

PROPERTY RIGHTS ASSESSMENT IN AMURU DISTRICT

Supporting Seasonal Migration of Wildlife between Murchison Falls National Park
and East Madi Game Reserve / Zoka Forest



WILD PROGRAMME
WCS Uganda

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EXECUTIVE SUMMARY

Land use changed from human settlement to a conservation sanctuary in 1912, altered ancestral claims to the plains between Murchison Falls National Park and East Madi Game Reserve, only to be reversed by degazettement in 1972, reverting customary rights to the communities except for those alienated into private registered tenure. Whereas earlier land use change was prompted by entomological threats due to tsetse flies and official gazettement, the most recent changes arose out of human evacuation to IDP camps courtesy of the LRA war, which allowed extensive regeneration of the ecological environment and growth in wildlife species and numbers. Since time immemorial, this area has been pivotal to supporting seasonal migration patterns (between Murchison Falls National Park and East Madi Game reserve), notwithstanding the human changes. The re-growth has therefore raised fresh conservation concerns resurrecting the need for a formal migratory route in the area.

It is a fact that Uganda Wildlife Authority retained residual authority over the migratory route, only to the extent that it inhabited wildlife. The degazettement in 1972, and subsequent reforms in the 1995 Constitution, the Local Governments Act, Uganda Wildlife Act of 2000, and the Land Act cap 227, effectively handed back the authority of land ownership and management to the local government of Amuru District for all areas, in which the Uganda Land Commission was lesser and those that were unclaimed or not owned. Findings of the household survey show that whereas, persons living in or adjacent to the migration route may have inconclusive rights to land, not all claims are opportunistic. There are some valid claims, which have a historical perspective, for which the holders feel sufficiently threatened to seek formal protection by attempting to apply for leaseholds or certificates of customary ownership.

This state of affairs is not helped by the belief that the central government is desperate to lay its hands on whatever land is available in Amuru, a situation that gathers credence from the heightened driven acquisition of large tracts of land, purportedly for development projects or activities, which are considered suspect. The fear that conservation efforts may actually be a smoke screen for powerful people to grab Acholi land questions not the intent but the envoys as well. The suspicion has been obtrusive to balanced reception of any external programs or projects – whether by the central government, local government, elite Acholi or civil society organizations – as long as any initiative concerns “land” implicitly or explicitly, even if that program is a conservation program or aims to re-establish a “wildlife-migration route.” Matters are not helped by the belief amongst the communities that the greater percentage of “black gold” (petroleum) lies in the plains of Acholi land waiting to be discovered. Hopes are that scale of deposits is likely to be greater than what is visible in Buliisa District.

The District’s view is firmly that the land is under its control as former gazetted land, with the District Land Board in charge. Although Amuru District Local Government strongly supports the re-establishment of the migratory route, there appears to be alienation of the prospective land to community wildlife management as recently as January 2010, which implies that Uganda Wildlife authority has to seek to understand the status of this “concession” and how it affects the intent of “a wildlife migration route.” Dialogue between the District Officials and the Aswa-Lolim Wildlife Association that has been offered the concession is an absolute necessity before any other step is taken. It is also possible to explore a joint arrangement that would allow both a concession and migration route to co-exist.

Findings show that current human settlements and cultivation activities are sparse and scattered but stretching into areas previously used as a migration route as the pressure for ownership of land grows and the scramble for property rights accelerates, driving settlements and cultivation towards the banks of River Nile. With increasing populations, those settled in the area, argue that land use change at this time – except in areas that are not settled or are unoccupied – would be highly disruptive, unwelcome and are likely to result into conflict. Regulation of land use does not seem to form part of any particular institution’s responsibility but randomly falls on the shoulders of lower local councils, rather than the traditional clan institutions – *Rwot Kweri* – as expected on customary tenure. In some instances, it seems to be determined at individual household level, without any overall residual guidance from any persons or institution. This however, is also indicative of the fact that lower local councils are the institutions involved in granting permission for access and use of land previously in the migration route. The basis of authority, which allows them to annex the migratory corridor is unknown, but it is acknowledged and accepted as legitimate within the communities.

The migration patterns and routes have not changed over the years despite changes in land use and pressure exacted by human settlement that tends to push the migratory route close to the banks of river Nile, at the risk of increased encounters leading to damage of crops in gardens and domestic animals destruction as well as bodily injuries for humans as the animals seasonally transit. GPS location readings taken within communities that are nearest to the banks of river Nile and households considered to be the closest to the migratory corridor, show that the route has shrunk to as low as 6 kms – 8 kms from the banks of the Nile River. The households in these locations are aware of their being in the path of wildlife but feel secure that lower local councils granted them land for settlement and cultivation. The communities have witnessed human-wildlife conflicts involving buffaloes, lions, elephants, warthogs and baboons. At least 60% of households in the sampled areas at the fringe of migratory route had been involved in a wildlife conflict over the last 5 years, acknowledging the absence of well-defined boundaries to guide migration or their settlement that leads to overlap and eventual clash with wildlife.

Conclusively, re-establishment of the migratory route is possible so long as it is not perceived to stretch to community and individual lands, and it is negotiated with the communities. The recommended area is between 10 kilometres to 25 kilometres from the banks of river Nile. Political, administrative and technical staff of the district local government strongly supports the re-establishment and formal demarcation after dialogue and negotiations with the communities adjacent to the location. Uganda Wildlife Authority asserts that it does not hold any property rights in the areas, except for residual responsibility over management of wildlife outside a conservation area, jointly executed with the district local government.

Community opinion is that, re-establishing the “wildlife migratory route” will resolve the human-wildlife conflict for (38.4%) of households in the survey, over 70% are willing to give up their land on condition of being compensated (57.9%) and the benefits from this route supporting/ contributing to community development (42.1%). Majority of the elders (particularly in Amuru sub-county) were not in support of the migratory route and only considered it a possibility, if it is set outside the current settlement areas and limited to not more than 20 km from the banks of river Nile.

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1. STATUS OF TENURE IN THE “PROPOSED CORRIDOR”

Historical narratives are essential to the determination of the status of tenure for land that was once home to “a wildlife migration corridor.” However, the differing accounts of events that took place and their implications, is not helped by the incomplete nature of records in the land registry, neither does the intricate legal framework that weaves significant and far reaching changes over the last 90 years depict a full image of status of tenure in the area. A ground proofing survey reveals claims on land that may hold a historical basis. However, a complete picture only comes together when a combination of the four (historical narratives, land registry, household survey and legal interpretation) is put together to show what rights and interests exist in the area proposed to site “a wildlife migration route”.

Historical Narrative

The migration of wildlife between Murchison Falls National Park and East Madi Game Reserve or Zoka Forest in Madi, is a dry season event, along the banks of River Nile, taking place between the months of July/August to December/January since time immemorial. Whereas all stakeholders agree on the genesis of route and the tenure events that led to its establishment, they differ on the legal modifications that have altered tenure over the last 90 years and hold differing conclusions, as to who holds the tenure rights to land at present.

There is universal agreement that a wildlife migratory route existed and may still exist – despite absence of enforcement controls and incessant infiltrations on land shouldering its breadth and length. This acknowledgment is clear in the interview excerpt below:

“...the corridor is still there, because the corridor is that part degazetted by President Amin between Purongo and the Nile going northwards towards Adjumani. Even if you go there now, population settlement in that area is sparse except people are just grabbing land there...¹”

The seasonal observation of wildlife migration by the communities’ adjacent to the corridor was interrupted in 1912 with the arrival of tsetse flies, which spelt an entomological disaster in the area. This disaster led to massive resettlement and substantial move of human settlements out of the area adjacent to the migratory corridor to as far as 90KMS – 120 kms from the banks of river Nile, inwards into Gulu District and the Madi/Alur who were evacuated to Pakwach.

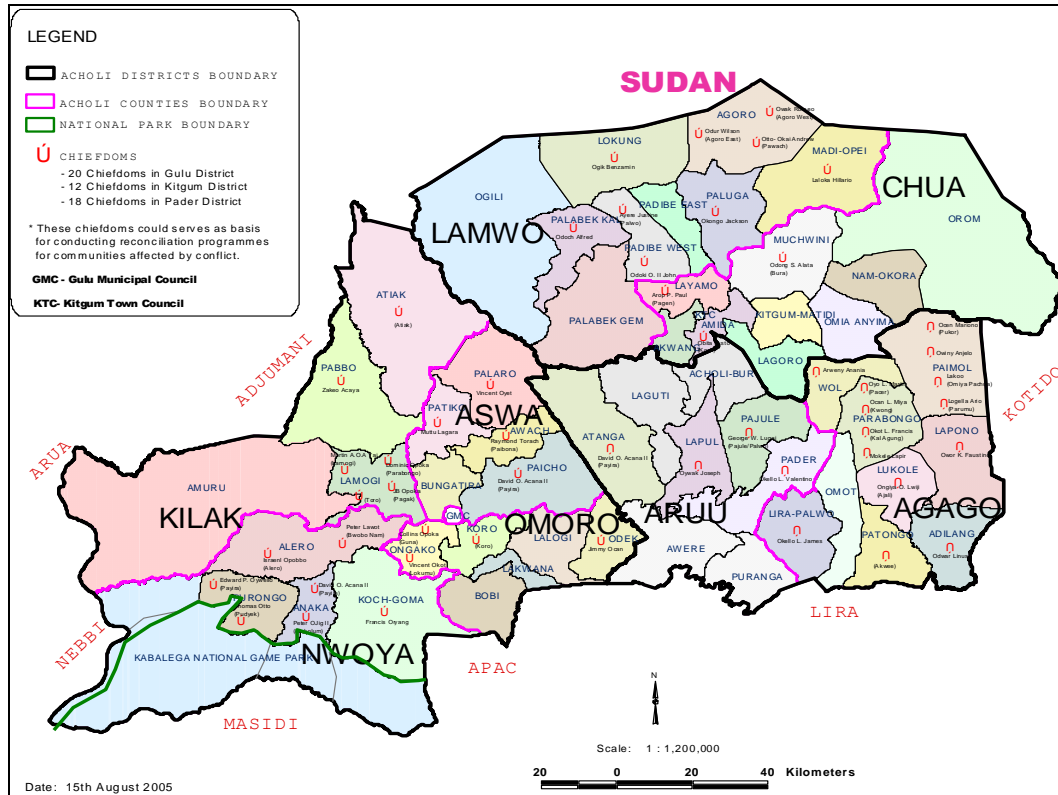
According to community narratives from focus group discussions², this evacuation and resettlement process marked, the first severe disconnect with ancestral lands previously used for settlement, cultivation, hunting and grazing. Since land holding is based on clans, and the determination of rights of ownership and management is customarily affixed to occupation and use of the land, this move meant a suspension of rights over the land. The most affected clan was the Payira Clan, who were relocated to Koro and Awach in Gulu District, and the Pabbo and Lamogi clans, who are the historical people of Patiko, were resettled into other parts of Gulu District. It should be noted, that customary tenure is significantly based on occupation rights and utilization rather than ownership. One of the tenets of the tenure is that there is always a “land-leader” based on the concept of

¹ RDC Amuru District

² Latoro Parish, Got Apwoyo, Purongo Sub- County

“community trust”. The land leader’s key responsibility is to ensure that whoever wishes to utilize the land has access and to protect land from any intrusion, trespass or abuse. In this sense therefore, she/he shoulders the responsibility for rights utilization and accessibility interests for individuals, families, sub-clans and clans³. Such land leaders are within the entire Acholi Community as illustrated on the map below.

Figure 1: Map of Acholi region showing chiefdoms as of 2005



Source: office of the Prime Minister, Ker Kwaro Acholi, 2009

The next series of events is a murky narrative depending on the source. The plains adjacent to the banks of river Nile lay fallow for the next 50 years, prompting a rapid multiplication of the wildlife and vegetation until the 1959. Under the Game (Preservation and Control Ordinance) 1959, instrument number 14 of 1959 (see annex for copy) central government under the Game Parks Department gazetted it into an “elephant migration corridor”⁴. This altered the land use status from communal hunting or grazing areas often occasioned by migrating wildlife during dry seasons to a state-sanctioned conservation sanctuary, supporting seasonal movement between Murchison falls and East Madi Game reserve.

