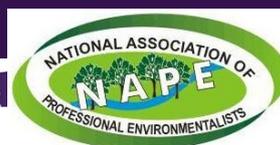




# LAND GRABBING IN UGANDA: 2019-2021

Final Research Report

04/02/2022



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## **ACRONYMS**

CNOOC -	China National Offshore Oil Cooperation
EACOP -	East African Crude Oil Pipeline
EMCAD -	Empowerment for Career Development
FGDs -	focus group discussions
HGA -	Host Government Agreement
ICBC -	Industrial and Commercial Bank of China
IDI -	Inclusive Development International
IDPs -	Internally displaced persons
KIIs -	Key informant interviews
LC -	Local Council
NAPE -	National Association of Professional Environmentalists
NAWAD -	National Association for Women's Action in Development
NGO -	Non-Governmental Organization
PAPs -	Project Affected Persons
POWER -	Participation and Opportunities for Women's Economic Rights
RAP -	Resettlement Action Plan
RDC -	Resident District Commissioner
SMBC -	Sumitomo Mitsui Banking Barporation
UEDCL -	Uganda Electricity Distribution Company Limited
UNRA-	Uganda National Roads Authority
UWA -	Uganda Wildlife Authority

## **Purpose of the Study**

*POWER is a 27-month project to strengthen the eco-feminist movement to promote and protect the economic rights of marginalised women affected by compulsory land acquisition (often referred to as 'land grabbing') in four districts in Northern (Nwoya, Amuru) and Western (Hoima and Buliisa) Uganda, at a critical time when 300,000 women have been displaced and an additional one million women are at risk of displacement.*

*This paper is produced by EMCAD Consulting who were tasked with providing an updated analysis of the extent to which corporate capture of land has led to forced evictions between 2019 and 2021, and the extent to which the UK Aid funded POWER project has helped grow the eco feminist movement across the four project districts.*

## 1.0 INTRODUCTION

Perceptions of land conflict in Uganda are highly subjective, ranging from short verbal dispute between two neighbours relating to a small, contested strip of land between their respective plots, to protracted inter-clan conflicts over large pieces of land involving hundreds of people with incidents of violence and loss of life and property. Apart from this, corporate land grabbing has also characterised land conflict that has been occurring as a result of foreign direct investment that requires large pieces of land, as well as for Government project expansion. Research in Northern Uganda revealed that approximately 50% of the population in the region have experienced land conflict, and 72% of the conflicts are within household, family or clan.<sup>1</sup> In the same study, married women reported experiencing almost 30% more land conflict within the household than men, and significantly more land conflict within the extended family than men. As might be expected in a strongly pronounced patriarchal society, widows reported experiencing 20% more land conflict than widowers and 31% more conflict than widowers within the clan. It is important to note that single females experienced almost 100% more land related conflict than single men.<sup>2</sup>

As a result of the growing integration of the country in export-oriented global agricultural production networks and commodity chains in 2009, Uganda experienced the growth of a tiny fraction of politically connected agricultural entrepreneurs or capitalist farmers and the reinvigoration of contract farming, especially around sugar cane cultivation.<sup>3</sup> The progressive impoverishments of local farmers, which resulted from liberalization and deregulation policies and rampant land enclosures, resulted in the expansion of private interests and corporate capital in agriculture. Agribusiness is the primary reason, whereby big pieces of land are grabbed to grow profitable crops like sugarcane, palm oil, rice, sunflowers, or to be used for intensive animal farming. Secondary reasons include the establishment of national parks and conservation areas managed by government.

Since the time Uganda discovered large tracts of oil, there has been a lot of government negotiations with oil companies seeking access to land for oil exploration. These development projects have been characterised by land grabbing, displacement, forced migration, low and lack of government compensation rates, violence, land degradation and loss of livelihood.<sup>4</sup> As powerful corporations dig for oil, plant large scale crops, and set up new factories in rural Uganda, local people are violently evicted from their land and homes. Their homes are burnt to the ground and human rights are violated. When women are forced from their homes, not only do they lose a home, they lose their livelihoods, incomes and means of supporting themselves and their families.<sup>5</sup> The discovery of commercially viable oil deposits in Uganda in 2006 brought a lot of optimism about the contribution of this new discovery to the development of the country. Optimistic voices claimed that the discovery of oil would transform Uganda from a low in-come to a middle-income country by 2030, and into a high-income country by 2040.<sup>6</sup> The popular argument was that oil proceeds would finance the national budget, liberate Uganda from donor dependency and boost investment in the development of infrastructure such as roads, health, education and recreation. However, the optimism with which this discovery was associated, fell short of reality when people in the oil-rich regions of Uganda began facing evictions from their land with some of them being forced to live in temporary settlement camps

<sup>1</sup> Christopher Burke: Women's Land Rights in Northern Uganda, 2014

<sup>2</sup> Joireman, Sandra Fullerton; Where There is No Government: Enforcing Property Rights in Common Law Africa, Oxford: Oxford University Press, 2011.

<sup>3</sup> Giuliano Martiniello: Social conflict and agrarian change in Uganda's countryside; 2019

<sup>4</sup> Sarah Masters: Reclaiming women's rights: Uganda's eco-feminist movement, 2019

<sup>5</sup> Sarah Masters: Reclaiming women's rights: Uganda's eco-feminist movement, 2019

<sup>6</sup> Roberts K. Muriisa and Specioza Twinamasiko: Land Grabbing in the Albertine Graben: Implications for Women's Land Rights and the Oil Industry in Uganda; 2021

which has further marginalized women in terms of fair and equitable access to water and sanitation, healthcare, and education.<sup>7</sup> Land acquisition processes were marked by confusion, shortcomings in assessment and valuation processes, delayed compensation, lack of transparency and lack of informed consent from the rightful owners of the land.<sup>8</sup>

Irrespective of their nature or purpose, large-scale development projects require large tracts of land and related infrastructure to provide logistical and operational support. Such infrastructure, that includes roads, electricity and other support structures, also requires land and this has led to more land grabbing by relevant Government institutions such as the Uganda National Roads Authority (UNRA) and the Uganda Electricity Distribution Company Limited (UEDCL). While the construction and upgrading of roads, dubbed locally as “oil roads” made movement of goods and services easy and cheaper, these access roads traversed through sensitive eco-systems and displaced many families that were left homeless or ended up in camps or resettlement areas.

In March 2020, the Ministry of Lands, Housing and Urban Development issued a directive halting land evictions while public health measures were in force, prohibiting the movement of people to contain COVID-19.<sup>9</sup> At the time of this research report in December 2021, it is not yet confirmed whether this ban on land evictions is still in place or has been lifted. In 2021, at least three communities across Uganda were facing imminent land evictions. Of notable mention is the Maragoli of Kiryandongo, a group of indigenous people in western Uganda. As of January 2021, more than 35,000 people from over 2,300 families have been forcibly evicted from their homes in Kiryandongo by Ugandan security forces to make way for the industrial farming projects of multinational companies. These evictions have happened every year since 2017.<sup>10</sup>

The UN Committee on Economic, Social and Cultural Rights, defines forced evictions as “the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection”. In order to get more insights into contemporary land grabbing in Uganda since 2019 to date, particularly in Northern Uganda’s districts of Amuru and Nwoya and Western Uganda’s districts of Hoima and Buliisa, Womankind Worldwide (Womankind) engaged Empowerment for Career Development (EMCAD) to conduct a research analysis of the extent to which corporate capture of land has led to forced evictions between 2019 and 2021, and the extent to which the UK Aid funded Participation and Opportunities for Women’s Economic Rights (POWER) project has helped grow the eco feminist movement across those same four districts. The findings of this research analysis will serve to inform appropriate programme interventions in the future.

