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TRAINING REPORT ON LAND RIGHTS, LAND LEGAL FRAMEWORK IN UGANDA & MITIGATION SKILLS OF LAND CONFLICTS FOR LOCAL ACTORS IN REFUGEE & HOST COMMUNITIES IN TIKA CLUSTER

Mr. Asau Sunday, The Executive Director of CENU who was the facilitator with participants outside the training venue for an activity on peace building. This helped them appreciate that when we build a peaceful community, we enjoy numerous” fruits of peace”
Training dates: 26th- 28th Sept, 2017

INTRODUCTION

“It was until today I learnt that women also have equal right to land like any other person”, “I did not even know that we are the owners of land”...This training has opened our minds. A section of comments during the recap of day two (2) training when the facilitator asked participants to explain to the team what new information it is they learned as a result of this training.

There is a worrying lack of information on land (communities & actors alike) affecting ownership, occupation and use of land in various communities. The relations around land rights are heavily affected by the various traditions, customs & culture the land players come from.

“Support Program for Refugee Settlements and Hosting Communities in Northern Uganda (SPRS-NU)” is a project implemented under the European Union Emergency Trust Fund (EUTF) by ZOA, DRC, SAVE THE CHILDREN and CEFORD in partnership.

During the course of its work, ZOA realised that there were numerous conflicts in the communities linked to land use, occupation & ownership consequently a contract was undertaken between ZOA West Nile Portfolio and Community Empowerment Network Uganda (CENU) to facilitate a three (3) day Land rights & Land legal framework in Uganda & skills on

mitigation of land conflicts in Tika cluster, Rhino Camp Refugee settlement Arua District drawing participants from both refugee and host communities targeting 36 participants.

The conflicts on land are one of the worst seen in the world as land is not just the soil but all its contents and particularly high value contents like minerals such as oil, gold among others have historically been linked to cause some of the worst conflicts in the world. This is how important and complex land issues are and in the context of this training, laws on land in Uganda and South Sudan differ, there is also lack of awareness on legal rights and obligations in matters of land and these cannot be dissociated from conflicts occurring in the communities.

It became imperative to create awareness on land use, rights attached to land, possible causes of land related conflicts and how to mitigate or resolve the same through Alternative Dispute Resolution Mechanisms to promote peaceful co-existence between host communities and refugees.

JUSTIFICATION FOR ORGANIZING THE TRAINING

Long before this training, there has being presence of land disputes, abuse of land rights, gender mismatch on land matters, compensation problems, among other issues occurring between the host communities before refugees came and now between refugees and host communities partly due to ignorance on the land laws of Uganda, or because of the general importance and perception attached on land by the ordinary people. In such circumstances, the public, community leaders (religious, local councils, CBOs, groups) in these areas needed to be sensitized on

the general issues concerning land, peaceful approaches to resolution of land disputes and all land right related issues. This training was therefore, not only necessary but remains desired to achieve continuous peaceful enjoyment of land rights by the owners and occupants while mitigating or positively managing conflicts that arise in the process.

EXPECTATIONS, FEARS & FEAR NOTS

Training expectations

- I. The participants generally expected that the facilitation should be good due to the sensitivity of the subject of land and owing to the magnitude of conflicts associated with land in the communities.
- II. We expect the training to be participatory so that there is also participatory learning as we really expect to learn a lot.
- III. Can a refugee own or buy land in Uganda
- IV. What does the law of Uganda say as regards to foreigners being able to own land in Uganda.
- V. Mr. Facilitator, this issue of land cannot be finished in three days, we need more trainings still after this.

General expectations

- I. Most of the participants expected to be given certificates at the end of the training.
- II. They expected to be provided T-Shirts labeled with training subject.
- III. One of the participants complained that they are usually not given handouts to sustain the knowledge they have acquired.

Fears

- I. The bad weather may disrupt our proceedings
- II. We come from very long distances, we reach here when we are tired and yet we also need to leave early putting pressure on us.
- III. The market days may disorganize us as people have interest in attending the market as it is the main day.

Fearnots

- I. We are sure the participants will cooperate during the learning process.
- II. I know there will be unity throughout the training period.
- III. Time will be managed well.

TRAINING OBJECTIVES

Overall objective of this training was to create awareness on the existing land use policies, laws, land management structures and structures of adjudicating land disputes in Uganda.

It was also aimed at helping the participants appreciate the benefit of using Alternative Dispute Resolution (ADR) mechanisms in resolving land disputes to promote peaceful co-existence in their communities.