Whereas the officials of National Forestry Authority⁵ placed the period of gazettement, in the 1940s, officials of Uganda Wildlife Authority⁶, refer to early 1912-1915 as the period when the area came under attention as a possible wildlife sanctuary and a community hunting ground for the Acholi as

³ Interview with Kenneth Prime Minister, Ker Kwaro Acholi, December 2009
⁴ Umar Vincent, Sub-County Chief, Purongo Sub-County, Amuru District Local Government
⁵ Aldoos Obedmoth, Range Manager, Achwa in November, 2009
⁶ James Omoding, Community Conservation Coordinator, Uganda Wildlife Authority

the “core clans” and the Alur/Madi in the northwestern as the “hawk clans”. According to the UWA Community Conservation Coordinator;

“I think it was earmarked as far back as 1915 because by 1922, there was a park authorities post at Koch Goma under the jurisdiction of a game warden based in Khartoum and an assistant based in Entebbe. It was gazetted for two reasons, one: tsetse flies had attacked the area rendering it inhabitable for humans, two: the colonial leaders wanted to create a legal safe habitat for wild animals catering for their seasonal movements across the two game parks⁷”

By the 1960s, the tsetse fly threat had diminished. Gradually, communities began move back to their original settlements, reaching the fringes and proximity of the migration corridor by the 1980s. This drift could have extended settlements and cultivation further into the migration corridor if it were not stalled by the outbreak of the LRA war in the mid 1980s. The push closer to the migratory corridor was accelerated by the degazettment of the conservation corridor in 1972 by Idi Amin Dada, the then President under Statutory Instrument No. 52 for the abolition of both Aswa-Lolim Game Reserve and Kikagati Game, March 1972. In addition, the revocation order for Kilak Game Hunting Area under Statutory Instrument No. 55 was also effected in April 1972 (see annex for copies).

The alternate proof to change in land use is available at the land registry of the Uganda Land Commission, which recorded the first alienations of land into private registered beginning with June 1972. These alienations are as below:

“...apart from the boundaries of the sub counties, the old farms which were acquired during Amin’s time are far from the corridor. Unless, it is a new farm we are not aware of, but all the farms are bordering the game park and are not in the park or corridor, they are just along the border of the game park, they keep animals and others grow crops. These farms belong to Prof Ogenga Latigo; Brigadier Otema Awany, Erinayo Oryema and Onegi Obel...⁸”

“...in 1972, President Amin degazetted this land and gave it back to the people hence massive hunting of these animals started and the area was turned into farm and grazing land. This led to officers close to the president occupying large areas of land in that place and turning it into cattle ranches...farms of influential people, both with in government and the district that are within the corridor. Farms for people like Hon: Ogenga Latigo, Brigadier Otema Awany, Onegi Obel, Erinayo Oryema...etc are actually partly or wholly in this corridor. The other communities that are bordering or sometimes slightly within the corridor are those of Purongo, Alero, Amuru and Pabbo in Atiak...⁹”

It is further argued that, upon degazettement the government set up a stock farm (for cattle) in 1975 at Got Apwoyo in Purongo sub-county, commonly referred to as the ‘ranch’ by local communities¹⁰. In the same period, the traditional land use activities of communal hunting and grazing were re-established in the communities with high numbers of wildlife killed in this period. In tenure terms, the ability to re-access hunting grounds and grazing lands was interpreted by the community as re-

⁷James Omoding, Community Conservation Coordinator, Uganda Wildlife Authority

⁸RDC Amuru District

⁹James Omoding, Community Conservation Coordinator, Uganda Wild Life Authority

¹⁰Francis Komakech, Parish Chief – Patira Parish, Amuru District Local Government

possession of their customary rights to land as their activities were not contested or restricted by any government agency or offices¹¹. In essence, they felt they had regained their customary rights to land then, thus settled and utilized the land.

In addition, key informant interviewees pointed out that, after degazettement, military officials in the then Amin Government opened up personal farms in the area on private land they had acquired from the Uganda Land Commission¹². Furthermore, a large number of the Kakwa - Amin's tribesmen - were resettled in the area and licensed with guns, which led to over hunting of wildlife animals. However, the Kakwa gradually left the area after the overthrow of the Amin's government. The communities continued to occupy the area, until the outbreak of the LRA war, that displaced them for nearly 20 years.

“...initially people were removed from the area because of sleeping sickness, this increased wild animal movement because of the freedom. Today people have gone back to those areas because there are no more tsetse flies; however, the population of wild animals has increased...¹³”

The absence of human habitation in the last 20 years due to the LRA war has meant a natural build up of wildlife populations in the area, presenting the undeniable need for the conservation route to be re-established, as echoed in the excerpt below.

“...the animal population has also increased...as I talk right now, the elephants are too many and I do not think that the two parks can handle this population; as a result, the animals are disturbing people very much. They come especially around the time of harvesting...¹⁴”

“...during the 20 years of war in the north of Uganda, the area degenerated back into a redundant un-utilized bush of sorts, giving room for wild animals to occupy it extensively...¹⁵”

Wildlife numbers have increased in parallel to the human population that has recently returned from displacement. Communities argue that the increasing populations may not allow re-instatement of land use or a change in land use at this time would be highly disruptive and are likely to result into conflict – except in areas that are not settled or are unoccupied.

Land Registry Records

Extracts from the land registry on the status of registered land establish the number or volume of land alienated into registered tenure, even though, the exact details of the status of titles, their size or on ground locations could not be established due to missing records or misplaced files at the Land Commission. In the two counties of Nwoya and Kilak, which make up the eight blocks of present day Amuru District, only three blocks (Amuru, Koch Goma and Purongo) had land titles issued in the 1970s, under the Uganda Land Commission. Twenty two (22) land titles were issued in Amuru

¹¹ Ociiti Tom, Rwot and Cabinet Member for Land Affairs in Koch Goma Cultural Institution

¹² Umar Vincent, Sub-County Chief, Purongo Sub-County, Amuru District Local Government

¹³ FGD Alero Sub County

¹⁴ RDC Amuru

¹⁵ James Omoding, Community Conservation Coordinator, Uganda Wild Life Authority

block of Kilak County, while in Nwoya County, fifty (50) land titles were issued in Purongo, mostly along the Kampala – Arua highway and twenty (20) land titles were issued in Koch Goma following a similar pattern. The tables below segregates the data for Kilak County in table 2 and the subsequent table 3 details the patterns in Nwoya County.

Table 2: Status of registered land in Kilak County – Amuru District

KILAK COUNTY	BLOCKS:	PABBO	LAMOGI	ATIAK	AMURU
<i>Uganda Land Commission by 2006</i>					
No. of titles Issued by 2006		0	0	0	22
Size of land in Hectares		-	-	-	-
No. of Valid Titles		*	*	*	*
<i>Amuru District Land Board and Gulu Regional Office by 2009</i>					
No. of Applications for Title to DLB by 2009		4	16	12	4
No. of Surveys and IS issued		4	15	12	3
No. of Titles issued by DLB		3	4	4	4
Size in Hectares (surveyed or with title)		370.17	404.39	1,963.8	11,121.79

* Records not either accessed because they are missing or misplaced. Compiled by – Associates Research Uganda

Records show that Kilak County holds the highest amount of land that is alienated into registered tenure within Amuru district, specifically in the sub-county of Amuru with approximately 11,125 hectares registered as either leasehold or freehold titles, closely followed by Atiak sub-county with approximately 1,965 hectares in registered tenure. Pabbo and Lamogi have the least amount of land alienated into registered tenure with approximately 370 hectares and 405 hectares respectively.

Table 3: Status of registered land in Nwoya County – Amuru District

NWOYA COUNTY	PURONGO	ALERO	KOCH GOMA	ANAKA
BLOCKS:				
<i>Uganda Land Commission by 2006</i>				
No. of titles Issued	50	-	20	0
Size of land in Hectares	-	-	-	-
No. of Valid Titles	*	-	*	*
<i>Amuru District Land Board and Gulu Regional Office by 2009</i>				
No. of Applications for Title to DLB	6	-	2	23
No. of Surveys and IS issued	6	-	2	11
No. of Titles issued by DLB	1	-	1	9
Size in Hectares (surveyed or with title)	5,247.12	-	2,667.9	2,064.52

* Records not either accessed because they are missing or misplaced. Compiled by – Associates Research Uganda

In Nwoya County, less hectares of land are alienated to registered tenure compared to Kilak County, with the highest record in Purongo sub-county of approximately 5,259 hectares. The sub-counties of Koch Goma and Anaka have nearly the same amount of land alienated into registered tenure with 2,680 hectares and 2,065 hectares respectively. However, there was not a single application or issue of title on any land in Alero sub-county as per the records at the land registry. Nevertheless, during the ground proofing household survey, it was established that there has been massive application for Certificates of Customary Ownership by residents in this sub-county, although none is yet to be issued with a certificate. These findings show a rapidly growing trend for registration or titling in Amuru district. The most distinct aspect, of this growth is that a handful of individuals seem to share out the large number of hectares so far titled or surveyed, which significantly threatens the entire customary tenure holding of communities in the area.

In both, Nwoya and Kilak counties, a few applications and surveys, ranging between two (2) in Koch Goma, which is the lowest, and twenty three (23) in Anaka sub-county, which is the highest number of applicants, parceling out thousands of hectares in registered tenure amongst a handful of applicants. A further look at the nature of applicants' shows that they are neither trustees nor associations but individuals or firms that do not necessarily shoulder the responsibility of ensuring secure land holdings for the common good of the communities as is assumed under customary holdings, which is the dominant tenure in the area.

The practice is decried by elders as threatening rights to customary land hence the need to protect access and use recently regained upon from displacement that is threatened by alienations put forward by fellow Acholi tribesmen or government agencies claiming management rights over vast areas.

“...there is no government land in our area. We have customary land only...the Rwot Kweri knows land boundaries better than the LCs because they work closely with elders; they are people on the ground, therefore they have a better say over claims and land ownership, even when disputes occur, they call both sides and witnesses and resolve land conflicts ¹⁶”.

The Payira Clan for instance formed the “Payira Development Association” as the tool for dealing with encroachment, illegal sales by the community members, recovery of stolen land and engagement with external persons and agencies interested in accessing land in the area. Such an association may not hold any positive attitude to aid the re-establishment of a migration corridor, but also avails an avenue for entry or an access point into the community.

Ground Proofing Household Survey

In a ground proofing household survey carried out within the communities at the fringes of “the corridor”, targeting persons who are 40+ years old and having inhabited their current location for a period of not less than 7 years. It was established that nearly over 90% of households had 2 pieces of land (where they have the home and where they cultivate) with the average acreage of 16.4 acres, with a few exceptional households holding 100 acres or more in Purongo sub county.

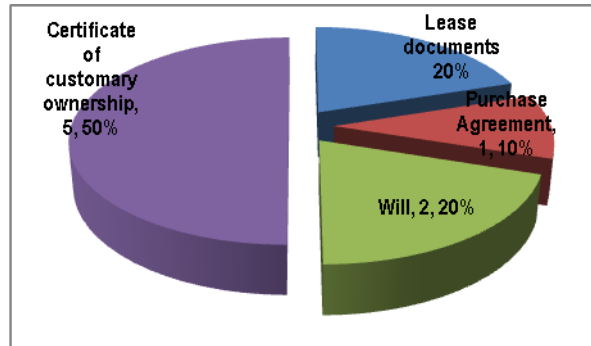
Table 4: Period and Size of Land in Communities on the Fringe of the Corridor

ISSUES:		SUB COUNTY				Group Total
		AMURU	ALERO	ANAKA	PURONGO	
Pieces of land owned in the community (no. of pieces)	Maximum	5.0	4.0	3.0	5.0	5.0
	Minimum	1.0	1.0	1.0	1.0	1.0
	Mean	1.8	1.7	1.6	1.7	1.7
	Median	1.0	1.0	1.0	1.0	1.0
On average how much land is owned by the household in the community (acres)	Maximum	50.0	80.0	50.0	50.0	80.0
	Minimum	1.0	1.0	2.0	1.0	1.0
	Mean	19.1	19.4	17.3	12.1	16.4
	Median	15.0	14.0	10.0	6.0	10.0
How long household has owned or had pieces of land in the community (Years)	Maximum	44.0	80.0	43.0	98.0	98.0
	Minimum	2.0	1.0	1.0	2.0	1.0
	Mean	9.6	30.4	13.0	18.5	20.5
	Median	3.0	30.0	5.0	5.5	13.0

¹⁶ FGD Amuru Sub County, Amuru District in November 2009

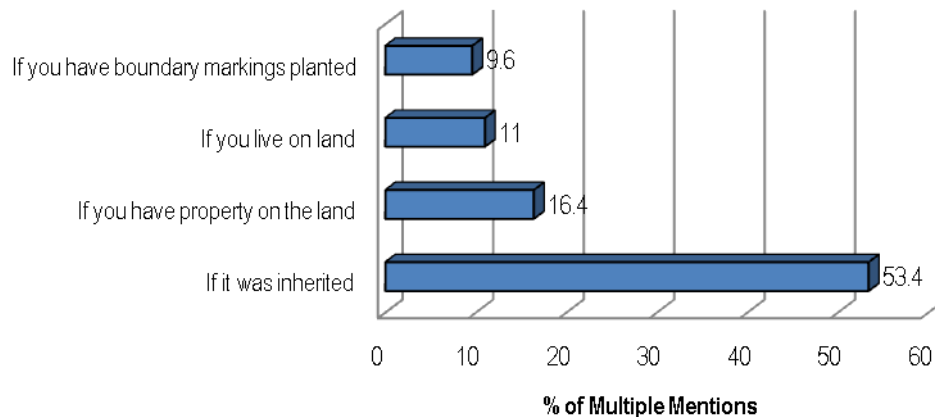
On average, majority of the households claimed to have held the land for 20.5 years as shown in Table 4 above. Given this duration of time, it is certain that some claims to land in or adjacent to “the proposed corridor” were acquired before the cessation of hostilities by the LRA and return from displacement, therefore it cannot be construed (at least not entirely) as opportunistic acquisition of land. However, the presence of such history does not lighten the burden of proof for the occupiers and users of such land in view of the legal reforms, which are likely to prove such claims as either illegitimate or legal or inconclusive. The survey also showed that 13.7% of the households included in the survey (n=20, of which 14 were from Alero sub county) claimed to be in possession of documentation to affirm their land ownership rights as shown in figure 5 below.