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<sup>7</sup> Roberts K. Muriisa and Specioza Twinamasiko: Land Grabbing in the Albertine Graben: Implications for Women’s Land Rights and the Oil Industry in Uganda; 2021

<sup>8</sup> Oxfam International: EMPTY PROMISES DOWN THE LINE? A Human Rights Impact Assessment of the East African Crude Oil Pipeline; 2020

<sup>9</sup> <https://www.independent.co.ug/govt-halts-land-evictions-during-covid-19-lockdown/>

<sup>10</sup> International Work Group for Indigenous Affairs (IWGIA), “Indigenous peoples in Uganda”, 18 March 2021, [iwgia.org/en/uganda/4255-iw-2021-uganda.html](http://iwgia.org/en/uganda/4255-iw-2021-uganda.html)

## **2.0 METHODOLOGY**

A qualitative research methodology was used to capture the extent to which corporate capture of land has led to forced evictions between 2019 and 2021, and the extent to which POWER has helped grow the eco feminist movement across the project districts in Northern and Western Uganda namely Amuru, Nwoya, Hoima and Buliisa. This research seeks to gain an intimate understanding of the people, place, culture, and situations through rich engagement and immersion in the reality of the women affected. Qualitative data collection methods that were used included literature review, key informant interviews (KIIs) and focus group discussions (FGDs). A total of 19 key informants and 8 FGDs were conducted with women in the target districts. All FGDs and interviews with local leaders were conducted by a national consultant, while interviews with POWER project partners were conducted by international consultants. Participants of these FGDs were selected by NAPE and NAWAD while participants of KIIs were selected on the basis of their involvement and knowledge of the project. Documents that were reviewed included relevant research studies, and other related documents, most of which were retrieved online or provided by Womankind.

These interviews and desk reviews allowed for detailed descriptions and narratives of the women in the target districts, reflecting the cognitive and affective disposition of the local people of interest. This research involved interaction with the participants in their communities. This approach was used to listen to and understand the narratives and experiences of rural women in the project districts. The methodology allowed a comprehensive approach in understanding how women value their relations to land as a source of economic, livelihood and social empowerment. The intentional selection of a national Ugandan consultant with strong thematic knowledge related to land issues, originally from Amuru helped an effective and empathetic data collection process. As a result, any potential cultural and communication barriers were overcome and the research approach was enhanced by a strong cultural linkage. The open-ended questions enabled the interviewees to talk about their experiences freely and openly without being restricted by the scope of the questions. A full list of documents that were reviewed are provided in Annex 1.

### 3.0 LAND TENURE SYSTEM AND LAND GRABBING IN UGANDA

There are different types of laws that govern land tenure in Uganda, including the freehold tenure, leasehold tenure, Mailo tenure and the customary tenure. In order to fully understand land grabbing in Uganda, one needs an appreciation of the country's land tenure system that defines how land rights are assigned, including access to land and the rights to own and use land. The land tenure system has significant influence on land grabbing in Uganda but the majority of Ugandans are unaware of how the land tenure system operates and it is this ignorance that land grabbers exploit.<sup>11</sup> The Constitution of Uganda, adopted in 1995, and the Land Act (Cap.227) recognize four types of land tenure which are the Mailo, leasehold, freehold and customary land tenure systems as outlined below.<sup>12</sup>

- i) **Customary land tenure system**, as the name suggests, is premised on widely recognized customs and traditions of the owners. It is where land is owned by a clan, class of people and family and it is one of the most common tenure systems in Uganda.<sup>13</sup> Transfer of ownership to individuals can be from the parent to children through inheritance, and selling of land is highly prohibited, unless it is to a clan member. However, it does not provide security of tenure to landowners and is highly criticized for being discriminatory against women.<sup>14</sup> Despite the constitutional and legislative guarantee to land in Uganda, customary land tenure seems to suffer from inadequate legal protection. The customary tenure system which is based on social norms and is prone to change over time and from region to region, is particularly relevant to land use with considerable implications for women's land rights.<sup>15</sup> This is the most common form of land tenure in Uganda, especially in the target districts, covering almost 80% of land.<sup>16</sup>
- ii) **Leasehold tenure system** is a system where someone leases or possesses the land from the owner after fulfilling certain terms and conditions of the agreement reached upon between the two people for a specified period of time. Leasehold tenure is recognised in Uganda's Constitution but is, in practice, not a land tenure regime of its own. Leasehold titles can be issued on all other land tenure categories in Uganda<sup>17</sup>, but is not commonly practised in the target districts.
- iii) **Mailo land** is the type of land tenure whereby land is mainly owned by the Buganda royalists such as kings and chiefs, both within the kingdom and outside the kingdom. In Mailo ownership, land acquired and registered through the 1900 Buganda agreement is owned in perpetuity under a land title. Tenants are recognized and have rights to live on and utilize the land.<sup>18</sup> They also respect the rights of lawful and bona-fide occupants to occupy and live on the land.<sup>19</sup> Some minimal parts of Bunyoro in western Uganda (Hoima and Buliisa) also use this form of land tenure.<sup>20</sup>

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<sup>11</sup> Roberts K. Muriisa: Land Grabbing and Oil Industry, Implications for Women's Land Rights and Oil Industry in Uganda; 2018

<sup>12</sup> Article 237, Constitution of Uganda, Chapter 15: Land and Environment.

<sup>13</sup> Kizito Nyanzi: The Political economy of Land grabbing in Oil resource areas. The Uganda Albertine Graben; 2015

<sup>14</sup> *ibid*

<sup>15</sup> NAPE, NAWAD and WomanKind Worldwide (2018). Digging deep-The impact of Uganda's land rush on women's rights

<sup>16</sup> Oxfam, "Certificates of Customary Ownership yet to guarantee women's land security", 24 March 2021, [uganda.oxfam.org/latest/press-release/certificates-customary-ownership-yet-guarantee-women%E2%80%99s-land-security](https://www.oxfam.org/latest/press-release/certificates-customary-ownership-yet-guarantee-women%E2%80%99s-land-security)

<sup>17</sup> Carolin Dieterle (2021) Global Governance Meets Local Land Tenure: International Codes of Conduct for Responsible Land Investments in Uganda, The Journal of Development Studies, DOI: [10.1080/00220388.2021.1983165](https://doi.org/10.1080/00220388.2021.1983165)

<sup>18</sup> The Buganda Agreement, signed on 10 March 1900 – six years after the Kingdom of Buganda, then known as Uganda, was declared a British Protectorate based on a treaty made in 1893 with the Kabaka (King) of Buganda – stipulated that Kabaka should exercise direct control over the people of Buganda and made formal the relationship between the Kingdom of Buganda and the British Uganda Protectorate.

<sup>19</sup> Geoffrey Mulindwa: Understanding Mailo land and dual ownership; 2019

<sup>20</sup> Ministry of Lands, Housing and Urban Development, "The Uganda National Land Policy", February 2013, pp. 1 -2.

iv) **Freehold** land tenure, is a system whereby someone possesses unlimited ownership rights over land and can pass on ownership to anybody at any time, can sell or lease but all in accordance with the Ugandan law. Freehold tenure refers to individualized private ownership, including registration of title in perpetuity and full ownership powers. Transactions involving freehold land are governed by the Registration of Titles Act (Cap. 230) and protected at the national level.<sup>21</sup> Unlike freehold, other land tenure systems such as customary land tenure, are not fully protected by the law.<sup>22</sup> However, freehold is not commonly practised in the target districts.

The Government plays key roles in large scale land acquisition in Uganda, ranging from attracting Foreign Direct Investment (FDI) that requires large pieces of land, to provision of the legal framework under which land acquisition process takes place.<sup>23</sup> The government can also directly acquire land as provided for under article 26 of the Uganda Constitution. In addition, the constitution of Uganda article 237 (4a) provides that people may apply for certificate of ownership of land but does not oblige them to do so, and this makes them vulnerable to land grabbing. Indeed, much of the land grabbing, especially by speculators, has been a result of this lack of registration of customary tenure.<sup>24</sup> The constitution affirms the right of ownership to property, and that “no person shall be compulsorily deprived of property or any interest in or right over property of any description” article 26 (1 and 2). It also gives protection to the land owners from eviction. However, Government institutions such as police have been reported to aid forceful evictions of people in some instances.<sup>25</sup>

In 2006, Uganda discovered commercially viable oil deposits in the Albertine Graben<sup>26</sup> region. Since then, the government embarked on establishing effective management procedures to promote growth and development for the country.<sup>27</sup> In the Albertine Graben<sup>28</sup>, where Hoima and Buliisa fall under, the distribution of power and wealth is affected by land holding positions of community members. On the one hand, the long-time settlers in the Albertine Graben have depended on the customary land tenure holding system with limited control since no one has formally registered his/her customary rights.<sup>29</sup> On the other hand the elite group who are now grabbing land and driving out the former residents of the Albertine Graben region, are able to do so because they have registered land in their names and acquired land titles. Possession of a land title is the only legal claim that one can show as evidence of owning land since titling and privatizing guarantees land security and protection of rights to land.<sup>30</sup> The rich local private individuals’ and local business people also grab land, often by buying off the poor people, and at other times, by forcefully extending their boundaries into the neighbours’ land. The land they acquire can be for both their own use but also for speculative reasons to sell it in future. They can also act as a source of information to the foreign buyers on the availability of the land. Land grabbing has also been done by multi-national oil companies and foreign investors who have been major acquirers of land in Uganda to carry out oil exploration, agri-business and related waste management, and these companies include Tullow Oil, CNOOC Oil group, BIDCO Oil Company and McAlester Energy Resources Limited, to mention a few.

