Post-conflict land insecurity threatens re-displacement in northern Uganda

Levis Onegi

For many in northern Uganda, access to land and property remains an unresolved issue that threatens peace and sustainable returns.

Peace negotiations between the Government of Uganda and the Lord's Resistance Army (LRA) ushered in relative peace in northern Uganda from 2008. Despite the fact that the LRA leader Joseph Kony has not signed the Final Peace Agreement, improved security has meant that many internally displaced persons (IDPs) can now access their farm land and begin rebuilding their homes. The situation has, however, remained fragile for some returnees, as well as for vulnerable populations such as the elderly, unaccompanied minors, widows and disabled persons whose needs and rights have been neglected.

While humanitarian aid programmes are being replaced by recovery and development programmes, for some formerly displaced populations in Acholi and Langu sub-regions the benefits of return are still elusive. With rampant land-grabbing by politicians, civil servants, the business community and local and national investors vying for the 'spoils of war', the impact of land insecurity threatens re-displacement of the returnees.

Before the LRA insurgency, land conflicts were infrequent in northern Uganda; where they occurred, they tended to be minor tussles between individuals fighting over a plot of land or disputing a boundary. As the LRA insurgency progressed to a more turbulent stage from 1996 to early 2000, the Government of Uganda forced thousands of peoples to move into IDP camps – also known as 'protected villages' – on the grounds of protecting lives and property from LRA attacks. The impact of the government's forced encampment policy resulted in huge chunks of arable land remaining largely vacant and unoccupied – and therefore vulnerable to occupation and land-grabbing.

Recurrences of conflict and re-displacement are becoming a common feature of the Great Lakes region. The land

A farmer winnows her bean harvest in Nwoya district, Uganda.

conflict in northern Uganda calls for a re-examination of the management of the entire return process, particularly considering how increased attention to fundamental aspects relating to security, such as land ownership, could reduce the potential for new or repeated displacement. The government and all organisations involved in return need to consider questions such as: What is the impact of land-related conflicts on the potential for a return to conflict? What implication may land-related conflict have for a re-displacement of returnees? Who is responsible for ensuring the safety of returnees as well as the return of their property and land?

Article 11, Clause 1 of The African Union Convention for Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention, 2009), under Obligations of States Parties relating to Sustainable Return, Local Integration or Relocation, requires States Parties to "seek lasting solutions to the problem of displacement by promoting and creating satisfactory conditions for voluntary return, local integration or relocation on a sustainable basis and circumstances of safety and dignity."[1] However, since the start of the transition to peace, parts of northern Uganda have experienced considerable loss of life through violence, and much destruction of homes and property; property has also been lost through evictions by government agencies, private individuals and investors. This has inevitably undermined confidence and trust – much-needed ingredients in the post-conflict recovery process – among the returnees. In essence, the neglect of land and property issues has threatened the central tenet of post-conflict recovery and reconstruction processes that it is necessary to nurture an environment conducive to reintegration and development in safety.

It is vital that post-conflict land reforms focus attention on reducing tensions and conflicts and promote socially and economically productive land uses; this includes focusing on issues of land access, land ownership and land use so as to help prevent future re-displacement. Most importantly, the displaced populations themselves should be involved in all aspects of the return processes.

Levis Onegi *levisonegi@gmail.com* is Graduate Research Associate at the African Centre for Migration and Society, University of the Witwatersrand, South Africa. This article is based largely on research conducted by the Refugee Law Project Project at Makerere University, Uganda, where the author was the research team leader. However, the article is written in a personal capacity. See also: Refugee Law Project *Why being able to return home should be part of transitional justice*, School of Law, Makerere University, Working Paper No 2, March 2010
www.beyondjuba.org/BJP1/working_papers/BJP.WP2.pdf
UNDP *Returning to uncertainty: Addressing vulnerabilities in northern Uganda*
www.fafo.no/nyhet/return2uncertanity.pdf

1. www.unhcr.org/refworld/docid/4ae572d82.html