Figure 5: Documentation of Land Ownership in Amuru District



This finding is affirmed by the records at the land registry, which show Alero as the only sub-county without any land alienated into registered tenure as either freehold or leasehold. Interestingly, 50% of those attesting to documentary evidence claimed it was certificates of customary ownership although the study team established from the land office that these are yet to be issued. It later emerged that such persons had applied for certificates of customary ownership but are yet to receive them¹⁷.

Figure 6: Considerations for a Legitimate Claim on Land



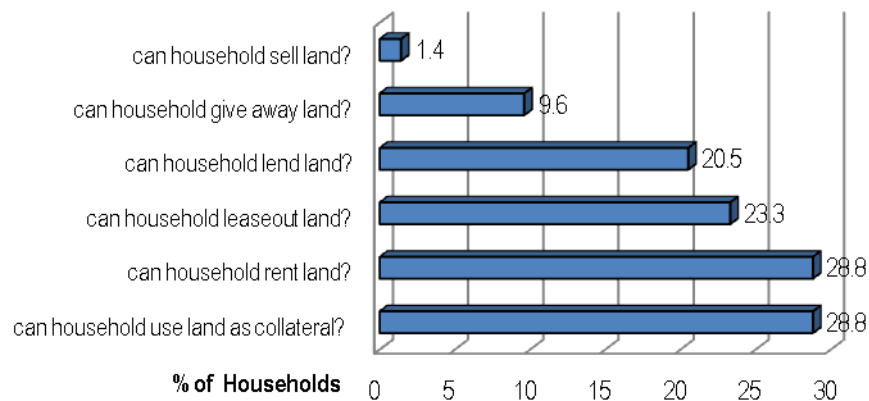
With the exception of documentation to prove claims of ownership, the survey also established that there are number of distinctive qualities considered as hallmarks of customary ownership or

¹⁷ Interview with NRC/ICLA lawyers on their program for certificates of customary ownership in the last two years

symbolism that is evidence of occupation and use under customary tenure, as illustrated in figure 6 above. These include among others, 53.4% claims of cross-generational transmission through inheritance from either grandparents or parents, especially for the male respondents. 16.4% claims of having developments on land in form of property, 11% claims of occupation by virtue of settlement or the presence of a place of abode and 9.6% claims for presence of boundary markings in form of plants on the land in question. This characterization stretches the volume and conditions for claims over land and may account for a large number of inconclusive claims in the area adjacent or within the “wildlife migration corridor”.

The understanding of the “bundle of rights” in land within as known to the users and occupiers was broken down into entitlements that accrue to the households or its members as shown in figure 7 below.

Figure 7: Rights on land occupied or used in the Migratory Route

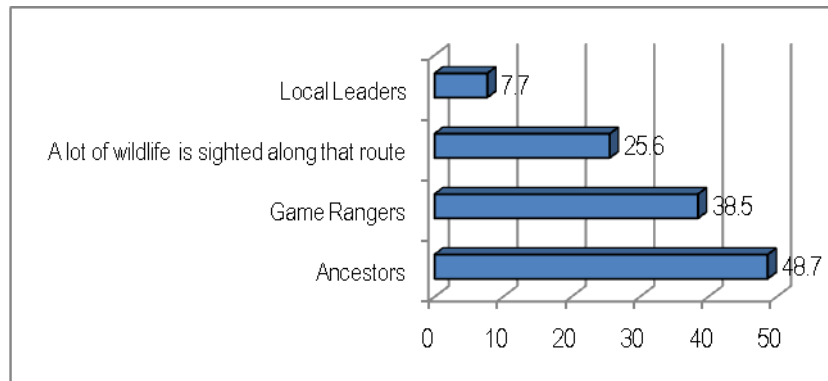


Findings show that an equal number of households (28.8% for each) claim the right to rent out or use land as collateral. 23.3% of the households felt they could lend their land, 9.6% of the households claim the right to giveaway, while only 1.4% of households claim the right to sell the land. This break down of the bundle of rights confirms the different subsets of rights that exist such as the right to live on land or the right to hunt or graze animals in a given area¹⁸.

Community understanding and knowledge about the existence of a migration route for wild animals, is well above average despite settlements in the area. 53.4% of the households acknowledged having heard about its existence, with Anaka sub - county showing the least understanding of only (10%) of households having such knowledge. However, the source of knowledge about the migratory route was orally transmitted from ancestry for (48.7%) of households, (38.5%) of households received such knowledge from game rangers. The presence of high numbers of wildlife with seasonal movement signalled the likelihood of a pattern or a route accounted (25.6%) of households. Local leaders were also a source of information for (7.7%) of households. The details are in Figure 8 below.

¹⁸ In Customary, tenure chiefs allocate land to clans and households. Every person and household is entitled to access sufficient land for their subsistence; this right came either from the lineage or clan head or from the chief to whom the person pledged allegiance. Transfer (rent, sell, and sometimes inheritance) rights were not granted—land not used or wanted reverted to the chief.

Figure 8: Source of Information about existence of Migratory Route



Legal Interpretation

Whereas the communities exhibit confidence in their understanding and possession of occupancy and use rights, their claims are contested by the District Local Government. The District Officials argue that the land belongs to the District while acknowledging in an imprecise and ambiguous manner way, the residual authority of the Uganda Wildlife Authority over the land, as in the interview excerpts below:

“...the land is under the district and the district land boards, there are no clans! Whoever wants a migration corridor must talk to the district authorities...”¹⁹”

“...According to my knowledge, by the 1995 Constitution, this former park land and the migration route are under Amuru District Land Board, which is under Amuru Local Government. Formerly this land was under the central government, I think the local government recognizes that land as belonging to UWA...”²⁰”

Technical staff in administrative positions at the districts have not been helpful to their political leaders, they are unsure of the status of tenure for the land in question, as the interview excerpts below show:

“...It (the land) is for the community, Oh! No! I do not know! But it was mainly for the Payira Clan but there is also the Pabbo and Lamogi land”²¹”

“...It (the land) was gazetted by the government of Uganda in 1970, it used to be the elephant corridor, it must still be gazetted and it is now government land”²²”

According to Uganda Wildlife Authority, their residual responsibility over land only arises because of the fact that there is wildlife habiting the area. However, residual management responsibility excludes land ownership, which rests between the private landowners with registered land, the communities with communal rights and the districts in areas that are not inhabited or claimed. In the

¹⁹ Christine Atimango, Deputy CAO and Secretary to the District Land Board, Amuru District

²⁰ RDC Amuru District

²¹ Amos Ondongokara, Environment Officer Amuru District Local Government

²² Aldoos Obedmoth, Range Manager, Achwa NFA in November, 2009

table below, the status of the tenure and the changing nature of rights for occupiers and users are summarized in relation to tenure of the “migration corridor” in Amuru District.

Table 9: Legal Instruments and Status of Tenure: 1900 - 1995

LEGISLATIONS	STATUS OF TENURE AND RIGHTS OF USERS AND OCCUPIERS
1. <i>Uganda Agreement 1900 and the Crown Lands Ordinance of 1903</i>	<ul style="list-style-type: none"> • All land in northern Uganda was Crown Land except for Freeholds issued to individuals by colonial government under the Crown Lands Ordinance of 1903 • Customary Users and Occupiers were Tenants at Will of the State (the British Crown) • In event of alienation of their customary land to freehold or lease, they were entitled to compensation for development on land and severance pay
2. <i>Game (Preservation and Control) Act of 1959 (Cap. 198 of 2000)</i>	<ul style="list-style-type: none"> • Gazetted area into a reserve after significant growth in wildlife numbers under the Game and Parks Department • Gazettement turned the tenure in the area from Crown Land to Public Land, this extinguished all customary claims since there was no occupation or settlement in the corridor area at time of gazettement • The customary hunting rights were also extinguished by virtue of the fact that the people had been resettled elsewhere and the use for hunting was either not taking place, limited or controlled
3. <i>Constitution 1962 (Independence) and the Crown Lands Ordinance of 1962</i>	<ul style="list-style-type: none"> • Retained the tenure of the area as Public Land under gazettement • Established Uganda Land Commission to hold the residual interest and manage land formerly held by the colonial government as “crown land” (henceforth renamed “public land”) • Regional Land Board set up e.g. Acholi region based in Gulu to perform similar functions in those areas. • The Parks Authority retained management control over the gazetted corridor
4. <i>Public Lands Act of 1969</i>	<ul style="list-style-type: none"> • Retained the tenure of the area as Public Land under gazettement • Recognized the presence of customary occupiers and users who were allowed to hold land under customary tenure as “Tenants at Will of the State” • Tenants at Will of State were entitled to compensation and consent before alienation to registered tenure.
5. <i>1972: Degazettement by Amin Government</i>	<ul style="list-style-type: none"> • Degazetted land became be Public Land that was open to any grant, lease or license from the controlling authority – Uganda Land Commission, provided the land was not in an urban area and had not been alienated into any form of registered tenure. • Customary interests and rights were presumably re-instated even though no proviso for reversion of land to customary owners existed in law, if the purpose for which gazettement had been undertaken ceased to be valid.
6. <i>Land Reform Decree of 1975</i>	<ul style="list-style-type: none"> • Public Land automatically went under the docket of Uganda Land Commission and all land became public land in Uganda- retaining the status as in 5 above. However; <ul style="list-style-type: none"> (a) Protection accorded to customary users and occupiers (who were by now gradually returning since tsetse flies had decreased) was scrapped. (b) Alienations of customary land into registered tenure could take place without requiring the consent and compensation of occupiers and users, thus became “Tenants of the State at Sufferance” occupying state land and could obtain long-term leases.

Note: Crown Lands Ordinance of 1962, the Public Lands Act of 1969 and the Land Reform Decree of 1975, increased opportunities for those with influence to obtain long-term leases; most customary tenants had no access to these legal arrangements, nor any legal voice to resist dispossessions.

Until the 1995 Constitution, customary tenure was not legally recognized as other registered tenures in existence. Even after the 1995 Constitution, the recognition of customary was partial –

acknowledging the land holding systems – while setting aside the tenets of land administration and management that support the functioning of the system.