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<sup>21</sup> Ministry of Lands, Housing and Urban Development, “The Uganda National Land Policy”, February 2013, p. 33.

<sup>22</sup> Carolin Dieterle (2021) Global Governance Meets Local Land Tenure: International Codes of Conduct for Responsible Land Investments in Uganda, *The Journal of Development Studies*, DOI: [10.1080/00220388.2021.1983165](https://doi.org/10.1080/00220388.2021.1983165)

<sup>23</sup> Jean Claude N Ashukem: Land Grabbing and Customary Land Rights in Uganda: A Critical Reflection of the Constitutional and Legislative Right to Land; 2020.

<sup>24</sup> Roberts K. Muriisa: Land Grabbing and Oil Industry, Implications for Women’s Land Rights and Oil Industry in Uganda, 2018

<sup>25</sup> ibid

<sup>26</sup> Uganda Land Alliance (ULA), Land Grabbing and its effects on the communities in the oil rich Albertine region of Uganda.

<sup>27</sup> ibid

<sup>28</sup> <https://energycapitalpower.com/play-by-play-albertine-graben>

<sup>29</sup> Roberts K. Muriisa: Land Grabbing and Oil Industry, Implications for Women’s Land Rights and Oil Industry in Uganda, 2018

<sup>30</sup> Roberts K. Muriisa: Land Grabbing and Oil Industry, Implications for Women’s Land Rights and Oil Industry in Uganda, 2018

Land in northern Uganda (Nwoya and Amuru) was communally owned under customary land tenure until recently, when individual landownership was introduced by the government of Uganda following constant criticisms by the international community, particularly the World Bank, who argue that customary land has prevented foreign investors from acquiring land for commercialisation.<sup>31</sup> Customary land tenure in northern Uganda is described by some as a recipe for underdevelopment and thus, a cause of the region's high level of rural poverty.<sup>32</sup> While land titling may work in empowering women on certain land tenure systems such as Mailo, freehold and leasehold, land titling on customary land tenure systems, may not empower women and eliminate gender inequalities in land governance in northern Uganda, as the target districts remain predominantly patriarchal – where men more often than not, have the final say on land issues.

### 3.1 Land Grabbing in Uganda since 2019

On 8 December 2016, President Museveni established the Commission of Inquiry into Land Matters chaired by Justice Catherine Bamugemereire,<sup>33</sup> to inquire into the effectiveness of law, policies and processes of land acquisition, land administration, land management and land registration in Uganda.<sup>34</sup> Between 2017 and 2019, the Commission received 8,528 complaints from 123 of the country's 135 districts.<sup>35</sup> This reflects the extent of contentious land disputes in Uganda. The Uganda Media Centre reported that the President had stated that “the Commission's report gives government what he described as a ‘soft landing’ to handle cases of eviction, among others”.<sup>36</sup>

With a population of more than 43 million people and a population growth rate of about 3.3% per annum, there are approximately 600,000 registered landowners in Uganda, representing just over 0.01% of the population. Tenants and customary owners are estimated to be over 20 million. It is also estimated that less than 50% of individual land in rural areas is formally registered.<sup>37</sup> Land grabbing in Uganda is the continuation, though in a different form, of long-term, historical, and systemic dynamics initiated during colonialism and continued in the postcolonial era.<sup>38</sup> Despite the various formal and informal institutions that have been established to deal with property related wrangles, the situation seems to be escalating in recent years, with increasing cases of unlawful and violent evictions and land grabbing.<sup>39</sup> Below are research findings outlined by district.

### 3.2 Land Grabbing in Amuru

In Amuru, where the majority of people access land through inheritance (87%) and hold land in customary tenure (98%) and where land documentation in terms of certificate of customary ownership amounts only to 1.4% of land and freehold property to 0.4% of land, displacement of people from rural areas is escalating at an unprecedented level.<sup>40</sup> 80% of the Amuru people don't have clear

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<sup>31</sup> World Bank Loans Support Countries' Poverty Reduction Strategies – The Case of Uganda. Kampala And Washington DC.: Uganda National NGO Forum; RESULTS Educational Fund 102 D. S. ATWAGALA (USA), accompanied by Action Aid (Uganda and USA). <https://www.brettonwoodsproject.org/topic/adjustment/ugandaanalysis.pdf>.

<sup>32</sup> Amone, C., and C. Lakwo. 2014. “Customary Land Ownership and Underdevelopment in Northern Uganda.” *International Journal of Social Science and Humanities Research* 2 (3): 117–25.

<sup>33</sup> Set up vide Legal Notice No. 2 of 2017.

<sup>34</sup> The Judiciary, “Land Inquiry Starts Work”, available at [judiciary.go.ug/data/news/319/Land%20Inquiry%20Starts%20Work.html](http://judiciary.go.ug/data/news/319/Land%20Inquiry%20Starts%20Work.html)

<sup>35</sup> Uganda Media Centre, “President Museveni receives Bamugemereire Land Commission Report”, 29 July 2020, available at [www.mediacentre.go.ug/media/president-museveni-receives-bamugemereire-land-commission-report](http://www.mediacentre.go.ug/media/president-museveni-receives-bamugemereire-land-commission-report)

<sup>36</sup> Uganda Media Centre, “President Museveni receives Bamugemereire Land Commission Report”, 29 July 2020, available at [www.mediacentre.go.ug/media/president-museveni-receives-bamugemereire-land-commission-report](http://www.mediacentre.go.ug/media/president-museveni-receives-bamugemereire-land-commission-report)

<sup>37</sup> Uganda Bureau of Statistics, “Population Clock 43,164,383”, October 2021, <https://www.ubos.org/>

<sup>38</sup> Guiliano Martiniello: Social conflict and agrarian change in Uganda's countryside; 2019

<sup>39</sup> Legal Services Providers Network (LAPSNET): Situation Analysis on Compulsory Land Acquisition Management in Uganda; 2019

<sup>40</sup> Jean Claude N Ashukem: Land Grabbing and Customary Land Rights in Uganda: A Critical Reflection of the Constitutional and Legislative Right to Land; 2020.

documentation of their land.<sup>41</sup> According to the Uganda Bureau of statistics, this amounts to about 173,000 people in Amuru district.

The dispossession and displacement of people from the land through land grabs by Government, foreign investors and some locals have been met by a variety of responses by different segments of the community. These include visible forms of resistance such as popular mobilizations, demonstrations by women, rural upheavals, and hidden, less confrontational, low-intensity actions such as trespassing and farming into demarcated areas, and skirmishes with rangers of protected areas. The rural Amuru women depend mostly on agriculture for their survival.<sup>42</sup> Evidence shows that Amuru women cultivate the land to produce food for their families and some for sale to earn some income to cater for what they do not produce. Land grabbing, which often requires huge chunks of land, has led to the eviction of locals in Amuru, many of whom are women, by the investors with the support of the government. This has reduced land for their farming activities and others have become squatters on their own land.