Specific objectives

- I. To deepen the participants understanding and share their experiences on land use practices in communities and appreciate how some of the practices are a source of land conflicts themselves.
- II. To help participants understand the rights of citizens and refugees on land in Uganda.
- III. To have a better understanding of the formal land adjudication structures and procedures in Uganda and refugees settlements.
- IV. To build the participant's practical skills in the use of Alternative dispute resolution mechanisms as opposed to the formal adjudication systems in courts for their benefits.

METHODOLOGY

- **Brainstorming** presented challenge to the participants to generate ideas, dig into memory and also a platform for participants to do self-examination and judgement against a yardstick.
- **Participatory lectures** were undertaken to deliver training content to stimulate interest, build active participation aimed at creating maximum training impact.
- **Role plays & training game time activities** kept the participants active, focused and concentrated throughout the training.
- **Sessions of group discussion** to generate participant's deeper understanding of certain training areas and also provided an opportunity for expression of views in confidence for inclusive participation was used.
- **Exercises** generated the level of understanding of the content delivered.
- **Sharing of personal experiences** presented an opportunity for the nationals to learn land related practices from South Sudan and vice Versa.
- **Question and Answer sessions** engaged the participants in active debate, probed understanding and was a useful tool of needs assessment throughout each stage of the training.

TRAINING OUTPUTS

Output summary

	Katiku		Total
	Male	Female	
Refugee			
National/host community			
Total participants	19	25	88

Total number of participants expected were 36 of which 36 turned up.

Total number of participatory lectures were 09 and 09

participatory lectures were delivered

TRAINING PROGRAM

The planned content of the training was delivered as guided by the program outlined below.

TIME	ACTIVITY	RESPONSIBLE
Day 1 program		
8:00-9:00am	Arrival & Registration of participants	Co-facilitators
9:00-9:30am	Welcome & Introductions	Co-facilitators
9:35-9:40am	Official opening remarks	ZOA
9:40-10:00am	Expectations, Fears, ground rules, Logistical issues & training Objectives	Facilitator / ZOA
HEALTH BREAK		

Land rights & Mitigation of land conflicts in Refugee & Host Communities in Rhino Camp Settlement, Arua

10:20-10:40am	Land basics (sustainable land use, understanding land), Land rights in Uganda, Land acquisition and ownership Group work and presentations on use, rights of land in South Sudan Vs. Uganda	Facilitator
10:40-11:40am	Reflections and sharing of experiences	Facilitator
11:40-12:30pm		Facilitator
LUNCH BREAK		
2:00-3:00pm	Land Tenure systems and administration of land in Uganda	Facilitator
3:00-4:00pm	The Refugee Act in relation to the use of land by refugees in Uganda Group work & presentations on tenure systems	Facilitator Co-facilitators
4:00-4:30pm	Reflections & sharing of personal experiences, Closure of day 1	
Day 2 Program.		
8:30-9:00am	Arrival & Registration of participants	Co facilitators
9:00-9:30am	Recap of day one learning	Facilitator
9:30-10:00am	Understanding Conflict, violence & non violence, Peace building concepts	Facilitator
HEALTH BREAK		
10:20-1:00pm	Challenges of land use in Uganda/land conflicts Group work on identification & nature of conflicts	Facilitator

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	related to land use in Uganda & South Sudan Reflections, Experience sharing	Facilitator Facilitator
LUNCH BREAK		
2:00-3:30pm	Adjudication of land conflicts in Uganda	Facilitator
3:30-4:30pm	Group discussions Reflections Closure of day 2	Facilitator ZOA
Day 3 Program.		
8:30-9:00am	Arrival & Registration of Participants	Co facilitator
9:00-9:30am	Recap of Day 2 work	Co facilitator
9:30-10:00am	Reconciliation and Arbitration skills	Facilitator
HEALTH BREAK		
10:20-12:20pm	Stage 1-4 Mediation process	Facilitator
12:20-1:00pm	Role plays, Demonstrations, Reflections	Facilitator
LUNCH BREAK		
2:00-3:30pm	Managing Emotions, Communication skills for trust, cooperation & confidence building, Leadership & Advocacy skills	Facilitator
3:30-4:20pm	Envisioning & Action Planning	Facilitator
4:20-4:30pm	Training Evaluation & Closure	Facilitator

KEY ISSUE IDENTIFIED

Land use & Gender Mismatch

- Power imbalances between men and women revealed that men predominantly possess the power over women on ownership, occupation and use of land.
- The rights of the women according to law to equal ownership of property including land have continually been infringed. Lack of awareness on this among the rural women only exacerbates the situation.
- The power imbalances still create a discord when it comes to land registration where the men outweigh the women and register titles in their individual but not matrimonial names.
- Ignorance on will and succession on land is an uphill challenge in the rural communities for instance after the death of a Husband who appointed the brother as a successor, the widow is thrown out. On the other hand lack of will (written or oral) denies protection for the widow and children from land grabbing from the relatives.
- Empowerment of women on rights on land is critically low in the rural communities giving men advantage over the women.