Table 10: Legal Instruments and Status of Tenure: 1995 – 2010

LEGISLATIONS	STATUS OF TENURE AND RIGHTS OF USERS AND OCCUPIERS
1. <i>Uganda Constitution 1995 and the Land Act Cap 227 of 1998 (as amended in 2001, 2004, 2009)</i>	<ul style="list-style-type: none"> • Recognized customary as a tenure at par with others such as freehold and leasehold, but never recognized the traditional land management systems • Recognized interests on former Public land that was not alienated into freehold or leasehold as customarily owned by occupiers and users of customary land who became owners. • Customary users or occupiers whose land was alienated into freehold or lease and were not compensated or did not consent at the time of grant of lease had their use and occupancy guaranteed on land as lawful occupants on registered land • Set up District Land Boards as decentralized land management units not subject to control or direction of any person except national policies on land • District Land Boards took over all land for which Uganda Land Commission was lesser.
2. <i>Uganda Wildlife Act 2000, cap 200</i>	<ul style="list-style-type: none"> • Uganda Wildlife Authority coordinates or delegates to local government as considered appropriate, the management of wildlife outside of gazetted conservation areas • Local government on terms and conditions considered necessary may appoint a committee to advise Uganda Wildlife Authority on management and utilization of wildlife within its jurisdiction.
3. <i>Draft National Land Policy, 2009</i>	<ul style="list-style-type: none"> • Draft Policy notes In para 103 (iii) District Land Boards operate as if they are owners of the public land which they hold whereas, in fact, they “hold it in trust” this land on behalf of the citizens of Uganda. • Draft Policy proposes to: <ol style="list-style-type: none"> (a) Para 101 (v) clarify, in an Act of Parliament, <i>criteria for gazetting and degazetting</i> of the natural resources held in trust (b) Para 106 (iii) ensure that <i>District Land Boards</i> hold and manage land entrusted to them by the Constitution and the Land Act <i>as trustees</i> for the citizens of Uganda (c) Para 245 (i) Measures will be taken to develop a harmonized <i>criteria for gazetting and de-gazetting</i> of conservation areas, considering the following: <ol style="list-style-type: none"> (i) <i>reason</i> for which an area was gazetted no longer exists, (ii) <i>de-gazette to address historical or colonial imbalances,</i> (iii) <i>de-gazette for the common good,</i> or as agreed upon by Parliament as a trustee of the Citizens; (iv) a technical evaluation recommends change of land use; (d) Para 245 (ii) establish and implement an effective <i>mechanism for the management of wildlife</i> outside protected areas

Note: Customary tenure has been for suppressed and sabotaged for the last 100 years of Uganda’s legal history. Analysis by Margaret A. Rugadya, 2010

Conclusions:

The basic argument by the communities is that, their ancestral claims are grounded in the understanding that initially the areas was a human settlement area, whose land use changed when they were evacuated due to entomological threats. When the threat disappeared, they returned to the land that was gazetted and later degazetted during the Amin Government, the degazettement effectively handed back their land rights. With increasing populations, they argue that a land use change at this time – except in areas that are not settled or are unoccupied – would be highly disruptive and are likely to result into conflict.

It is a fact that Uganda Wildlife Authority retained residual authority over the conservation corridor only to the extent it is habited wildlife. However, degazettement in 1972, and the principles of decentralization as embodied in the Local Governments Act, Uganda Wildlife Act of 2000, and the Land Act cap 227 effectively handed back the authority of ownership and management to District in collaboration with Uganda Wildlife Authority for areas that are habited by wildlife.

The District's view is firmly that the land is under its control as former gazetted lands with the District Land Board in charge²³. That aside, administratively and technically based on opinions of administrators and technical staff, the district strongly supports the re-establishment of the migratory route, which can positively smoothen the process of re-establishing the migratory route. This is supported by the findings of the household survey, which show that whereas, persons living in or adjacent to the migration corridor may have inconclusive rights to land, not all claims in the corridor are opportunistic. There are some valid claims that have a historical perspective, for which the holders feel sufficiently threatened to seek formal protection by attempting to apply for leaseholds and certificates of customary ownership.

²³ Christine Atimango, Deputy CAO Amuru District Local Government

2. EXTERNALLY DRIVEN COMPETING INTERESTS

As an agrarian economy, the value of land for Uganda is naturally high as a strategic socio-economic asset. More than 43% of the Gross Domestic Product, 85% of export earnings and 80% of employment is from land-based economic enterprises, with 73% of the population engaged in subsistence agriculture. The basic unit of production is the small-scale family land holdings, whose average size is between 1.6 to 2.8 hectares in the south and 3.2 hectares in the north²⁴. Since the return from displacement (IDP camps), land ownership – use and occupation – has taken on increasing value in northern Uganda. For the reason that land as a resource survived the LRA war intact and emerged rejuvenated, in post-conflict land northern Uganda²⁵. However, it is also the considered by the communities, administrators and politicians in the region to be the one resource under greatest external threat as exemplified in the events narrated below.

Madhvani's Proposal for Amuru Sugar Works Ltd

The Amuru Sugar Works Ltd has been the most significant external stressor of land ownership in Amuru. It is a proposed joint venture between the Madhvani Group – who are also owners of Kakira Sugar Works and the Government of Uganda in a 60:40 share of costs at US\$ 30 million. The proposal is for acquisition of 30,000 hectares of land in Amuru District, consisting of 20,000 hectares for a nucleus sugarcane estate owned and managed by the Madhvani group and 10,000 hectares for smallholder out grower farmers. It is anticipated that the Madhvani Group will also seek an additional \$50 million from the Africa Development Bank (ADB) to cover the full cost of the project estimated at \$80 million, which automatically implies the presentation of a land title for the nucleus estate as one of the pre-conditions for accessing loan funding.

In principal, a project of this nature ought not to raise misgivings and uncertainty amongst the community. However, for this particular case, it turned out exceptional because of the manner in which issues related to access and ownership of land were handled. The Madhvani's pursuit for land was heavily seconded by the President's office, with several unswervingly directives to Amuru District Land Board from the Ministry responsible for Lands, to expeditiously approve and issue a title for the land requested²⁶. Communities and political leaders questioned the criteria for site selection and land acquisition without adequate due diligence by the District Local Government and the communities likely to be affected. This was construed as a move intended to ignore all existing customary interests or any other claims that may be on ground – since at the time, a large percentage of the people of Amuru were still in IDP camps or in transit sites.

With regard to the “migration corridor”, the proposed site for the Sugar Works overlaps with the current seasonal “migratory route for wildlife” thus raises conservation concerns. Secondly, communities question the huge amount of acreage demanded by the Madhvani Group, in comparison to all other Sugar Factories in Uganda that hold less than 11,000 hectares as nucleus estate (only SCOUL has this maximum, current nucleus estate at Kakira is 8,000 Hectares), with the rest of production coming from out-growers. Communities argue that since land is held under customary holding, it is the perfect tenure for smallholder production on out-grower basis and should suffice if

²⁴ UBoS, 2008

²⁵ Rugadya, Nsamba-Gayiiya and Kamusiime, 2008; Oxfam, 2006; Refugee Law Project, 2007

²⁶ Letter seen by Margaret Rugadya and press reports in Monitor and New Vision Newspapers

the Madhvani proposal is genuine²⁷ and serves the purpose of developing the area and the general population in habitation. Not only would this set aside, the enormous pressure to acquire massive chunks of land at a great risk of causing community conflicts, it would also hold greater beneficial interest for the communities through an extensive out growers' scheme.

The project has been temporarily halted, to allow the communities to move from the camps, a clarification of rights by the communities and a consultation process under the Acholi traditional institution – the Ker Kwaro Acholi. However, it has left a bitter after taste, fertile for speculative acquisitions of land by individual elites hoping to position themselves and reap from buyouts when the project finally commences. Thus, explaining the multiple land grabbing events that are routinely sparking violence in Amuru as those with political and economic muscle attempt to amass cumulative “acreages-in-waiting”, as pointed out in the interview below:

“...currently the district is giving land to individuals such as politicians, technical staff, Members of Parliaments and others who ask for it²⁸”

The rush for application for titles and surveys, as seen from the land registry and the applications for certificates of customary ownership is driven by seeking protection against the threat of loss or positioning for anticipated gains. For the re-establishment of the “migration corridor,” the likelihood that the communities will view the effort as another grand ploy manifesting as conservation concerns out to grab their land, is very high as echoed in the excerpts below:

“if you (the research team), want a route for wildlife, go and tell your bosses in Kampala, from Wildlife Authority, from the District and that NGO to come by themselves and negotiate with us. Do not be like the Madhvani Group, which is just a front for Nyarwanda and Museveni! If you want land why send Museveni? What is the interest of Museveni? Because you hear, land is free in Amuru there are no people! No! Come to the community”²⁹

In addition, there is need for information, on how a migratory route is going to contribute to development in the area, because the understanding of how conservation supports livelihoods is very limited within communities. The greater challenge lies in having an engagement with the communities based on facts rather than fears, as there is no authoritative agency or office taking leadership on clarification of rights in the area based on facts, which the community can easily find acceptable. It will be imperative to have an engagement with the District and the Communities, to consider the proposal for the migratory route on its merits and to understand its contribution to livelihoods, apart from averting seasonal collision with wildlife and the nasty consequences of bodily injuries or crop destruction.

The Prospect of Petroleum and Minerals

Possibility of oil or petroleum discovery distorts the intentions of re-establishing the migration corridor in the eyes of the community to the extent that, unless proved otherwise could be viewed as another of the many government schemes or ways to place its hands on Acholi land. It is however, partially salvaged by the acceptance and knowledge that a wildlife migration corridor existed before,

²⁷ Focus Group Discussion in Lakang, Amuru Sub-county, November 2009

²⁸ Denis Kinyera, Secretary Production, Amuru District Local Government

²⁹ Focus Group Discussion in Lakang, Amuru Sub-county, November 2009

thus making it a question of “old territory with new rights or re-instated rights”. The district land board, on the other hand argues that by virtue of the 1972 degazettement, the land automatically falls under its jurisdiction as former public land. What is missing however is the appreciation of the value that accrues from the presence of “wildlife migratory route”.

Nevertheless, communities do yearn for the re-assurance that the reversal of land use to conservation will not distort or infringe on the benefits likely to accrue to them and the district, in the event that petroleum or any other minerals are discovered, as they will have ceased their position as primary land users to wildlife- in- motion.

“...if they have a hidden agenda of getting land in speculation for minerals, then we shall not agree...if they are after our petroleum and minerals we shall chase them away”³⁰

Tourism and Wildlife Concessions

As of January 2010, after a period of one year of negotiations, a Wildlife Concession was granted to Aswa-Lolim Wildlife Association by the Amuru District Local Government and the Uganda Wildlife Authority in the area³¹. The extent of the concession and entitlements therein could not be established during the course this study, because it is a newly entered into arrangement and officials were keeping lids on the details for fear of information misuse.

The communities have caught wind of the concession but are not able to explicitly detail, what it entails or implies for them or their roles. It is rather viewed speculatively as another of the many government ploys, to access land for investments, as government is hard pressed for tourism investments in the area.

There were also suggestions that a Canadian Firm interested in planting Eucalyptus trees along the banks of River Nile in the same area that the migratory route is to be sited³² is on the verge of being granted rights to do so by the District, but the details of the venture were not readily available.

Conclusions

It is believed that the central government is desperate to lay its hands on whatever land is available in Amuru³³. This threat is given credence by the heightened external urge for acquisition of large tracts of land, purportedly for development projects or activities, which are considered suspect by the communities. There is fear that conservation efforts may actually be a smoke screen for powerful people to grab Acholi land. It is not only the intent that is questioned but the envoys as well, resulting in accusations and counter accusations of corruption and sell-outs for personal aggrandizement, or in other instances for wining political favors from the current government.

The suspicion has been obtrusive to balanced reception of any external programs or projects – whether by the central government, local government, elite Acholi or civil society organizations – as long as any of the initiatives concern “land” implicitly or explicitly, even if that program is a

³⁰ Focus Group Discussion in Lakang, Amuru Sub-County, November 2009

³¹ James Omoding, Community Conservation Coordinator, Uganda Wild Life Authority

³² Odongkara Amos, Environment Officer, Amuru District Local Government

³³ Kenneth Oketta, Prime Minister Ker Kwaro Acholi, in interview 2009

conservation program or aims to re-establish a “wildlife-migration corridor”. Matters are not helped by the belief amongst the communities that the greater percentage of “black gold” (petroleum) lies in the plains of Acholi land waiting to be discovered. Hopes are that scale of deposits is likely to be greater than what is visible in Buliisa District.

Lastly, there appears to be alienation of the prospective land for migratory route to community wildlife management as recently as January 2010, which implies that the status of this “concession” and how it affects the intent of “a wildlife migration route” needs to be explored. Dialogue between the District Officials and the Aswa-Lolim Wildlife Association, which has been offered the concession is an absolute necessity before any other step is taken, as the details of the arrangement could not be divulged to the research team. It is also possible to explore a joint – management arrangement that would allow both a concession and migration route to co-exist.

