



Protecting Rights to Customary Land

A Research Project

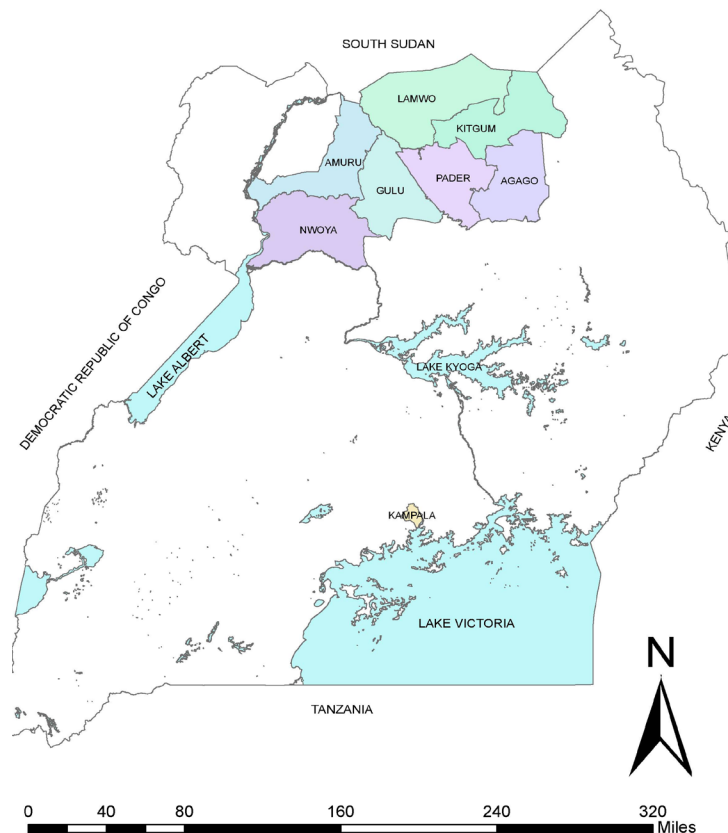
Key Challenges for Acholiland

Acholiland refers to the region traditionally inhabited by the Acholi people in Northern Uganda. Acholiland is endowed with natural resources and rich fertile land, a critical factor of production and an essential pillar of human existence and national development. Acholiland has remained in patrilineal heritage. Land has been passed down from ancestors, generation to generation. Recent studies indicate that more than 90% of rural land in the Acholi Sub-Region is under communal customary tenure, with land vested in and organised under the cultural clan system.

During the 25 years that passed between Uganda's independence in 1962 and the outbreak of civil war in Acholi in 1986, population growth, movement and fragmentation of communal land occurred. At the height of the LRA insurgency, it is estimated that more than 1.8 million people were displaced, mainly in the Acholi region of Northern Uganda.

When the war ended in 2006, the people of Acholi began the arduous process of return, resettlement and reintegration from the phenomenon of internal displacement in camps to their pre-displacement homes. The conflict generated much heightened awareness of the vulnerability of Acholiland. Some of the returnees found themselves in conflict with neighbours and other people in the community over access and rights to their land.

THE ACHOLI DISTRICTS OF NORTHERN UGANDA



Map prepared by Physical Planning Office, Gulu

The Protection of Rights to Customary Land Ownership

Today, land-related problems continue to persist in Acholiland, manifested by land disputes and outright conflicts, many associated with land grabbing. More recently, a quest for investment and business interests in the Acholi region is evident which is having major consequences for people who are being evicted and displaced from their land. Dr. Fr. Joesph Okumu remarked that 'After the LRA insurgency, land holdings of the Acholi people became more disputed than ever before in history, which has called for the research to be done'.

In a bid to champion the interest of the Acholi people in protecting their land, the Joint Acholi Sub-Region Leaders Forum (JASLF) was formed and through its technical committee developed a project entitled 'Piloting the Protection of Rights to Customary Land Ownership in Acholiland'. The project is being implemented by Trócaire, in partnership with JASLF and funded by the Democratic Governance Facility (DGF).