Clash between Customs, Traditions & Norms against the laws governing land.

- Cultural norms and beliefs places the women at a precarious position as to where their land ownership lies (whether at matrimonial home or ancestral home) the underlying believe is the CULTURALLY WOMEN DO NOT HAVE THE RIGHT TO OWN LAND

- Bride wealth buys off the rights of the women to own land to the men as they are considered as fully acquired properties where men take over every right over them and from them.
- The customs and traditions in many rural societies denies women the right to own right. These traditions are rigid. The women are at the same time denied the opportunity for formulation, transformation of these customs & traditions.
- Culture of most of our societies places the women at an inferior position to the men which translates into ownership, occupation and use of land.
- ANY CUSTOM, TRADITION AND CULTURE THAT CONTRADICTS THE CONSTITUTION IS NULL & VOID. The communities are not aware about this giving an opportunity for the disparities to continue.

Difference in land laws of the two countries

- The policies and laws governing land in South Sudan & Uganda are different. There is ignorance among the refugees regarding acquisition, management & use.

Key achievements

- The training ended as planned and all outputs planned were achieved.
- At the end of the three days, participants expressed total satisfaction with the training as evidenced by statements of the members of the group. End of training evaluation revealed that the participants were more enlightened, confident on land & conflict issues and were ready to do something to make a change.

- There were action points at the end of the training by the participants on how to implement ideas gathered from the training. On the basis of these action plans, the team will be monitored to see the extent to which they are creating impact in terms of peace building, conflict management on land matters.

ACTION PLANS

ACTION	WHEN	HOW	RESPONSIBLE
Community dialogues are key to appreciate all issues related to land use, ownership & occupation in communities	Monthly	Organizing interactions at community level	Team leader
We shall establish intervention committees in our locations	November 2017	Mapping & building IC's to cover reasonable number of households	Team leader
We shall carry out focus group dissemination	Monthly	Group women, men, youth, children and disseminate land information	Team leader
Counselling for affected persons	Continuously	Having a center open to receive	Team leader

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		and handle cases in need of counselling services	
Home visits	Continuously	By visiting families / individuals affected by land related conflicts / violence	IC's

TRAINING CHALLENGES

The weather conditions were extreme on the 2nd & 3rd days of the training

Solution: Participants and the facilitator equally worked very hard to access the training venue and make the training a success.

The main market day created pressure on the participants to balance attendance of the market with the responsibility of following and giving loyalty to training proceedings.

Solution: Interluding sitting, play & movement of participants throughout the training days.

Language barrier was a training challenge as the training was conducted in three languages eating into training time.

Solution: The facilitators fortunately could speak Lugbarati making it easy to translate what they presented.

Because of the sensitivity of the training matter and also age of the participants, they wanted to copy as well as understand all the content within the agreed time.

Solution: They were made to understand and participate first while training while they copied afterwards and the training hand out was given for them to copy from.

KEY RECOMMENDATIONS

Land clinics are strongly recommended due to the sensitivity of land matters and bearing in mind that land and land resources are the biggest source of conflict world over. The ordinary people need general land information to help them manage land issues as per the countries policy framework.

Capacity Building for LCI & RWC Courts as courts of first instance on the formal roles but specifically on promotion ADR as the first option.

Home Visits to build solidarity and empathize with victims of land conflicts

Exchange Visits to have learning experiences and understand best practices in other clusters and zones within rhino camp settlement.

Land Information Resource Centre is extremely vital in the communities to have access to the correct land information including the policies, laws, regulations and registration forms.

Integration of livelihood and emergency interventions into the conflict activities to address emergencies like floods and empowerment of vulnerable groups to have voice.

Follow up of the planned actions closely by the program team of ZOA to sustain impact of the training and assess extend to which the leaders are intervening to mitigate land related disputes.