3. CHANGES IN LAND USE PATTERNS

A Century of Land Use Change

Over the last 100 years, the belt between Murchison Fall National Park and East Madi Game Reserve, has witnessed extensive changes in land use patterns. In 1900, there were scattered human settlements, animal hunting and extensive open grazing areas, which were gazetted into a conservation area to support seasonal migration of wildlife by 1956. These were degazetted in 1972 for human settlement and ranching due to political interests of the then Amin government. However, these plains have lain fallow for the last 20 years following displacement of people into IDP camps during LRA war. The absence of human activity and habitation resulted regeneration of biodiversity and growth in wildlife numbers as well as wildlife species. The closure of IDP camps and return of the previously displaced population has signaled the need to ensure a balance between wildlife management and human settlement, further changing land use afresh. The changes in land use over the last 100 years are summarized in Table 11 below.

Table 11: Changes in Land Use Patterns over the Century (1900 – 2010)

<i>1900 – 1922: Human Settlement</i>
<ul style="list-style-type: none">• Communal Animal Hunting Grounds• Communal Free Range Grazing Area• Scattered Settlements
<i>1922 – 1972: Gazetted Wildlife Sanctuary</i>
<ul style="list-style-type: none">• Gazetted state-sanctioned conservation sanctuary for Wildlife Migration• No Human Activity due to Tsetse Flies infestation• Seasonal Migration of Wildlife• Increase in Wildlife Population
<i>1973 – 1983: Human Settlement and Farming</i>
<ul style="list-style-type: none">• Resumption of Massive Communal Hunting• Resumption of Free Range Grazing• Set up of Private Cattle Ranching Schemes• Set up of Government Cattle Stock Ranch• Extensive Human Settlement• Decrease in Wildlife Population
<i>1984 – 2006: Regeneration of Biodiversity and Wildlife</i>
<ul style="list-style-type: none">• Regeneration of Biodiversity• Increase in Wildlife Populations• Limited or No Human settlement due to LRA War
<i>2006 – 2010: Human Settlements and Wildlife co-existence</i>
<ul style="list-style-type: none">• Rapid re-emergence of Human Settlement – IDP returns• Resumption of Extensive Farming and Cultivation• Scramble for Registration and Sealing off lands for Private or Clan use• Concession for Wildlife Management due to growth in Wildlife Numbers• Prospecting for Oil and Mineral Development

Current Land Use Patterns

In a ground proofing household survey of settlements adjacent to the “migratory route”, it was found that, most respondents – who are household members beyond 40 years old – had experienced displacement not related to the LRA war. 48% advanced that their cause for relocation over their lifetime was tsetse flies infestation, 43% cited human-wildlife conflicts and 9% reasoned that the

absence of health facilities had forced them to relocate to another place. 34.4% of the respondents conceded that they were forcefully removed by the colonial government in 1911, although (15.6%) either did not know or could not remember such an event-taking place. The timing of these displacements, tallied with the changes in land use patterns summarized in table 11 above and community focus group discussions confirmed that:

“...before we were ordered to go to the camps, we had land to rear animals, growing food crops but when we went to the camps we lost opportunity to own our land, use it or even access it; we used to have hunting grounds in some areas but these have ceased to exist...”³⁴

Current settlements are scattered and sparse, comprising of farmsteads that are on average of 1kms to 1.5 kms apart. The communities are agricultural farmers with 82.2% involved in crop farming as the main land use activity, followed by a combination of crop and livestock farming at 13.7%. Households claim to hold at least two pieces of land, for an average of 9.9 years as shown in Table 12 below.

Table 12: Average Size of Land for Households and Period of Use

		SUB COUNTY				Group Total
		AMURU	ALERO	ANAKA	PURONGO	
Pieces of land used in the community	Maximum	5.0	20.0	3.0	5.0	20.0
	Minimum	1.0	1.0	1.0	1.0	1.0
	Mean	1.7	2.7	1.7	1.7	2.0
	Median	1.0	1.0	1.5	1.0	1.0
Length of use of pieces of land in the community (years)	Maximum	5.0	80.0	40.0	60.0	80.0
	Minimum	1.0	1.0	1.0	1.0	1.0
	Mean	2.7	13.9	10.1	9.0	9.9
	Median	3.0	3.0	5.0	3.0	3.0

The most outstanding findings is the number of farmed areas or gardens not neighboring any human settlements as one moves closer to the banks of River Nile. In these locations, the scatter pattern of farm-gardens is greater at an average of 2 kms or more between farm plots on footpaths or non motor-able tracks. In Kololo village, Palyech Parish, Amuru Sub County for example, farmed areas or plots are within 6 kms to 8 kms of the banks of river Nile depicting the deepest penetration. Most settlements are made of temporary structures of mud, wattle and grass thatch as shown in figure 13 below.

Figure 13: Newly constructed dwelling closer to the banks of River Nile



³⁴ FGD Amuru Sub County

Community focus groups confirmed that:

“...at the moment, animal keeping is not common, but we used to have grazing grounds and they are still there, though unutilized, but mainly it is crop growing...”³⁵”

Although there are no signs of permanent settlement or livestock herding in the area adjacent to the banks of river Nile, there is evidence of bush burning as a key feature of continued opening up of land for both settlement and crop production as part of current land use activities as shown in figure 14 below.

Figure 14: New Homestead and bush burning in the surrounding



Regulation of Land Use

There is no consensus on how to and who regulates land use within the community, with three contrasting views, one resting authority with the traditional clan elders, the other on the local councils or the sub-county authority or the district. While the last view argued that, it is dependent upon the individual household that owns the land.

“...the elders are responsible for deciding land use, although the rest of the community also participate so as to agree together; the rest of community involvement is very important and the elders usually respect that...”³⁶”

“...Land use in this community is decided by the community followed by the sub county, it is a collective idea of the people...the district land board also assists because it has the mandate to manage land...”³⁷”

“...It is the land owner who decides what to do with their land ...”³⁸”

The land is customary tenure, it is expected that the authority for controlling land use would lie with traditional authority under the “*Rwot Kweri*”³⁹. However, the ground proofing household survey

³⁵ RDC Amuru

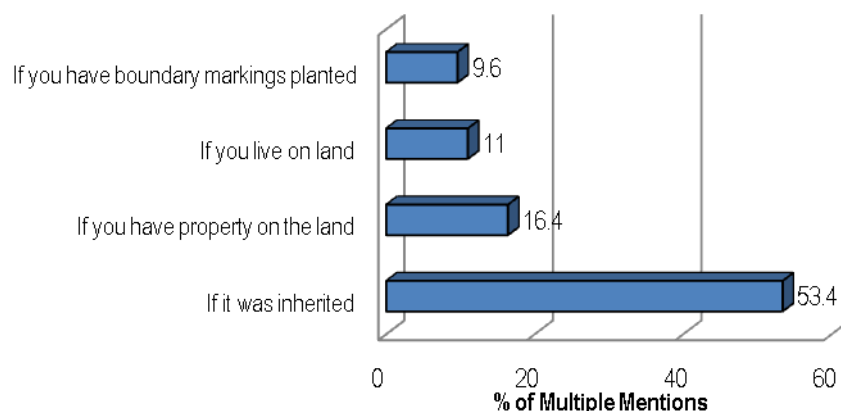
³⁶ FGD Amuru Sub County

³⁷ FGD Alero Sub County

³⁸ FGD Purongo Sub County

shows that, this is far from the truth, the power lies with the lower local council leaders, who are involved in regulating land access /land use. In the survey (43.1%) of the respondents claimed that lower local council leaders compared to clan leaders or “*Rwot Kweri*” who were referred to by (23.6%) of the respondents were involved in land use determination. In this case, local council leaders seem to be more influential on matters of land access compared to traditional leaders as shown in Figure 15 below.

Figure 15: Regulation of Land Use in the Communities



This finding is also a pointer to how new acquisitions and extensions gradually stretch into the area that has been a migratory route over time, as lower local council leaders grant land access and ownership into areas or territories unclaimed before, thus annexing the migration corridor. However, the outstanding response on responsibility for regulation of land use is that ‘nobody’ is responsible, which was offered in 40.3% of the responses. The implication is that each individual household determines their own use of land depending on household priorities and interests, without regard to any external regulation.

Conclusions

The area has been characterized by changing land use over the last 100 years, due to displacement of settlements, cultivation, communal grazing and wildlife hunting. Conservation has been intermittent to changes in human settlement, ultimately paving to private property interests upon degazettement in 1972 only to re-surface after significant growth of wildlife and biodiversity in the fallow period of 20 years brought on by LRA war. Since time immemorial, this area has been pivotal to supporting seasonal migration patterns (between Murchison Falls National Park and East Madi Game reserve), notwithstanding the human changes that are contrary to the need for wildlife to co-exist with human activity through ordered management, thus the proposal for a formal migratory route.

³⁹ The individual land holder has the right under customary tenure to utilize land as thought best, rest or lend a piece of land for temporary purposes, pledge crops on land but not land itself. Sale of land is subject to the approval of the family. The clan or family have the right to settle land disputes within the area of control, exercise the right to buy any land offered for sale by its member; prohibit sale of clan land to undesirable persons and declare void any land transaction, which has not received its approval. The general community has the right: to graze communally over the whole area but damage to crops has to be made good; of free access to salt licks, watering of cattle at running or open waters and access to water from springs and other common rights and to hunt wildlife animals in designated areas communal held for such purposes.

Findings show that current human settlements and cultivation activities are sparse and scattered but stretch into areas previously used as a migration route due to pressure for ownership of land and the scramble for property rights, moving closer to the banks of river Nile.

Regulation of land use does not seem to form part of any particular institution's responsibility but randomly falls on the shoulders of lower local councils, rather than the traditional clan institutions – *Rwot Kweri* – as expected on customary tenure. In some instances, it seems to be determined at individual household level, without any overall residual guidance from any persons or institution. This however, is also indicative of the fact that lower local councils are the institutions involving in granting permission for access and use of land previously in the migration route. The basis for such authority to annex the migratory corridor is unknown but their authority is acknowledged and accepted as legitimate within the communities.

4. WILDLIFE MOVEMENT: ROUTES AND CONFLICTS

Migration Patterns, Routes and Species

Wildlife migration is a dry season event beginning in August/September with the departure of wildlife from Murchison Falls National Park. The migrating herd comprises of elephants, buffaloes, warthogs, baboons, antelopes and lions. It is said by the communities in focus group discussions, that on exiting the Park, the herd splits into two clusters, one heads towards Koch Goma returning by the end of the dry season in January/February⁴⁰. While the second cluster, with a larger herd, heads to Alero, Anaka, Amuru and ends in Zoka Forest or East Madi Game Reserve returning by February/March to the National Park⁴¹. A third herd is said to originate from the Sudan moving southwards to Atiak and Pabbo and eventually ending in Amuru District⁴².

The animals are said to move seeking for food and follow the same route each year with limited diversions where they occur.

“...When these animals leave the park, they move according to how they smell the direction of food. Within the district, there is no clear direction but they know where they are going and it is very difficult to change their direction. When they leave the park, it appears as if they go to Koch Goma, Alero, Amuru and Lamogi where they stop and come back to Murchison Falls. Then those that come from Sudan enter through Atiak, Pabbo from the western side and then into Amuru, but a few others continue to Adjumani⁴³”

“...Animals from Murchison Park cross the tarmac road to Pakwach then they enter River Aswa and continue to Purongo, Kuchapa, Lulyango and continue further to Amuru Sub County...others do return to the park after sometime...⁴⁴”

The location of the migration route has not changed over the years, as focus group discussions further confirmed that:

“...The migration pattern has not changed, in the past they were a few but these days they are many, this means the width of the route has increased but the path location is still the same and the season is also the same; but when they come across gardens they go off their path. They are common at a place called Tee-got...⁴⁵”

“...Previously they were very few before we moved to the camps, but ever since we returned we found when the animals are very many, they move in very large numbers and they move anyhow because when we were in camps they would move without human hindrance...⁴⁶”

“...It is hard to tell how the boundaries of the path have changed because we have been in camps for 20 years. The time we have stayed in the camps has enabled the animals to

⁴⁰ Focus Group Discussion in Koch Goma sub-county

⁴¹ Focus Group Discussions in Alero and Amuru sub-counties

⁴² Focus Group Discussion in Amuru sub-county

⁴³ RDC Amuru

⁴⁴ Focus Group Discussion in Alero Sub County

⁴⁵ Focus Group Discussion in Amuru Sub County

⁴⁶ Focus Group Discussion in Purongo Sub County

multiply, because most areas were abandoned and they had the freedom to move and transverse villages without human resistance...⁴⁷”

Much as the group discussions did not acknowledge changes in the migration route except for the increase in numbers of the “animals-in-motion”. Findings from the ground proofing household survey show that human settlements is cited by 71.9% of households as the reason for pushing the migratory route inwards, closer to the banks of river Nile. While 28.1% thought that having been away in IDP camps, gave opportunity to wildlife to widen and stretch their route beyond what was previously under use, 6.2% claimed not to know the boundaries of the “degazetted reserve”.