In the past, Amuru District was known for its fight against land grabbing, organised through its clan structures. For example, female elders of Amuru are reported to have stripped naked in protest of the threat of their land being taken away and were led by the then Amuru Resident District Commissioner (RDC) Milton Dongo in 2012. The protest successfully disrupted planned demarcation of land by the government.<sup>43</sup> In October 2018, 234 Amuru residents waged a one-month occupation of a United Nations office, forcing armed personnel out of their community as a way to defend their land. A woman from Apaa narrated as follows:

*'---there is no tribe in Uganda that is tortured like the Acholi and especially the Acholi from Amuru District. In Kololo and Lakang 10,000 hectares of land have been allotted for sugar cane growing, Wicere is a national forest, Apaa is a game reserve and all are in Amuru district. Where are the Acholi supposed to live?'*<sup>44</sup>

In addition, over the years, Amuru has faced several land dispute/grabbing issues. Three entities, namely Amuru district, the Uganda Wildlife Authority (UWA) and Adjuman district have been contesting for a 40km<sup>2</sup> tract of land.<sup>45</sup> The contestation which started in 2011 resulted in death, imprisonment, evictions, displacement and demolition of houses on a large scale.<sup>46</sup> Ethnic tensions spread to Nwoya District in the sub counties of Anaka, Purongo, and Alero.<sup>47</sup> The discovery and exploration of oil in the Acholi sub-region's districts of Amuru, Nwoya and Lamwo are fuelling disputes and evictions.<sup>48</sup> In Amuru, a company called West Achori Cooperative Union has been clashing and fighting over land for farming with the local community, as it seeks to engage in commercial farming. It grows maize on a large scale and takes advantage of people who do not have proper documentation for their land. The cooperative goes on to acquire documentation of land from the land office and proceed to evict people from their land. A key informant said;

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<sup>41</sup> Kevin, T., 2018. Land Use Conflicts And The Livelihood Of The People In Amuru District: A Case Of Pabbo Sub County, Amuru District.

<sup>42</sup> Bomuhangi, A., C. Doss, and R. Meinzen-Dick. 2013. "Who Owns the Land? Perspectives from Rural Ugandans and Implications for Land Acquisitions." *Feminist Economics* 20 (1): 76–100. doi:10.1080/13545701.2013.855320.

<sup>43</sup> Digging Deep: The impact of Uganda's land rush on women's right

<sup>44</sup> Benjaminsen, T. A. and C. Lund. *Securing Land Rights in Africa*. 2008

<sup>45</sup> Tumushabe, G., & Tatwangire, A. (2017) Understanding changing land access issues for the rural poor in Uganda. IIED, London

<sup>46</sup> Kobusingye, D. N., Van Leeuwen, M., & Van Dijk, H. (2017). The multifaceted relationship between land and violent conflict: The case of Apaa evictions in Amuru district, northern Uganda. *Journal of Modern African Studies*, 55(3), 455–477.

<sup>47</sup> Lenhart, L. (2013). Alleged Land Grabs and Governance: Exploring Mistrust and Trust in Northern Uganda – The Case of the Apaa Land Conflict. *Journal of Peace and Security Studies*, 1, 64–85.

<sup>48</sup> Advisory Consortium on Conflict Sensitivity (ACCS). (2013). Northern Uganda Conflict Analysis.

*“They also use intimidation. They come with guns. So, last month in November one family was burned because they refused to leave their land. That is the Amuru district in Laima sub-county. From that need, we had an advocacy event”. [KII with NAPE]*

However, discussions with women during the data collection process showed that the specific locations visited - Amuru sub-county and Pabbo town – were not affected by land grabbing activities in the district. One participant in an FGD highlighted this saying;

*“There is no co-operate land capture. It is in Opara sub-county in Pawel (Parish), not here”*  
**[FGD with women, Amuru]**

This indicates that although corporate capture of land is prominent in Amuru, this does not affect all communities within the district. This may be due to some areas having attractive resources that interest investors more than in other areas.

Through interventions such as the POWER project, these and other land grabbing issues were brought to light to ensure that they are addressed. Empowering women and providing knowledge on legal process claims and land user rights has further equipped the Amuru community to withstand unjust land claims by the government, foreign investors and locals acting as pawns for larger corporations. Below is a case study of the Atiak Sugar Factory that has been identified as a major perpetrator of land grabbing in Amuru.<sup>49</sup>

### ***The Atiak Sugar Factory***

*The Atiak Sugar Factory is a sugarcane investment by Horyal Investments Holding Company Ltd which is located in Amuru District, in northern Uganda. The project is based on a nucleus estate, as well as substantial out grower farming areas. The size of the farm can be estimated to be approximately 6,000 hectares. In 2018, the government bought a 10 per cent share in the company and operations started in early 2019.*

*The land on which the project was implemented is customary land and the land acquisition was a two-fold process. The Horyal Company negotiated a contract with an extended family that claimed ancestral customary land rights over the plot of land destined for the sugarcane project. After an agreement was made, the company helped to formalise the family’s land claims by facilitating the issuance of a freehold title in the family’s name at the Amuru District Land Board. Thereafter, as the landlord with a documented land title, the family granted the company a leasehold title over a large portion of this land for the sugarcane project. The process of land demarcation and the formalisation of the family’s land title sparked a dispute between the extended family and surrounding communities. The land was communally owned and could not be leased. The ‘landlord’ family was wealthy and politically well-connected. Some neighbours and community members argued that the family overextended their land boundaries during this process, and then leased land to the company that was not theirs to give. The paramount chief (rwot Kweri) of Atiak, together with several community members, sued the extended family landlord over land rights violations but top Government officials ordered that the case be resolved outside of the court. Complaints over land claims violations voiced by neighbouring communities were silenced, people were arrested, some villagers were forced to relocate, and others lost*

<sup>49</sup> Carolin Dieterle (2021) Global Governance Meets Local Land Tenure: International Codes of Conduct for Responsible Land Investments in Uganda, The Journal of Development Studies, DOI: [10.1080/00220388.2021.1983165](https://doi.org/10.1080/00220388.2021.1983165)

Although similar cases are common not only in the project districts, but across Uganda, this case demonstrates the level of influence of wealthy members of the extended family as well as political interests. While on one hand the investor seemed to follow a ‘bottom-up’ approach to land acquisition through direct engagement with local land users, which is considered as responsible investment by most international guidelines, on the other hand, the process erased claims to customary rights to the land by the extended family and neighbouring communities. This demonstrates corporate land grabbing through family members and political influence. While there is a presumption that land grabs are led by foreign corporate interests, the Amuru case illustrates the collusion between (foreign) investors, the ruling, local elite and the local population in such instances.

### 3.3 Land Grabbing in Nwoya

Emerging from a two-decade long civil war in 2006, the post-conflict recovery period has been marked by contentious land disputes and grievances. Return to normal has not been as smooth as expected with some returning internally displaced persons (IDPs) who had been resettled, coming back to find their land has been occupied.<sup>50</sup> The land conflicts in Northern Uganda were also found to have negative effects on agricultural productivity.<sup>51</sup> Nwoya has had its own experiences with land grabbing. In Nwoya, registered land only forms about 0.01%<sup>52</sup> of the land in the district, which means about 233 000 people occupy land that is not registered.<sup>53</sup> Its flat terrain that is suitable for mechanization, makes it more attractive to large scale agricultural investments.<sup>54</sup> Its low population density of 29 persons/km<sup>2</sup> also makes it a target for land grabbing by foreign investors and the government.<sup>55</sup> By 2017, Nwoya was a host to about 26 commercial farms operating between 200 and 7500 acres.<sup>52</sup> Though the sub-region has been at the centre of land disputes especially with large scale acquirers, its administrators promote large scale agricultural investments through identifying land for investors. Most of large-scale agricultural investments in Nwoya are located in Lungulu and Purongo sub counties due to customary tenure, which allows easier land access by foreigners compared to customary.

Due to land tenure challenges in Nwoya where approximately 90% of the land is held under customary land tenure, official processes of leasing land for investment have become complicated and threatens the land security and livelihood of customary land holders.<sup>56</sup> As a result of post war land struggles and increased land grabbing from non-locals and elites who seek to expand their boundaries to profit more from increasing land values, land formalization and registration by NGOs and government have been emphasized in the area – which relates to the POWER project’s objectives. Nwoya is one of the recipients of land titling and formalization programs in the last decade, led by government in partnership with NGOs and other private entities.<sup>57</sup>

Foreign investments and its need for land which has led to land grabbing in Nwoya has caused land tenure insecurity for marginalized women, as elites and the army grab land to profit from increasing

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<sup>50</sup> Kligerman, N. (2009). Alienation in Acholi land: War, Privatization, and Land Displacement in Northern Uganda.

<sup>51</sup> Mwesigye, F., & Matsumoto, T. (2016). The Effect of Population Pressure and Internal Migration on Land Conflicts: Implications for Agricultural Productivity in Uganda. *World Development*, 79, 25–39.

