the ranch.
8	MAAIF	Angagura, Pader	-displacement of people from the parish to create space for the MAAIF project
9	UETCL	Go gwin, Kalaawinya, Angagura	-illegal acquisition and no compensation for passing of powerlines over peoples lands
10	Uganda Prison Service ranch, former Aswa	Aswa Parish	-illegal title acquisitions -conversion of a tenure system from leasehold to freehold
11	Naagric, Livestock industry limited	-Laguti,Pader	-boundary extension -reckless land sales by the community to the industry
12	Gulu district local government and Chinese UEDCL	Ajulu hill (a historical site, tourist site for patiiko	-crashing down ajulu hill to extend power lines
13	Government camps (IDP)	Patiko	-land taken but he people were not compensated

KITGUM, LAMWO AND PADER DISTRICTS



NO.	CASE	LOCATION	DETAILS ABOUT THE CASE
1	Aswa Ranch	-Aswa	-eviction of people to create space for the ranch
2	The balaalo / congolese	-Lamwo	-military intervention/ gun presence. The balaalo are protected by the men in uniform armed with guns.

			<p>-forceful encroachment land grabbing by the balaalo</p> <p>- the balaalo and their animals are exerting pressure on resources like water sources and grazing grounds</p>
3	Uganda Wildlife Authority	-Orom, Namukora	-destruction of crops and property through the creation of the game reserve
4	Large scale charcoal burning by communities	-Kitgum	-massive destruction of trees to burn charcoal for sale.
5	Graphite Mining	Orom s/c	-No compensation made to the people by the graphite mining company to acquire the mining sites
6	Horial Sugar Company	Ayuu-Alali	-the sugar company has not cleared payments for the sugarcane out growers.

7	Okwir Sam (member of parliament for Moroto county, Alebtong district)	Namukora s/c	<p>-the MP is buying land cheaply from the population (an acre acquired at Ugx 200,000)</p> <p>- Exploitation and no payments for the labor he employs on his private farm.</p>
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Prepared by;

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