Possible GPS Location of Corridor Area on Map of Amuru

The survey also sought a description of the migratory route as known within households and communities by names of villages as points known where the animals are often sighted while in transit. Over 51 villages were mentioned, however only 19 locations, each with 6 or more mentions are extracted for presentation here. The results are presented in table 17 below, together with the GPS location (Northing and Easting reading) where available.

Table 16: Location of Migratory Route and GPS locations

Description of Where Migratory Route is Located	Total Mentions of Area	GPS Location (Where available)	
		Northing	Easting
1. Agung	6	02 29.397	031 55.840
2. Akee	16	02 52.044	031 31.346
3. Aringo Kec	8		
4. Aswa River	24		
5. Got Apwoyo	42	031 33.492	031 33.492
6. Karatye	6		
7. Kidimon	8	02 48.840	031 30.743
8. Kita River	10		
9. Kololo	32	02 53.238	031 28.129
10. Latoro	12		
11. Lulim	12		
12. Lulyango	6	02 38.640	031 53.416
13. Nile Valley	24		
14. Pailyech	16		
15. Pukwaro	8		
16. Te Okot	6	02 30.693	031 35.148
17. Wianaka	10		
18. Zoi Forest	6		
19. Zooka Forest	14		

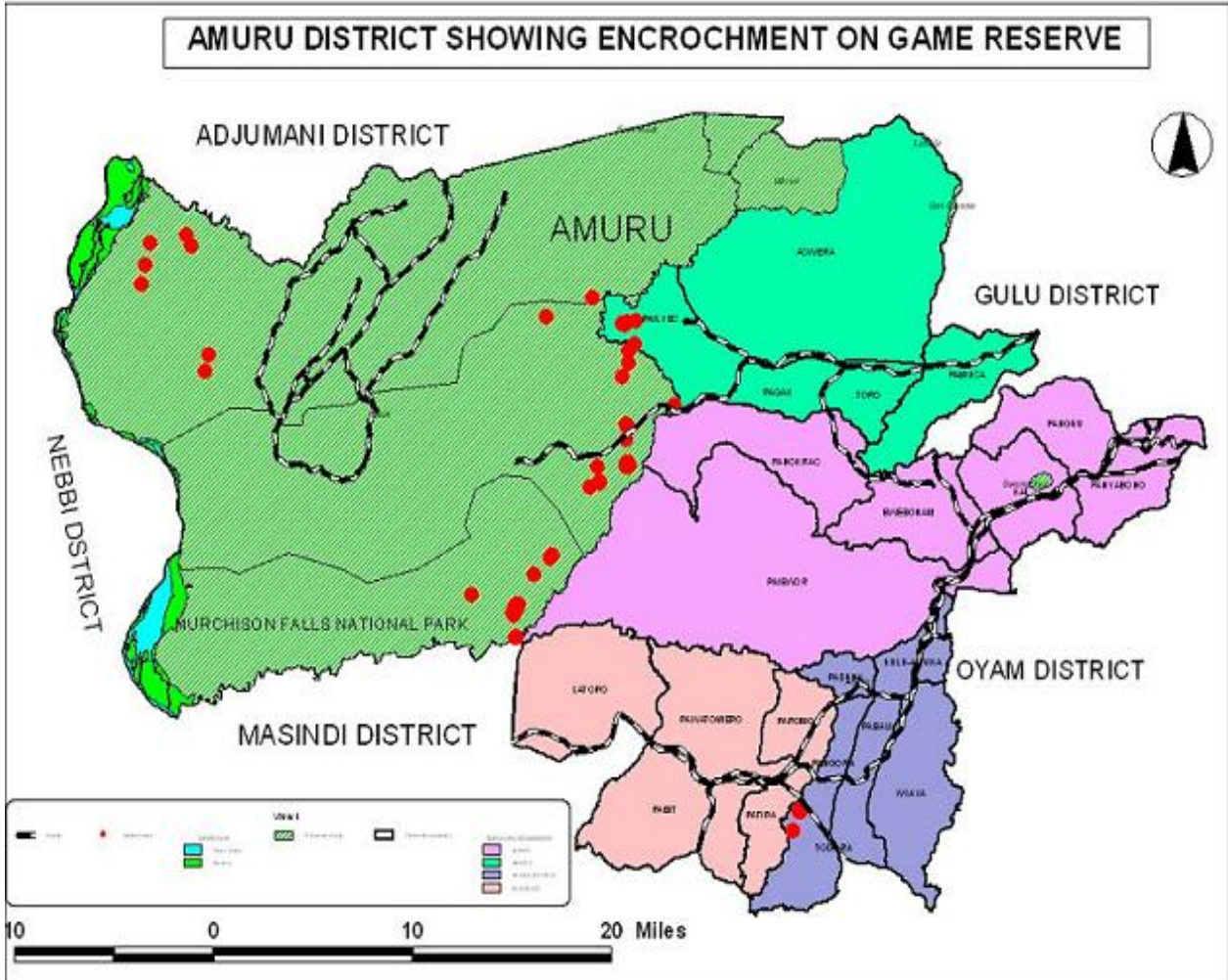
It should be noted that the study team did not reach all the places mentioned in the descriptions in the course of ground proofing and therefore GPS locations are not available in certain instances. These results show the most critical locations that would have to be considered in the course of re-establishment of the migratory route. The numbers of mentions provide guidance on the level of consensus that a particular area actually falls within the migratory route and can therefore serve as indicative of where the restored migration route ought to be.

However, respondents felt that most areas are now heavily settled and common suggestion was that the route should take the usual path as the wildlife ordinarily uses the area. When GPS locations

⁴⁷ Focus Group Discussion in FGD Amuru Sub County

from households at the extreme fringe of the corridor – furthest settlement known within the communities were placed on the map of Amuru District, it yielded the result below, showing the extent of infringements into the corridor.

Figure 17: GPS locations of Settlements on the fringe or in the Degazetted Corridor



Human-Wildlife Conflict

The major human-wildlife conflicts reported by the community are destruction of dwellings, loss of farm crops and animals especially cattle, as well as with some instances of bodily harm or injuries. Focus group discussions describe the conflicts as follows:

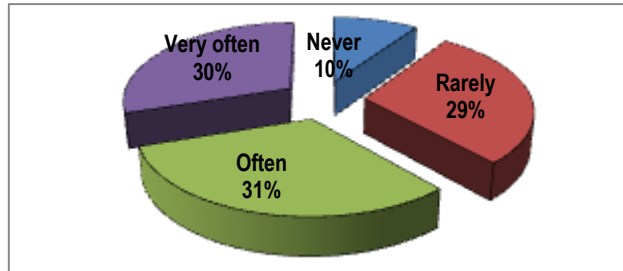
“...January to March, we always have many buffaloes, they kill cows, even people, they scare women from gardens hence retarding gardening work especially harvesting and crops get spoilt...lions also come and disturbs people and domestic animals a lot...warthogs also destroy crops...”⁴⁸

⁴⁸Focus Group Discussion in Alero Sub County

“...Previously they were very few before we moved to the camps, but ever since we returned we found when the animals are very many, they move in very large numbers and they move anyhow because when we were in camps they would move without human hindrance...⁴⁹”

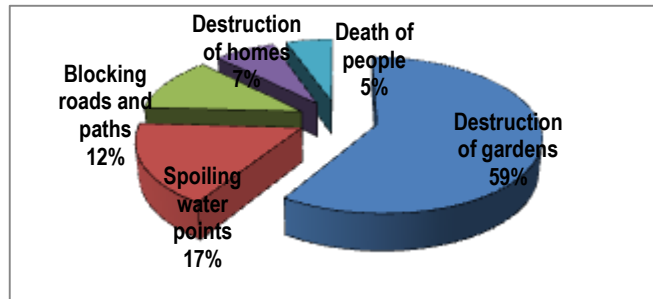
The ground proofing household survey shows that conflicts with wildlife is common for approximately 60% of households at the fringe of the “migratory route”. This percentage is made up of 31.5% who described the occurrence of conflict as often, while 30% felt the occurrence of such conflict was very often. 29% rarely experience any conflict while only 10% had never been involved in any conflict with wildlife as shown in figure 18 below.

Figure 18: Occurrence of Wildlife Conflicts in Households



Regarding the types of conflict experienced with wildlife, the major was gardens destruction (58.9%), followed by destruction/ contamination of water points (17%) and blocking of roads and paths (11.6%). Other conflicts included destruction of homes 7.1% and fatalities or bodily injuries for people rated at 5.4% as shown in the figure 19 below.

Figure 19: Types of Wildlife Conflicts experienced Households



There is a sense of helplessness within the communities who felt frustrated that they could not resolve the conflict as the excerpt below summarizes:

“...we are not allowed to kill the animals and yet they destroy our crops and we are never compensated...⁵⁰”

Although, wildlife straying (42%) was mentioned as the major cause of conflict, contributory factors such as lack of defined park boundaries (29.4%) and human settlement in the reserve (17.6%) were

⁴⁹ Focus Group Discussion in Purongo Sub County

⁵⁰ Focus Group Discussion in Amuru Sub County

also mentioned, reflecting the underlying tenure issues at in community at the fringe communities migratory route as shown in table 20 below.

Table 20: Cause and Resolution of Wildlife Conflicts

Multiple Responses		AMURU	ALERO	ANAKA	PURONGO	ALL
		Col%	Col%	Col%	Col%	Col%
Causes of	Both using the same land		3.2			1
	Lack of defined park boundaries	25	29.00	54.5	25	29.4
Conflicts with	Animals straying	43.8	38.7	27.3	47.7	42.2
	Human settlement in the reserve	18.8	12.9	9.1	22.7	17.6
Wild life	Water scarcity	12.5	3.2	9.1	4.5	5.9
	Displacement into camps, made animals roam freely		12.9			3.9
How conflicts within	Inform the game rangers	18.8	41.4	60	43.9	40.6
	Make fires to scare the animals away/ make noise	31.3	27.6	20	46.3	35.4
wildlife are resolved	Nothing is done	25	17.2	20	4.9	13.5
	Kill the wild animals/ set traps	25	13.8			8.3
	Stop planting crops that wild animals like				2.4	1
	Get into the house as early as possible (before dark)				2.4	1

The key indicator here is that the exact boundary of the migratory route is no longer defined since the degazettement took place. Thus, settlements and other human activity are only limited by the expected supposition that wildlife animals will not stray to a specific area. However, when conflicts do occur, (40.6%) of the household indicated that game rangers do intervene to resolve them, this is interpreted by the communities, as the wildlife being in the wrong on ‘their land’, rather than the animals claiming the “right of passage over their land”. Within focus group discussions, the destructions caused by the interface between human settlements and wildlife were summarized as below:

“...The wild animals that come here from Adjumani area are elephants, antelopes and warthogs, they destroy our crops. The animals from Murchison Falls that destroy our crops come in the months of August, September and even October...⁵¹”

Figure 21: Elephant Droppings in a Garden, note the Potatoes Vines destroyed



⁵¹ Focus Group Discussion in Amuru Sub County

Survey findings further show an increase in human-wildlife conflict amongst communities on the fringe of the migratory route, mostly involving Elephants (79%), Buffaloes (41%), Baboons (34.9%) and warthogs (31.7%) as shown in Table 22 below.

Table 22: Wildlife Species often in Conflict with Communities

	Column Response % (Base: Count)	
What Wildlife are Particularly Involved in Conflicts	Elephants	79.4
	Buffaloes	41.3
	Antelopes	28.6
	Baboons	34.9
	Uganda Kobs	1.6
	Monkeys	6.3
	Lions	12.7
	Hyenas	3.2
	Rhinos	1.6
	Gorillas	3.2
	Warthogs	31.7

Conclusions

The migration patterns and routes have not changed over the years despite changes in land use and pressure exacted by human settlement that tends to push the migratory route close to the banks of river Nile at the risk of increased encounters leading to damage of crops in gardens and domestic animals destruction as well as bodily injuries for humans. It is also acknowledged that while the migratory route is incessantly growing smaller from the push by human settlements, the number of wildlife has increased exponentially, courtesy of the 20 years of human displacement to camps during the LRA war.

GPS location readings taken within communities that are nearest to the banks of River Nile and households considered to be the closest to the migratory corridor, show that the route has shrank to as low as 6 km to 8 km from the banks of the Nile River. The households in these locations are aware of their being in the path of wildlife but feel secure that lower local councils granted them land for cultivation and settlement.