<sup>52</sup> A critical analysis of customary land registration in Uganda: case study of Nwoya district, Uganda. <http://196.43.133.114/handle/10570/8248>

<sup>53</sup> [https://www.citypopulation.de/en/uganda/northern/admin/110\\_nwoya/](https://www.citypopulation.de/en/uganda/northern/admin/110_nwoya/) Accessed 28 January 2022

<sup>54</sup> Otto, A. I. (2017). Nwoya; Uganda’s hub for foreign commercial farmers. <http://www.sunrise.ug/news/201706/nwoya-ugandas-hub-foreign-commercial-farmers.html>

<sup>55</sup> Uganda Bureau of Statistics 2016

<sup>56</sup> Kevin, T., 2018. Land Use Conflicts And The Livelihood Of The People In Amuru District: A Case Of Pabbo Sub County, Amuru District.

<sup>57</sup> Adoko, J. (2017). Certificates of Customary Ownership (CCOs) are not what they seem on the surface – risks to CCOs.

land values. High military officers have been implicated for land grabbing in Acholi.<sup>58</sup> In addition the low land documentation in Nwoya has further explained the incidence of land conflicts. The higher incidences of past land disputes could also be explained by the loss of oral land ownership records and boundaries due to death of elders during the civil war and decline in the clan's authority, capacity and benevolence to protect those who are most vulnerable.<sup>59</sup>

During the data collection process, differences were noted between the women in Anaka sub-county and Purongo with only Anaka sub-county experiencing corporate land capture. Compensation for their land was regarded as a priority as highlighted by one FGD participant who said;

*“In this area there are eight households, whose land and houses have been demarcated for establishment of the pylons and yet Umeme has not compensated any of us”* [FGD with women, Nwoya]

Despite the responses of FGD participants, the land grabbing scenarios described above may be occurring in the other 6 sub-counties of Nwoya that were not visited during the study.

### 3.4 Land grabbing in Hoima

Development projects associated with the oil operations in Uganda have substantial land acquisition requirements. A lot of the oil activities and much of the land acquired for oil developments - for example oil refineries, pipelines, an airport, and a central processing facility - are located in Hoima district. Hoima also has large agribusinesses, for example sugar plantations and refineries. An analysis of different corporate projects in Hoima illustrates the different ways of land grabbing in the district and the consequent socio-economic impact on communities.

Oil extraction has impacted local residents in a number of ways 7,000 individuals - the majority of them women - in Hoima District, were evicted to pave way for the construction of the EACOP, an oil refinery in 2017.<sup>60</sup> The affected persons were offered the choice between compensation and resettlement. While some residents were compensated and moved to new settlements, some have still not received any compensation. Some of those who opted for compensation rejected the offer after they discovered their properties had been undervalued.<sup>61</sup> People living in Hoima have reported undervaluation of their agriculture and property, payments which do not match agreed compensation rates, and interruption of livelihoods. The process has been marked by delays and broken promises. The residents who have not received their rightful payment are living in dire conditions. Agricultural activities also suffer dramatically, as families cannot rely anymore on their harvests.<sup>62</sup> To sustain their families, those who have no food depend on small loans from those who already received their compensation. Companies involved include six consortium out of fifteen that applied for possible selection as strategic investors in the refinery. They include China Petroleum Pipeline Bureau, from the People's Republic of China, Marubeni Corporation from Japan and Petrofac from the United Kingdom, RT-Global Resources from Russia, SK Energy from South Korea and Vitol from the Netherlands. The successful consortia have a 60 percent stake in the refinery expected to hold an

<sup>58</sup> Nakanwagi, Teddy Triza and Tumusiime, David Mwesigye and Byaruhanga, Michael Bruce and Byakagaba, Patrick and Bashaasha, Bernard, Regional difference in land tenure security in Uganda (November 22, 2021). Available at SSRN: <https://ssrn.com/abstract=3968647> or <http://dx.doi.org/10.2139/ssrn.3968647>

<sup>59</sup> Joireman, S. F. (2018). Intergenerational land conflict in northern Uganda: children, customary law and return migration. *Africa*, 88(1), 81-98.

<sup>60</sup> Local Communities and Oil Discoveries: A Study in Uganda's Albertine Graben Region

<sup>61</sup> Policy Brief: Property and Compensation Rights in Uganda

<sup>62</sup> International Aler's report - Governance and livelihoods in Uganda's oil-rich Albertine Graben

output capacity of 30,000 barrels per day in 2018 and a projected profit of about USD3.6 billion. The refinery will however have an overall capacity of 60,000 barrels per day, but it will not function to full capacity until 2020. To date, full capacity has not yet been achieved. The approved resettlement action plan by the Government of Uganda involves compensation amounting to about USD 18.5 million, which is only 0.5% of the projected profit.

Oil-related displacement in Western Uganda, draws attention to oil development and evictions leading to changes in use of common land people.<sup>63</sup> Clashes broke out between farmers and cattle pastoralists on the oil refinery land in February 2018. In April 2018 Hoima Resident District Commissioner John Steven Ekoom said hundreds of animals were hampering airport construction works, blocking the routes of trucks carrying construction materials. Authorities in Hoima ordered the arrest of pastoralists in the oil refinery area. Ekoom said: "I have directed a joint operation between UPDF [Uganda People's Defense Forces] and Police to arrest any cattle keeper interfering with oil and gas projects, starting tomorrow."<sup>64</sup> By 3rd May 2018, following a directive by President Museveni, UPDF had taken control of the oil refinery. The previous week security operators had forcibly evicted a group of herdsmen and cultivators following expiry of an ultimatum ordering them to vacate the land. UPDF had deployed a battalion at Nyahaira primary school to avert further encroachment on oil refinery land by herdsmen and cultivators.<sup>65</sup>

In January 2018, a group of people affected by the oil refinery project signed for compensation, but expressed regret that the government had used the outdated 2012 compensation rates. Those who had opted for cash compensation in the six years since initiation of the refinery project had, according to Earth Finds, endured 'untold suffering'. The compensation value, which should have been higher than the value of the land acquired and developments upon it, had not been considered. Moreover, a disturbance allowance of 30 per cent for compulsory land acquisition had never been paid. This allowance would have enabled affected people to build larger accommodation for their extended families. Affected families had 13 churches, a mosque and a market. None of these were in place in the resettlement site, Kyakaboga, where the replacement primary school had still not been handed over. Families had lived less than a year in small government-built houses with leaking ceilings and naked wirings on walls which had already developed cracks.<sup>66</sup> Oil development was negatively affecting other sectors of the economy; there was a marked decline in non-oil activities. Oil development impacts included conflict, food insecurity, corruption, and social polarization, partly due to an influx of people with many different ethnicities and cultural backgrounds. Land fragmentation had occurred and many instances of land grabbing came to light during public hearings and testimonies. One example was acquisition of 400 hectares of land by a former Kabaale District surveyor, which he subsequently sold to the Uganda Land Commission for a considerable profit. The Chair of the Oil Refinery Resettlement Committee, Richard Orebi, spoke about resettlement in Kyakaboga costing him and other affected persons their livelihoods. They had asked the government to construct houses on their respective pieces of land. Instead all the houses were crammed together in what officials called a 'satellite city', far away from the plots of land allocated for cultivating crops and rearing animals. This 'absurd' urban setting had forced him and many other people to sell off his livestock, such as goats, pigs and poultry that previously helped them supplement their meagre incomes. On 29th March 2019, following delayed hearing of the oil refinery-affected people by the Kampala High Court, Uganda's Principal Judge, Dr. Yorokamu Bamwine, directed the Land Division of the High Court to fast-track the case. In a letter dated 28th March, refinery affected people had

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<sup>63</sup> Pablo Pereira de Mattos, (2018), '“I was better off without the oil”': Oil-related displacement in Western Uganda

<sup>64</sup> Pastoralists in Oil Refinery Area Face Arrest, Kampala Post, 24 April 2018

<sup>65</sup> UPDF evicts herdsmen off oil refinery land, Capital FM, 3 May 2018

<sup>66</sup> Why has government failed to meet all its commitments under the oil refinery project?, EARTHFINDS, 23 February 2018

informed him that 20 women and 10 children, representing the rights of 7,118 people, would demonstrate, camping at his chambers until the High Court began hearing their case without further delay.<sup>67</sup> In addition, discussions with women in an FGD in Hoima, revealed a number of corporates involved in land grabbing;

*“Yes. Here in Kigaaga the POWER project helped women who have been affected by the road construction under UNRA. For instance, my house was affected by the planned road. I struggled with UNRA. Then POWER project brought us a lawyer. I explained my problem to her and then she wrote to UNRA. Within a short time we were given our compensation from UNRA.” [FGD with women, Hoima]*

*“No. in Kijayo camp, Hoima Sugar Company unjustly evicted us from our land. For more than 4 years now we are living in a IDP camp. We took the matter to court but up to now the issue has not yet been resolved. And yet our lives get worse. Children are dying from the terrible conditions in which we live.” [FGD with women, Hoima]*

The POWER project played a pivotal role in helping women to get compensation for the land they lost to corporates. Without the project intervention, the affected women could have continued to endure unjust land grabs.