TRAINING EVALUATION

As there was a reflection meeting to evaluate the performance of ZOA over the one year intervention period, the training end period conflicted with this activity but never the less, the evaluation time revealed that the training was so much appreciated as the content, methodology was in tandem with the community needs and the impact was evidently high as seen in the very active participation, level of interest and the action planning.

During the evaluation meeting the participants expressed strongly the need for a land information resource center and capacity building for LCI & RWC Courts particularly to help them with ADR skills (mediation) so that as courts of first instance on land matters, they promote ADR during their interface with clients.

CONCLUSION

As Community Empowerment Network Uganda (CENU), we remain grateful for the trust and opportunity to partner with ZOA on this important program of conflict & peace. This has enabled us interact with the refugee & host communities broadly and also as an organization to identify gaps to build on for a more responsive, effective program. It is the basis up on which CENU feels obliged to always deliver the desired impact when called up on.

Though the feedback from the community has generally being positive, a constructive organizational feedback will strengthen us further in our vision” **A community with efficient human capacities and good quality of life for sustainable development”**

We also express our willingness to cooperate with ZOA in other areas of Livelihoods (Agricultural & Non Agricultural), WASH, and Education among others.

Appendices

Activity Photos

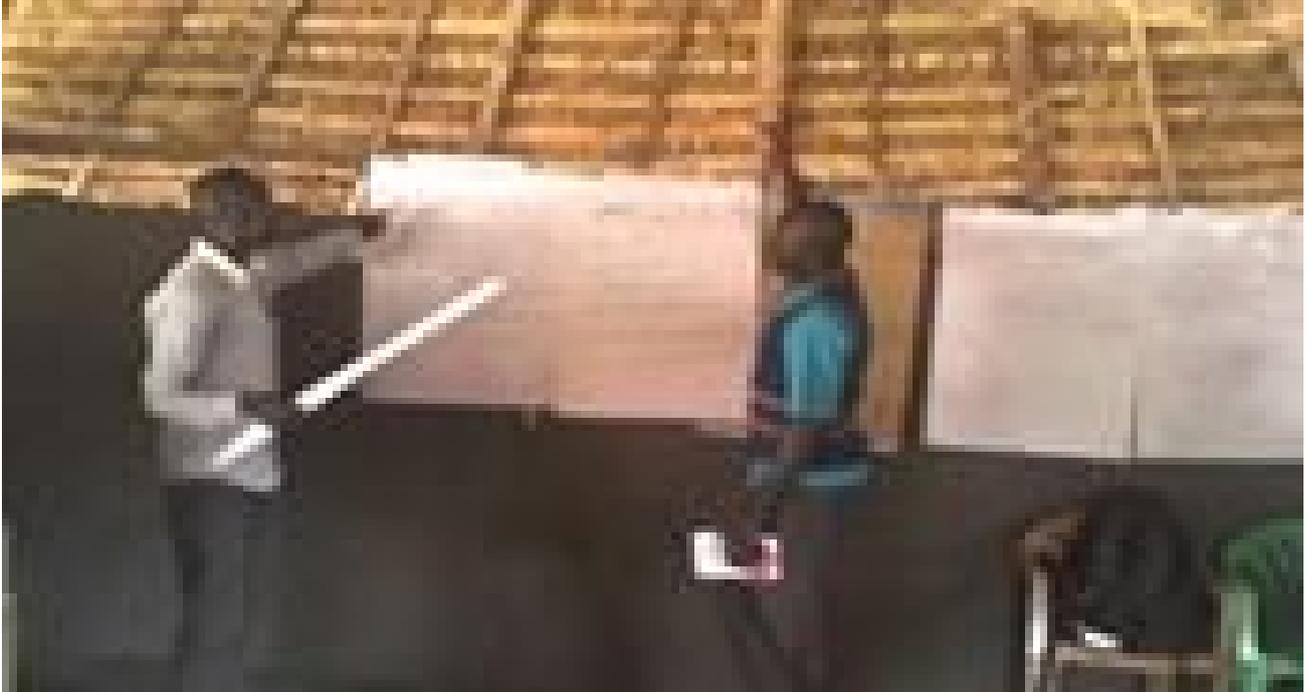


Figure 1: The participants presenting their ideas on the land related disputes in South Sudan and Uganda



Figure 2: A group exercise and play time outside the training venue on



Figure 3: Depicts the challenges of sitting but despite these



Figure 3: Depicts the level of concentration during the proceedings at Katiku III

Acknowledgements

I-----acknowledge

that this report is a true reflection of how the training transpired on ground, duly delivered under my guidance and direction. I undersign here below in confirmation.

Sign-----

Date-----