The communities have witnessed human-wildlife conflicts involving buffaloes, lions, elephants , warthogs and baboon, often resulting in damage to crops in gardens, contamination of water points, killing of domestic animals especially cattle and some instance of bodily harm and injuries. At least 60% of households in the sampled areas at the fringe of migratory route had been involved in a wildlife conflict over the last 5 years.

Although communities claim that wildlife strays into their settlements and gardens, thus causing harm, they also acknowledged the absence of well-defined boundaries to guide migration or their settlement that leads to this overlap and eventual clash, the resolution of which is often aided by game rangers for at least 40% of the households.

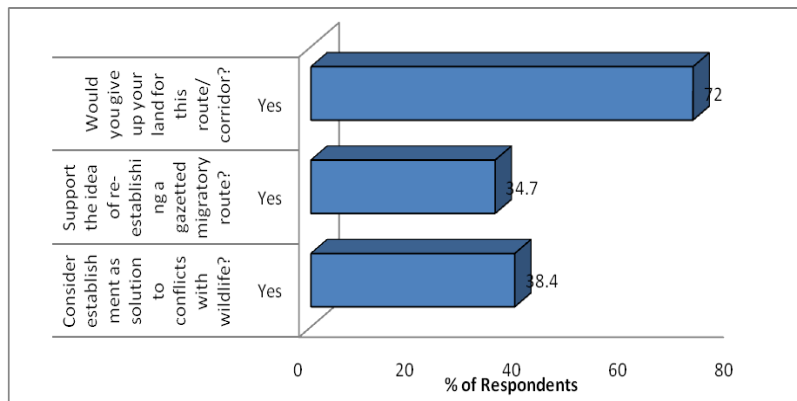
5. WAY FORWARD

Possibility of a Formal Migratory Route

Opinion of the Communities

Community opinion regarding the possibility of re-establishing the “migration route for wildlife” captured at household level through the ground proofing survey, shows that less than half of the respondents (38.4%) felt the wildlife corridor would be a solution to conflicts with wildlife and therefore should be re-established. Amongst those in support of re-establishment, the proportion willing to give up land for the migration route to be re-established was high at over 70% as shown in figure 23 below.

Figure 23: Opinion on re-establishment of Migration Route



The villages or sub-counties could not reach a conclusive consensus or final verdict in the focus group discussion, presenting a mixed reaction throughout the communities. The excerpts below offer both negative and positive signals. In extreme cases, some groups dreaded the idea so much that they denied its previous existence as follows:

“...UWA should talk with the community... they (wildlife) already move freely and I see no reason to block them and if they (wildlife) move in the former path then they should let them move freely...”⁵²”

“...Government should give priority to the people not animals, trenches should be dug to block animals from leaving the park...Government should not even consider that route because that is a way of grabbing land...may be near the Nile, because that is the area they frequent...”⁵³”

“...There is nothing like establishing a path...I cannot accept because we have gone back to where our grandparents were chased from...this is our original land where our grandparents lived... if the path is to be established more animals will disturb us, peoples’ lives will be at stake and conflicts with the animals will increase...”⁵⁴”

⁵² Focus Group Discussion in Alero Sub County

⁵³ Focus Group Discussion in Amuru Sub County

⁵⁴ Focus Group Discussion in Alero Sub County

“...There are no wild animals that move from East Madi Game Reserve to Murchison Falls National Park or vice versa. I think there is no path for animals. As we grew up, I heard that there is a park at the side of Pakwach in Nebbi and Igoko in Madi area but not in Amuru⁵⁵”

While other groups were of the view that the re-establishment needs to be backed by a stronger presence of game rangers, in addition to ensuring that current settlement and cultivation areas already in use or owned by the communities are excluded and appropriate boundary fencing is undertaken as shown in the excerpts below:

“...This path should not be put in peoples land, we shall accept only if the route is being put in the park...I cannot accept the route to be put on my land...there should be no path because people are more important than animals, a road should be used to create this path...chase the wild animals back into the park ...government should use an electric fence to stop the wild animals from crossing into our area from their path ...⁵⁶”

As expected, there was worry that the process of re-establishment could render people landless, a view supported by 13.6% while an equally similar number of 13,6% anticipated no challenges to the re-establishment of the migratory route. However, the greater challenge will lay in dealing with persons who hold a general resistance to the concept of a “wildlife migration route” in their area with fears of land grabbing voiced by 59.1% of households in the ground-proofing survey. There were concerns related to loss of water sources and mining concessions in the area with the re-establishment of this route.

Table 24: Terms for giving up land in favor of re-establishment of Migration Route

Terms under which land would be given up for the route Column Response % (Base: Count)	SUB COUNTY				
	AMURU	ALERO	ANAKA	PURONGO	Total
	%	%	%	%	%
Compensation for the land	50	75	16.7	100	57.9
Some form of help to develop the community	50	25	66.7	33.3	42.1
Build Schools		25	16.7		15.8
Build hospitals		12.5	16.7		10.5

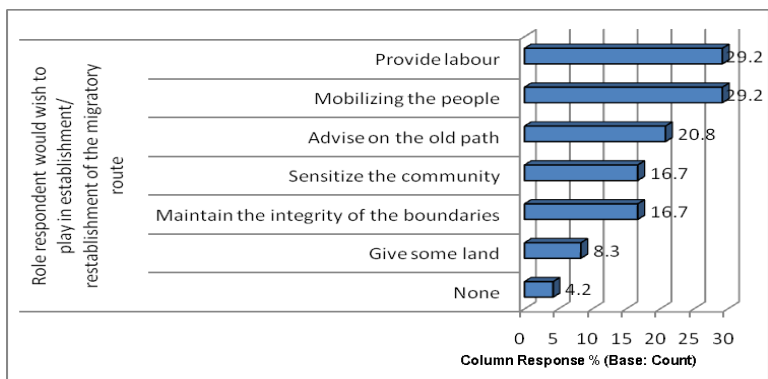
Only (34.7%) supported the idea of re-establishing the migratory route with any reservation. However, this group in support of re-establishment lay down a number of conditions to fulfil before they give their land in favour of wildlife – in –motion. The foremost condition stated is compensation for land (57.9%), followed by support/ contributions towards community development (42.1%) as shown in Table 24 above.

In Figure 25 below, the communities offered opinions on their expected roles, should the re-establishment of the migration route go-ahead as anticipated. The majority anticipated to provide labour 29.2% and to undertake mobilisation within their communities 29.2%. 20.8% offered to point out where the old migration route was – showing a wealth of memory and knowledge within the community. 16.7% offered to maintain the integrity of the boundaries of the migration corridor once it is re-established and 16.7% offered to sensitise the community.

⁵⁵ Focus Group Discussion in Amuru Sub County

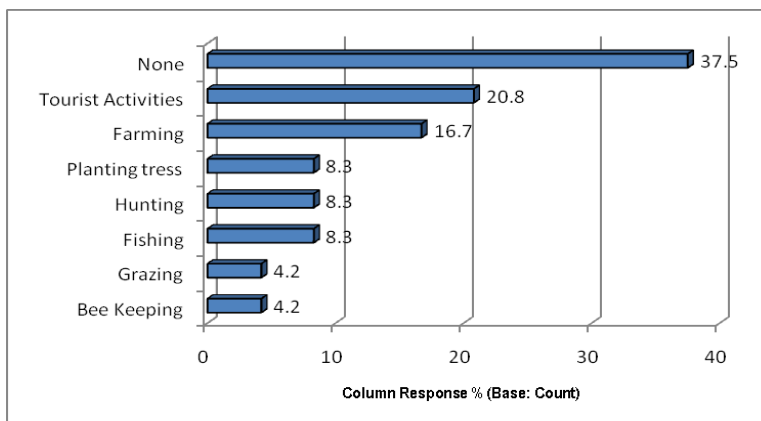
⁵⁶ Focus Group Discussion in Purongo Sub County

Figure 25: Roles of the Community in re-establishment of Migration Route



In figure 26 below, in the household survey the community felt it should be given opportunity to participate in tourist activities 20%, 16% felt that farming should still be permitted in the area, while the majority of 37.5% felt that no-activity should be permitted in the area when the migration route is re-established.

Figure 26: Activities that need to be permissible in the re-established route



Opinion of the Traditional Authorities

Although the household survey findings revealed that the lower local councils are more involved in land use management, the opinion of traditional clan leaders concerned with land management, referred to as “*Rwot Kweri*”, is still of importance and can sway community opinion regarding land matters. The majority was not in support of the migratory route and only considered it a possibility, if it is set outside the current settlement areas and limited to not more than 20 kms from the banks of river Nile.

“...For me my opinion is that there is no use in leaving a path for wild animals in our land, the only thing UWA can do is on the side of Adjumani, create an area which is like a reserve that animals are not allowed to cross. They should do the same on Murchison side...we cannot allow a path for wild animals...UWA should find a way of blocking these animals from disturbing people, animals should be blocked or kept in the parks. There is enough land

in Paraa and East Madi for the animals...as elders we do not want creation of this route and animals crossing between these two parks...⁵⁷”

In other sub-counties, elders recommended that the best possible area for re-establishment is between 10 kms – 20 kms from the banks of river Nile as this area does not hold human settlement and the few cultivated plots, if any, are placed there by owners who know they have stretched into land that does not belong to them.

“...the idea should be handled by park authorities working hand in hand with the communities...some people have settled on land that does not belong to them and that will result in conflicts, they are settling in the former migration area and wild animals are destroying their crops...for that reason they should put it back with a clear boundary⁵⁸”

“...it is possible to have a migratory route...20 km will be okay, but next to the Nile River so that it doesn't affect peoples' settlements⁵⁹”

Majority of the elders (particularly in Amuru Sub-County) disregarded the need for formalization of the migration but conceded that, wildlife migration is a natural seasonal process that cannot be wished away, thus has to be adequately managed without stretching into the land where current settlement and cultivation is already taking place. Limiting their recommendation to a breadth of not more than 20 km from the banks of river Nile, the elders felt this is where the migratory route could be re-established.

Opinion of District the Local Government

District officials are certain that, the area which qualifies as the migratory route is unoccupied in terms of settlements or cultivation for approximately 20 kms, therefore they do not foresee a hassle regarding the formal re-establishment, as asserted in the except below:

“...At the moment I do not think there is anyone living in the path; the nearest community to this path are the communities of Purongo, Alero, Amuru, Pabbo and Atyak ... the former path should be re-established because it was already in existence; and the distance is 20 kms from the Nile and it is at that point you start seeing human settlement...⁶⁰”

The District authorities firmly re-emphasized that the land is under the jurisdiction of the district, pointing to dialogue and negotiations as the way forward, with not only the district but the communities as well, in the event that formalization of the wildlife migration route is taken forward, as summarized below:

“...First there is need for negotiations with the local government, after the negotiations are successful then a memorandum of understanding between the two parties will have to be signed because the land belongs to the local government. There will be need for community involvement and the local council will then discuss the issue in a council meeting...⁶¹”

⁵⁷ Elders in Amuru Sub-county

⁵⁸ Rwot Jacob Jackson Akubo Opobo II, Alero sub-county

⁵⁹ Rwot Ocitti Tom, Koch Goma sub-county

⁶⁰ RDC Amuru

⁶¹ RDC Amuru

“...The land is currently under the District Land Board, although through negotiations with the district leadership and the community, an agreement can be reached... it should be on the western side of River Nile because there the two conversation areas will be linked, however the existing human settlement will affect the size of the corridor...⁶²”

“...these animals are migratory and need to move freely... I support the idea of demarcating a migration route along the River Nile, there is a belt there between 5 kms to 10 kms...I do not think the district has any use in this area...my role would be to advise Wildlife Authority so that the belt is protected⁶³”

The district emphasized that if the migratory route is to be re-established there should be consultation amongst the community, so that there is no alarm or speculative grabbing of land by individuals or any other external agents.

Opinion of the Uganda Wildlife Authority

The opinion of Uganda Wildlife Authority is summarized by the Conservation Coordinator as below:

“...there should be no statement like “re-establishing a wildlife corridor” because the land in question was reverted back to its original owners by President Amin upon de-gazettement (in 1972). This was entrenched by the 1995 constitution of the Republic of Uganda. Therefore, the issue of establishing a well-demarcated wildlife migratory route should be thrown back to the landowners in whose land the route will/would pass...⁶⁴”

Uganda Wildlife Authority is of the view that land is currently owned as follows:

- i. A greater share of it is communally owned by the Acholi and is held in trust by clan leaders headed by Rwot Onen David Achana;
- ii. A large chunk of land is registered, some of it titled and privately held by influential people in government and the districts hailing from the area;
- iii. The district land boards also took over some land, which they legally administer, and control. It is on these that they build schools, sub counties hospitals and other public facilities. The district land boards also have powers to legalize land in agreement with sub county and area land committees;
- iv. Uganda Wild Life Authority does not have any land in that area at all.