### 3.4.1 The East African Crude Oil Pipeline (EACOP)

The East Africa Crude Oil Pipeline (EACOP), state-owned by the China National Offshore Oil Cooperation (CNOOC) and TOTAL starts in Kabaale, Hoima district, and ends at Tanga, in Tanzania, is to transport Uganda’s crude oil to a marine storage and export facility on the Tanzanian coast. The Standard Bank through its Stanbic Uganda, along with the Industrial and Commercial Bank of China (ICBC) and Japan’s Sumitomo Mitsui Banking Corporation (SMBC) have been banking the project. The EACOP project comprises a 24 inch underground pipeline that is 1,446 km long and runs through Uganda and Tanzania, covering 296 km in Uganda and 1,150 km in Tanzania.<sup>68</sup> The approximate land take in Uganda for this project is 1,255 hectares. Passing through nine villages of Hoima, the project impacted about 4,300 people in Hoima and Buliisa by September 2020.<sup>69</sup> Initially, both men and women had hope that they would be offered jobs working for EACOP, but their limited education and relevant skills prohibited them from job opportunities linked to the project.<sup>70</sup>

In August 2018 it was reported that Kyakatemba residents feared losing land after the government demarcated about half of the land in the area for the pipeline. A farmer, James Mubona, said land feeding his children and grandchildren would be lost and he expressed concern about the impact on the economy of the region which is dependent on farming. Energy ministry spokesperson, Jusuf Masaba, said the pipeline route had been mapped out with plans to compensate and resettle people at an advanced stage and that the government was acquiring farmland, not houses, as there were no settlements in its path.<sup>71</sup> On 28 May 2019 a coalition of 21 African and international organizations, including AFIEGO, 350.org, Inclusive Development International (IDI) and Bank Track, wrote a letter calling on South Africa’s Standard Bank and Japan’s SMBC to withdraw from their role as lead arrangers for EACOP, advising the Ugandan and Tanzanian governments and arranging USD 2.5 billion in finance loans for completion of the USD3.5 billion project. The letter highlighted risks of

<sup>67</sup> <http://www.busiweek.com/refinery-affected-persons-threaten-to-strike>

<sup>68</sup> Oxfam Intl: EMPTY PROMISES DOWN THE LINE? A Human Rights Impact Assessment of the East African Crude Oil Pipeline; 2020

<sup>69</sup> *ibid*

<sup>70</sup> *ibid*

<sup>71</sup> Residents in Kyakatemba village in fear of land loss as Ugandan pipeline construction due to commence, Ugnada Oil, 22 August 2018

the project including displacement of entire communities in the oil extraction zone and pipeline corridor, impacting up to 14,500 farms in the Tanzanian stretch, threats to fresh water sources including Lake Victoria, severe degradation of the habitats of elephants, eastern chimpanzees and lions. The letter also emphasized the climate impacts; the 216,000 barrels of crude oil per day expected to be carried by the pipeline is expected to result in Carbon Dioxide emissions of more than 33 million tonnes annually, significantly greater than the combined emissions of Uganda and Tanzania.

An impact assessment of the EACOP oil project that was conducted in December 2020 documents how the project mishandled the eviction and resettlement processes, leading to the infringement of a number of people's rights, including the rights to property; adequate standard of living; food; education; health; adequate housing; freedom of expression; association and peaceful assembly; and the right to free, prior and informed consent.<sup>72</sup> The community was not given sufficient information about the pipeline project and its impacts, noting a tendency by the company officials and other stakeholders to focus on benefits of the project, as opposed to the risks. The COVID-19 crisis only further aggravated the lack of information and state of uncertainty for affected households as direct, face-to-face engagement by the oil company officials stopped for three months during the pandemic.<sup>73</sup> Some of the communal resources like water streams and grazing land were split in two, thereby affecting the social cohesion of these communities.<sup>74</sup>

The EACOP project brought a number of significant risks to women that include increases in already high levels of gender-based violence – a problem that the Ugandan and Tanzanian governments are struggling to address. One FGD respondent from the POWER evaluation stated that;

*“When the oil project came, our husbands got compensation money and they left us with the children. We remained in these homes, suffering. – A farmer and women's rights activist in Hoima District”*<sup>75</sup> **[FGD with women, Hoima]**

Thousands of oil-affected people in the Albertine region remain without access to land, unable to grow food for survival or income generation as they wait for delayed compensation. The process of relocation was long and difficult and a vast majority of the displaced households were compelled to accept cash compensation as opposed to being relocated due to fear and scepticism of the resettlement process. However, people who received cash compensation failed to replace the land they lost due to under-compensation, and the lengthy delay in compensation during which land values changed.

The EACOP route traverses' numerous diverse ecosystems and human settlements, with one third of the pipeline running alongside Africa's largest lake, Lake Victoria – a primary water source for more than 40 million people. The pipeline is to pass through uniquely sensitive and ecologically diverse areas of the world that include seven forest reserves, two game reserves, two game-controlled areas and one open area that supports wildlife management, covering a total of 295km of conserved and protected lands.<sup>76</sup> There were no sufficient safeguards to address and protect the ecological and human rights risks resulting in a transnational campaign to stop the construction of the EACOP.<sup>77</sup> These serious impacts on and risks to affected people and communities, are occurring in an increasingly dangerous environment for human rights defenders. Community and civil society advocates brave enough to speak out, or even conduct research, have faced threats and attacks, including harassment

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<sup>72</sup> Les Amis de la Terre France and Survie: 2020

<sup>73</sup> Oxfam Intl: EMPTY PROMISES DOWN THE LINE? A Human Rights Impact Assessment of the East African Crude Oil Pipeline; 2020

<sup>74</sup> *ibid*

<sup>75</sup> Oxfam Intl: EMPTY PROMISES DOWN THE LINE? A Human Rights Impact Assessment of the East African Crude Oil Pipeline; 2020

<sup>76</sup> The letter

<sup>77</sup> *ibid*

and arbitrary detention as a result of their efforts to challenge oil development in Uganda. In Tanzania, the security risk to human rights defenders is so severe that expressing dissent, or filing a complaint is almost impossible.<sup>78</sup> Key informant interviews with stakeholders support the above as mentioned below:

*“They identify prime land, and the government comes in and tells the community we need this land to convert it to ABC. It is about the oil and gas projects that are coming. That is the oil roads, the airport, the crude pipeline.” [KII with NAPE]*

*“Also because of the two government projects of constructing the road to the airport and the oil pipeline from the refinery that is located in Kigaaga, there is increased land grabbing. You hear that someone has a title for land that covers many villages and yet we the people who are living in it do not have land titles to our land.” – [FGD with women, Hoima Kigaaga]*

*“The issue surrounding land is very contentious. Some people resettled because the feeder pipeline and refinery pipeline are still not adequately compensated. They had been promised to be given land titles and other forms of compensation.” [KII with LAL trainer]*

*“There is a lot of policing and militarization in the region when someone has interest in your land. When you look at the oil pipeline they come, and they put marks on pieces of land and they take the land.” [KII with NAPE]*

*“East African crude oil pipeline, an oil processing facility, an industrial park, an oil refinery there are companies involved in these projects that want land and have acquired land and they have promised to compensate occupants of the land. Stories are still emerging that some occupants’ land was taken but they have not been paid up to 2 years after the cut-off date.” [KII with Journalist]*

Ugandan media also reported that in February 2019, in Hoima, western Uganda, police evicted over 500 families in four villages from their homes to pave the way for construction of an oil waste treatment plant. The eviction was based on a court order in favour of the businesses, issued by a Hoima court.<sup>79</sup> On 23 September 2019, the Office of the President intervened and required the Hoima Resident District Commissioner to direct the Director of Public Prosecutions (DPP) to investigate the matter.<sup>80</sup> Media reports indicate that since 2012 over 1,000 households in the oil-rich Albertine region have been affected by forced evictions. Many of these have arisen because of court orders in favour of business owners.<sup>81</sup>

EACOP, the Government of Republic of Uganda and the United Republic of Tanzania, together signed the Host Government Agreement (HGA) on 11<sup>th</sup> of April and 20<sup>th</sup> of May 2021 respectively. The HGA establishes the legal and commercial framework for EACOP to be financed, constructed and operated.