What are the objectives of the Land Research Project

The overall objective is to strengthen the security of customary and communal land tenure in Acholiland through piloting new approaches based on research, consultation and advocacy. More specifically the objectives are:

- To Investigate and document how Acholi customary and communal land is controlled, managed, and administered, by and for whom, in all its variations in 7 selected clans in Acholi Sub-Region, one per district in Acholiland.
- To investigate existing and possible legal mechanisms to secure customary land rights in Acholiland.
- To create awareness from the findings and policy implications of the pilot project across the Acholi Sub-Region with other stakeholders for enhanced customary land management.

How will the results be achieved

Project initiation began with a scoping study in the 7 Chiefdoms of Acholiland for data collection. This contributed to the contact database, raising awareness of the project and in the identification of the research sites. 14 field researchers were trained in gender sensitive data, gathering techniques and tools were carefully proofed by a specialist to ensure the voices of vulnerable groups were heard, including widows, people with disabilities and orphans. Two researchers (one male and one female) were assigned to each Chiefdom in order to collect the data.

[‘This research is the beginning of a real project that will address rampant land issues arising from such conflicts and disputes’.](#)

Dr. Fr. Joseph Okumu.

Dr. Fr. Joseph also noted that the research will focus on finding out why land issues and disputes are not easy to resolve and in addition, the research will involve more of the local people's interactions to provide more accurate insights.

The project further intends to investigate existing and possible legal mechanisms to secure customary land rights in Acholiland. Much awareness will be created from the findings and policy implications of the pilot project across the Acholi Sub-Region and with other stakeholders. This will contribute to enabling a more efficient customary land management system.

What are the benefits of the Project

It is hoped that coming to a greater understanding of the finer details of kin-based communal and customary land holding units, backed up with appropriate legal provisions, will help to secure and protect people's inherent rights to their land.

The pilot phase of the project is being rolled out in 7 selected clans, one in each of the seven districts in Acholi Sub-Region. This includes Anaka in Nwoya, Paimol in Agago, Paicho in Gulu, Orom in Kitgum. Atiak in Amuru, Lapul in Pader and Madi-Opei in Lamwoo.



Discussion Group, Paimol Sub-County, Photo: Lisa Byrne, Trócaire.

Anthony's Story

Elder Anthony Oyoo spent much of his life amidst the political turmoil of the treacherous civil war that destroyed families, communities and livelihoods. At age 80, Anthony describes the real struggle and despair that his community in Acholi faced during the LRA insurgency.

The civil war and Government policy in Acholi Sub-Region forced most people including the people of Paimol Sub-County into Internally Displaced Camps. (IDP). Anthony's community in Paimol, amongst other people from other areas were confined to the IDP camps during this time and therefore could not access their customary land for settlement or for cultivation. Anthony disclosed the pain and anguish he felt during his time confined within the camps, often rampant with life threatening illnesses in addition to regular ambushes by the LRA. As the war showed no sign of slowing down with people still remaining in camps, death tolls continued to soar. Anthony explained that many elders who knew the traditional land boundaries of various lands lost their lives.

When the war finally ended in 2006, the people who survived began to return to their homes. Anthony revealed that some of the returnees found their land occupied by people with no rights to the land. Others faced problems of not remembering their clan's land boundaries as they were so young when they left their homes. As a result, land grabbing and conflicts began and continue to persist in Acholiland. Anthony participated in the land research and said that the experience was a learning curve for the community. He explained that it gave the community an opportunity to come together, discuss land issues and consider best practices of land management and consider future solutions. Anthony longs for legitimate solutions that can protect Acholiland, in order to bind the Acholi people in peace and prosperity for generations to come.



Anthony Oyoo from Paimol Sub-County. Photo: L. Byrne

'During the civil war, we ran, we left our land to go to the camp and the land was left alone.'

For more information contact:

Dorcas Apio, Trócaire Office, Gulu.

Email: dorcas.apio@trocaire.org

For more information on the Land Research Project visit:

www.trocaire.org

The logo for Trócaire, featuring the word "Trócaire" in a bold, blue, sans-serif font. The letter "i" has a horizontal bar above it.