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<sup>78</sup> The letter

<sup>79</sup> The Independent, “10,000 families face forceful eviction in Hoima”, 6 January 2021, [independent.co.ug/10000-families-face-forceful-eviction-in-hoima/](https://independent.co.ug/10000-families-face-forceful-eviction-in-hoima/)

<sup>80</sup> The Uganda Radio Network, “President’s Office Intervenes in Hoima Land Evictions”, 26 October 2019, [ugandaradionetwork.net/story/presidents-office-intervenes-in-hoima-land-evictions](https://ugandaradionetwork.net/story/presidents-office-intervenes-in-hoima-land-evictions)

<sup>81</sup> “Oil Politics and Land Tenure Changes in Uganda: Understanding the Curse of Dispossession in the Albertine Region”, African Social Science Review, Volume 10, Number 1, Article 7, May 2019, p. 187.

### 3.5 Land Grabbing in Buliisa

In Buliisa land grabbing is directly tied to various activities, including construction of sophisticated infrastructure such as the planned airport facility and a proposed refinery in Kabaale; the Nyamasoga

#### ***Tilenga Project***

*Tilenga is a multimillion-dollar project that is proposed to include, among others, the development of an Industrial Area, composed of project site-camps, central processing facilities for the production areas in Buliisa, and field access roads. In September 2017, the consulting agencies (Atacama-Uganda; Synergy-UK; and Nomad Consulting-South Africa) that were contracted by the government of Uganda to conduct a social impact survey of the development of the project, produced a 'draft' resettlement action plan titled "Resettlement Action Plan 1 for the proposed Industrial Area and NI Access Road" (hereafter Tilenga-RAP). According to the Tilenga-RAP, the interface between land and this oil-project is enormous. A total of 601 households have been directly or indirectly affected. The majority of these were drawn from mainly 4 villages (Kasenye, Kisomero, Kibambura and Uduk). In terms of resettlement programming, an initial 28 households had been preliminarily determined to qualify for complete physical resettlement which included a house. The rest qualified for cash compensation and partially 'livelihood restoration programs'. In monetary terms, the Tilenga-RAP is proposed to be implemented with a budget of USD 8.175 million (approximately 29.4 billion Uganda Shillings). The agencies implementing the Tilenga-RAP conducted an excursion for the Tilenga- project affected persons (PAPs) to Kyakaboga. The objective of the visit was to gauge the reaction of the Tilenga-PAPs on Kyakaboga, to judge whether a similar physical resettlement strategy was possible for Buliisa. The PAPs were shown what it meant to be an oil project displaced person: a modern house, in an architecturally planned area with services such as piped water and electricity. This was to show the PAPs that there is a commitment on the part of the government to translate these project induced displacements into improvements to the lives of the marginalised communities. Such commitments act as a practical rebuttal to common narratives that the state and oil companies are not interested in the wellbeing of the population, but in oil. Nevertheless, the Tilenga-PAPs had other ideas: just like the case was in Hoima's Refinery programs, the landowners claimed that the financial resettlement packages were small, and not commensurate to the value of their land. They rejected the figures, and petitioned the government, through the Speaker of Parliament, to review the figures and have them substantially*

oil waste-management facility; a network of inland feeder pipelines linking the central processing facilities; site camps; community relocation settlements; roads networks; electricity gridlines and the Tilenga project. Customary land tenure is prominent in this district and an estimated 126 000 people in Buliisa do not have documentation for their land.<sup>82</sup> Below is a case study of the Tilenga which was identified as a major perpetrator of land grabbing;

In a letter to the Minister of Lands, Housing and Urban Development, the leader of Buliisa District Local Government presented the grievances of the PAPs, particularly those from Kasenye village, for whose land, the government had, in January 2018, committed to pay Uganda Shillings 3.5 million per acre, plus 30 percent disturbance allowance. However, as indicated in the letter, there was a meeting that was attended by representatives of the PAPs, officials from TOTAL E&P; Ministry of Energy and Mineral Development and the consultant developing the Tilenga project Atacama. In this meeting, a resolution was passed, which among others, halted the disclosure process until the PAPs' petition to the Speaker of Parliament on the compensation rates had been responded to.<sup>83</sup> This was also supported by one woman in Buliisa who said;

<sup>82</sup> Land Tenure Insecurity in Uganda, Cadasta Foundation

*“POWER supported us to participate in the Bicycle caravan whereby at the end of that event women presented their grievances at the behaviour of men when compensations were paid out. We have not had any other similar activity on our own but at least that one event has helped us a lot. TOTAL now does things very differently as a result of that advocacy event.”*

**[FGD with women in Ngedo]**

The land grab crises and large scale land grabs in Buliisa affecting many women in particular, can be addressed given that the systems, policies and laws that are being pushed to register and formalise land ownership, take into consideration the needs of the affected community.

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<sup>83</sup>The Uganda Radio Network, “President’s Office Intervenes in Hoima Land Evictions”, 26 October 2019, [ugandaradionetwork.net/story/presidents-office-intervenes-in-hoima-land-evictions](http://ugandaradionetwork.net/story/presidents-office-intervenes-in-hoima-land-evictions)

## 4.0 LAND GRABBING IN AREAS NEIGHBOURING TARGET DISTRICTS

### 4.1 Land grabbing in Kiryandongo (Western Uganda)

The people of Kiryandongo have a long history of welcoming new settlers to the area. So, when multinational companies based in Uganda, namely Agilis Partners, Kiryandongo Sugar Limited and Great Season SMC Limited came talking about new agricultural projects that they were going to pursue on the lands, the local people were at first open-minded.<sup>84</sup> One farmer had this to say;

*"In fact, we welcomed them, especially if they are going to bring about development. They only needed to have come in properly, made the right arrangements, acquired land in an appropriate manner and acknowledged the communities that they found in the ranches, at least given us a share on the land. This should have been a win-win situation but when these ones came, they wanted a win-lose situation, where they were the winners and the communities the losers."<sup>85</sup> (A farmer in Kiryandongo)*

Agilis Partners, Kiryandongo Sugar Limited and Great Season SMC Limited – are involved in grabbing land, violently evicting people from their homes and causing untold humiliation and grief to thousands of farming families residing in Kiryandongo district, Uganda.<sup>86</sup> The land grabs are happening on abandoned national ranches, which have long since been settled and farmed by people who came to the area fleeing war and natural calamities such as floods, landslides, droughts and epidemics in neighbouring areas. The local people are being displaced without notice, alternatives or even negotiations and are now desperately trying to save their homes and lives.

*"They threatened me and my 4 children with guns and said we should leave the house. I was 8 months pregnant and my husband was away. They pushed us out forcefully and I was caned thoroughly in the back without consideration of my pregnancy. I was thrown down by one of the evictors and continued being beaten on the ground, a resident of the area of Ranch 23. Due to the bad injury they induced on me, I started bleeding for about 5 days but could not go to the hospital because I did not have money. I was later on taken to Kiryandongo Hospital by the people of the neighbouring area where I moved to after the eviction. Unfortunately, I had a stillbirth due to the severe fall that I had during the eviction. My back was also badly injured, and I still feel pain." (A resident of Ranch 23)<sup>87</sup>*

Kiryandongo Sugar Limited acquired 2,400 hectares for a sugar cane plantation project. On 25 March 2020, in Nyamuntende, company agents from Kiryandongo Sugar, accompanied by four soldiers used a tractor to destroy crops of local farmers. These local farmers were also tortured before being

<sup>84</sup> International Work Group for Indigenous Affairs (IWGIA), "Indigenous peoples in Uganda", 18 March 2021, [iwgia.org/en/uganda/4255-iw-2021-uganda.html](http://iwgia.org/en/uganda/4255-iw-2021-uganda.html)

<sup>85</sup> AFSA GRAIN: Land grabs at gunpoint: Thousands of families are being violently evicted from their farms to make way for foreign-owned plantations in Kiryandongo, Uganda; 2020

<sup>86</sup> *ibid*

<sup>87</sup> AFSA, GRAIN Land grabs at gunpoint: Thousands of families are being violently evicted from their farms to make way for foreign-owned plantations in Kiryandongo, Uganda; 2020

charged with criminal trespassing. Kiryandongo police personnel and private security guards from outside the area worked directly with Kiryandongo Sugar Company to carry out the evictions. The companies also employ untrained and violent security guards who are armed with pangas as well as bows and to conduct violent evictions. The violence is evidenced by the quotations provided in the text box, while people's suffering is also evidenced by a woman who said:

*"Our hearts are broken. Our children are not going to school and we do not have food. We are angry, very angry and we are hungry," (one of the women evicted from her lands by Kiryandongo Sugar)*



Communities are doing their best to fight for their dignity and for their lives to be restored despite the threats and intimidation they face. A few families defiantly remain in their homes, but their homes are now completely surrounded by a sugarcane plantation as illustrated figure 1. They no longer have land to grow food on and have to "trespass" through the plantation just to access water at the mercy of the company's security guards.

*Figure 1; Houses in the middle of the sugarcane*

*plantation.*

Great Season SMC Limited, acquired 1,165 hectares for a coffee plantation. On 22 March 2020, a resident of Jerusalem village, was arrested and detained at Kimogola Police Station when he tried to lodge a complaint against Great Season regarding the destruction of his crops. He was later transferred to Kiryandongo Police Station where he was charged with criminal trespass and released on bond after spending 10 days in a detention centre.<sup>88</sup> After this incident, community members decided to self-organise. They began by nominating prominent community members to lead them in finding the truth behind the land grabs. In one of the meetings the community was informed that the land had been sold and to that effect they had to leave the area and investors would compensate for properties on the land but not for the piece of land. Some local farmers faced double tragedy because Great Season Limited acquired resettlement lands where communities that had been displaced by a different project were now peacefully living and farming.<sup>89</sup>

Agilis Partners acquired around 3,850 hectares to establish large-scale grain and oil seed farms. An estimated 35,000 people are being evicted to make way for these three plantation projects.<sup>15</sup> Agilis Partners purchased land on which the local farmers were cultivating without their knowledge and they only found out about the deal several months later.

*Figure 2: A community member who was beaten and hacked with a panga during the eviction.*



In February 2020, the community, with support from human rights defenders addressed an open letter and a petition to the ambassadors of the United Kingdom, United States and Netherlands in Uganda

families are being violently evicted from their farms to make way for foreign-owned

as well as the government of Uganda to stop the violent evictions and address this land grab.<sup>24</sup>

In August 2020 Agilis was in the media on allegations of violent eviction of local farmers. Agilis issued a public response, but little has changed on the ground, and the various governments have remained silent.

In March 2020, the Ministry of Lands, Housing and Urban Development in Uganda issued a directive halting any evictions while public health measures were in place prohibiting the movement of people to contain the COVID-19 pandemic. It is unclear when the evictions ban was to end. Despite this, at least three communities faced threats of evictions in 2021, including an indigenous community, the Maragoli of Kiryandongo, in western Uganda. On 23 April 2021, Beti Kanya-Turwomwe, Minister of Lands, Housing Urban Development, while meeting with affected people in Nyamitete, Mutunda Sub-county in Kiryandongo, ordered a multinational company Kiryandongo Sugar Limited to halt any further evictions until a conclusive decision is reached.<sup>90</sup> At the time of writing this report, more than 35,000 people from over 2,300 families have been evicted from their homes in Kiryandongo to make way for industrial farming projects of multinational companies.<sup>91</sup> Forced evictions in Kiryandongo have happened yearly since 2017.

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<sup>90</sup> Daily Monitor, “Lands minister halts Kiryandongo evictions”, 26 April 2021, [monitor.co.ug/uganda/news/national/lands-minister-halts-kiryandongo-evictions-3377020](https://monitor.co.ug/uganda/news/national/lands-minister-halts-kiryandongo-evictions-3377020)

<sup>91</sup> Amnesty International, “Uganda 2020”, April 2021, [amnesty.org/en/countries/africa/uganda/report-uganda/](https://www.amnesty.org/en/countries/africa/uganda/report-uganda/)

## 5.0 SUMMARY OF LAND GRABBING

Overall, land grabbing in the target districts has steadily been on the increase from 2019 to date.<sup>92</sup> Most cases date back over a decade and are still on-going due to delayed and pending court decisions and dispute settlements.<sup>93</sup> Land grabbing and forced evictions in Amuru and Nwoya in northern Uganda are characterized by the need for agricultural development since the land in these districts is fertile and suitable for agricultural expansion. One key informant had this to say;

*“I can say land grabbing is still happening in Amuru because that’s where we are working and it is continuing because we have investors interested in large-scale farming...because the community doesn’t have proper documentation to protect their land. We have had cooperatives that are interested in growing rice at a large scale. All these are moving and seeing opportunities to grab land from the local people.” [ KII with Partner]*

Land grabbing and forced evictions in Hoima and Buliisa in western Uganda is characterized by the need for oil exploration and development. The two districts in Uganda today, resonate the oil debate because it is in them, that the new geostrategic identity of Uganda as a petro-state is taking shape. Over the past decade, Buliisa and Hoima have been at the fore of intense land contests which have heavily contributed to the sluggish pace of the development of the country’s oil industry.

From the cases discussed above the study estimates over 245 000 individuals since 2019 - most of whom are women - have been affected directly by the land grabbing through forced evictions and unfulfilled compensation. This figure may be much higher taking into consideration that the Uganda Bureau of Statistics does not take into account the population increase from the influx of refugees from neighbouring countries such as South Sudan, Ethiopia, Somalia to mention a few. The estimated number of 300 000 marginalized women in the target districts in 2018 has most likely increased due to the ripple effect the COVID-19 pandemic had and other compounding factors such as drought and floods. In addition, numbers are not accurately recorded due to the lack of systems in place in terms of documenting land tenure and titles, no centralised register including for land under dispute, development negotiations happening in secret linked to corruption, lack of access to justice meaning many cannot come forward to report what has happened and finally, the role (or lack of it) of the Commission of Enquiry in this regard.

Behind all tenure systems recognized in the constitution of Uganda, is the desire for development especially in the target districts where oil discovery and exploration is under way and fertile agricultural land is in abundance. availability of fertile agricultural land. Since land is the key resource for the majority of Ugandans especially in the target districts, the people concerned should be consulted about the registration and titling of their land without manipulation. Registering and titling of land should come about with security of tenure which will not result in registering and titling land creating a land market that will result in increased land grabs. The POWER project sought to understand what is key to addressing these land grabs and understanding what is driving land grabs in the target districts. These drivers maybe international, national or local. From the cases discussed above, land grabbing in the target districts can be attributed to changing demographic conditions, the desire for new markets for investors as well as climate changes that have incentivized government to seek land for biofuels as is the case in Hoima and Buliisa, as well as to seek greater food security as is the case in Amuru and Nwoya. The consequences of land grabbing impact upon government-society

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<sup>92</sup> Legal Services Providers Network (LAPSNET): Situation Analysis on Compulsory Land Acquisition Management in Uganda; 2019

<sup>93</sup> Ibid

relations. The research found that food insecurity, unjust evictions, loss of local control over resources and rising conflict are some of the consequences that may arise if land grabbing continues to go on unaddressed.

The research found that large-scale investments in land in the target districts constitutes land grabbing. The investment resulting in land grabbing though being a response to the food security and energy needs of domestic or international markets, will continue to occur, especially within the target districts due to factors like poor land documentation, lack of knowledge of land rights by the affected local communities and the environmental fragility and demographic changes occurring. The POWER projects legal aid clinics and introduction of community-based paralegal saw an increase in the knowledge of women's land rights and has further equipped these women to stand up for their land rights against potential land grabs.

## ANNEXES

### Annex 1: Reference List

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