Conclusions

Re-establishment of the migratory route is possible so long as it is not perceived to stretch to community and individual land and it is negotiated with the community. Political, administrative and technical staff of the district local government strongly supports the re-establishment and formal demarcation of the migratory route after dialogue and negotiations with the communities adjacent to the location. Provided the current human settlements are not distorted, the recommended area is between 10 kms -25 kms from the banks of River Nile. Most suggestions for community engagement were inclined to interactions involving political leaders rather than administrative offices.

⁶² Christine Atimango, ACAO Amuru District

⁶³ Amos Ondongkara, Environment Officer Amuru District

⁶⁴ James Omoding, Community Conservation Coordinator, Uganda Wild Life Authority

Uganda Wildlife Authority asserts that it does not hold any property rights in the areas, except for residual responsibility over management of wildlife outside a conservation area, which is jointly executed with the district local government. For the migratory route to be set up, the matter will have to be placed before the landowners – whether communities or individuals or traditional authorities – and the district local government through the District land board.

Community opinion regarding the possibility of re-establishing the “migration route for wildlife” shows that less than half of the household survey respondents (38.4%) felt that it would resolve the human-wildlife conflict that have since increased with over 70% willing to give up their land on terms agreed. The foremost condition set was compensation for land (57.9%), followed by support/contributions towards community development (42.1%). However, no clear consensus emerged, because of worry that the process could render people landless based on the fears of land grabbing voiced by 59.1% of households in the ground-proofing survey. There were concerns related to loss of water sources and mining concessions.

Majority of the elders were not in support of the migratory route and only considered it a possibility, if it is set outside the current settlement areas and limited to not more than 20 km from the banks of river Nile. The elders acknowledge that whoever is within this range holding settlements or cultivation has inner understanding that they have stretched beyond what is legitimately theirs and might as well be temporary land users. Elders in Amuru sub-county particularly disregarded the need for a formal migration route alleging that the government places higher value and care on wildlife than human beings.

Next Steps

Following the conclusion of this study, the ideal next steps would be as follows:

- (i) Dialogue with Uganda Wildlife Authority, for consideration of the findings of this study with a view of ascertaining the technical viability of re-establishing the migratory route given the dynamics of property rights revealed in this report. The driving factor for the discussions would be the willingness and ability to engage the district, the land owners and communities to consider the release of land for conservation by availing options of either; (a) re-gazetting the area or (b) joint-management scheme or (c) co-existence of wildlife and community involvement in managing the migration route (d) exploration of other arrangements that still allow for safe passage of animals during migration and co-existence of the community land uses.
- (ii) Hold dialogue with Aswa-Lolim Management Association that was recently granted a concession in the area to ascertain the implications of this concession on plans to re-establish the migratory route, including the possibility for co-management.
- (iii) Hold joint dialogue with Amuru District Local Government and Uganda Wildlife Authority on the way forward, to seek their consent and approval, as well as grant of land for the migratory route. This discussion needs to consider the implications of pre-existing concession to Aswa-Lolim Wildlife Management Association on the migration patterns, land use and status of property rights in the area.
- (iv) Upon securing a joint agreement on way forward with Aswa-Lolim Wildlife Management Association, Wildlife Authority, and Amuru District Local Government, then the sub-county

leadership needs to be informed and plans made for sensitization of the community on the need to re-establish the corridor, addressing all the fears regarding land grabbing and advantages likely to accrue to the community should the route be re-established. Allow the community leaders to be at the forefront of the intervention as land issues are volatile and can be easily misinterpreted.

- (v) Discuss with the communities and secure uniform understanding of their views and opinions, allowing for participation in decision-making without necessarily losing control or allowing the process to derail or get out of hand. Conscious choice has to be made of the communication channels, but these need to be better managed at local level with the district officials and local community leader – including traditional leaders heavily involved.
- (vi) Identify any local NGOs involved in conservation or property rights protection who are likely to be reference points for the communities and bring them on board e.g. Norwegian Refugee Council, NGO forum etc. which the communities perceive as locally based organizations that are likely to protect their interests.
- (vii) Involve the district technical staff especially those in natural resource and land management departments, because they are considered advisors to the politicians in the district and fountains of “knowledge” by the communities.

ANNEXES

Gazettement and Degazettement Instruments

September]

Supplement to Uganda Gazette

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Legal Notice No. 217 of 1959.

THE GAME (PRESERVATION AND CONTROL) ORDINANCE, 1959.

(No. 14 OF 1959).

DECLARATION OF GAME RESERVE.

NOTICE.

(Under section 39 of the Ordinance).

Aswa/Lolim Game Reserve.

IN EXERCISE OF the powers conferred upon me by section 39 of the above-mentioned Ordinance, I hereby declare that the area specified in the Schedule of this Notice shall be a Game Reserve to be known as the Aswa/Lolim Game Reserve.

C. H. HARTWELL,
Chief Secretary.

ENTEBBE,

7TH SEPTEMBER, 1959.

(N.R.C. 24).

SCHEDULE.

The area comprised within the following boundaries: —

Commencing at the point on the Murchison Falls National Park boundary where the Anaka-Pakwach road crosses the hill Opokopung approximately 11½ miles from Pakwach; thence in a northerly direction to the summit of the most westerly hill of the Lolim group; thence to the source of the River Kulunyang; thence following the thalweg of the said river to its junction with the River Aswa; thence in a northerly direction to the hill Ladwong on the Aswa escarpment; thence in an easterly direction following a line of cairns and "Reserve" notices approximately one mile north of the River Aswa to a point on the eastern bank of the River Dengdenga (Jansohachu) marked by a cairn; thence in a southerly direction following a line of cairns or "Reserve" notices on the eastern bank of the River Dengdenga to the River Aswa; thence in a southerly direction following a line of cairns along a series of ridges to the River Laminaye; thence following the eastern bank of the said river to its headwaters; thence in a southerly direction following a line of cairns or "Reserve" notices to a point on the Murchison Falls National Park boundary on the Anaka-Pakwach road approximately 19 miles from Anaka; thence following the said boundary in a westerly direction to the point of commencement.

STATUTORY INSTRUMENTS.

1972 No. 54.

The Game (Preservation And Control) (Abolition Of Game Reserves) Instrument, 1972.

IN EXERCISE of the powers conferred upon the Minister by section 39 of the Game (Preservation and Control) Act, this Instrument is hereby made this 30th day of March, 1972. Cap. 226.

1. The Kikagati Game Reserve and the Aswa/Lolim Game Reserve specified in the Sixth Schedule to the Act are hereby abolished.

2. This Instrument may be cited as the Game (Preservation and Control) (Abolition of Game Reserves) Instrument, 1972.

W. B. BANAGE,

Minister of Animal Resources.

Date of publication : 7th April, 1972.

STATUTORY INSTRUMENTS.

1972 No. 55.

The Game (Kilak Hunting Area) (Revocation) Order, 1972.

IN EXERCISE of the powers conferred upon the Minister by sections 71 and 72 of the Game (Preservation and Control) Act, this Order is hereby made this 30th day of March, 1972. Cap. 226.

1. The Game (Kilak Hunting Area) Order is hereby revoked. S.I. 226-25, Vol. XIII, p. 3122.

2. This Order may be cited as the Game (Kilak Hunting Area) (Revocation) Order, 1972.

W. B. BANAGE,

Minister of Animal Resources.

Date of publication : 7th April, 1972.

Methodology and Respondents

Wildlife Conservation Society's WILD Programme in this study is determining the most appropriate area to site a wildlife corridor between Murchison Falls National Park and East Madi Game Reserve. The process involved:

- (a) consultation with community and government representatives to provide information on the status of property rights and the rights holders in the prospective wild life corridor areas and provide input to WCS WILD on community interests and concerns.
- (b) Ascertaining the status of rights for land alienated into registered tenure by examining legal records in the regional land office in Gulu and in the central land office of Uganda Land Commission.

1. District: Key Informant Interviews

The first rank engaged in Key informant interviews included all the central government agencies concerned with conservation of wildlife, preservation of the environment and forestry. The Amuru district local government, political leaders and its administrative or technical persons. The fourth is the land registry, both at the district and at Uganda land Commission, which sheds light on private alienations to registered ownership as summarized in the table below

Figure 29: KIIs at District Level

DISTRICT	OFFICES	PERSONS INTERVIEWED
AMURU	RDC	1
	SECRETARY PRODUCTION	1
	ACAO	1
	ENVIRONMENT OFFICER	1
	RANGE MANAGER NFA	1
	COMMUNITY COORDINATOR, UWA	1
	KER KWARO ACHOLI	1
	ICLA/NRC LAWYERS	2
	WCS OFFICE GULU	1
	DISTRICT LAND OFFICES GULU AND AMURU	4
	UGANDA LAND COMMISSION	3
1	10	17

2. Sub-Counties: Key Informant Interviews and Focus Group Discussion

Key informant interviews and focus group discussions were held in the five-focus area of Purongo, Amuru, Anaka, Koch Goma and Alero Sub Counties. The coverage is summarised in the table 28 below.

Figure 28: KIIs and FGDs at sub-county level

DISTRICT	SUB COUNTY	S/C CHIEF	LC III	RWOT	FGDs
AMURU	ALERO	1	1	1	Lulyango (40)
	AMURU	1	2	-	Lakang (42)
	PURONGO	1	1	-	Got Afoyo (48)
	KOCH GOMA	1	1	1	Koch Amaa (64)
	ANAKA	1	1	1	Agung (44)
1	5	5	6	3	238

The target was communities that have since settled in the area either as early as the 1970s or as recently as in the last 2 years, with return from IDP at the end of the 20 year LRA war.

3. Ground Proofing Household Survey

Ground proofing was conducted as a complementary data collection exercise. It targeted communities on the fringe or adjacent to the migratory route for wildlife as identified in FGDs and KIIs. The aim was to verify knowledge and attitudes about the corridor beyond qualitative descriptions obtained in the course of focus group discussions and key informant interviews. The coverage is detailed in the Table below.

Figure 30: Coverage of Ground Proofing Survey

DISTRICT	SUB COUNTY	PARISH	VILLAGE/ CELL	Respondents	
AMURU	ALERO	Paibwo	Lulyango	34	
			Ladiyema	16	
	AMURU	Palyech	Akee	4	12
			Kololo		4
			Kidimon		4
			Auwye		2
			Lujoro	2	
	PURONGO	Latoro	Te Okot		4
			Got Apwoyo		48
	ANAKA	Todoro	Agung		20
1	4	4	10	146	

The ground proofing exercise covered 146 households with respondents having an average age of 41 years. The households had an average of six persons, having subsisted in the respective communities for about 7 years as shown below.

Figure 31: Profile of Households Ground Proofing Survey

		SUB COUNTY				Group Total
		AMURU	ALERO	ANAKA	PURONGO	
Respondents age (years)	Maximum	81.0	80.0	64.0	67.0	81.0
	Minimum	20.0	18.0	23.0	19.0	18.0
	Mean	39.9	41.3	40.3	41.5	41.0
	Median	38.0	39.0	41.0	40.0	40.0
Size of respondents household (no. of persons)	Maximum	10.0	16.0	12.0	15.0	16.0
	Minimum	3.0	2.0	3.0	1.0	1.0
	Mean	6.7	6.6	6.5	5.5	6.2
	Median	7.0	6.0	6.0	6.0	6.0
How long respondent has lived in the community (Years)	Maximum	6.0	52.0	60.0	37.0	60.0
	Minimum	1.0	1.0	1.0	2.0	1.0
	Mean	3.1	5.6	16.1	6.9	7.1
	Median	3.0	2.0	8.5	3.0	3.0

4. GPS Locations Identification

The locations were also verified in the course of travel, as the last known areas where settlement was in the area generally understood as the route was seen. In addition, grounding helped the study team understand hands on, the types of settlements, land use activities and the extent of settlement in the area commonly understood as the corridor.

5. List:

- 1) Laca Beatrice, LC3 V/CP, Amuru Sub-County
- 2) Jackson Jacob Akubo Opobo II, Rwot , Alero Sub-County
- 3) Justin Ojara Chairman LC 3, Alero Sub-County
- 4) John Bosco, Okullo, Chairman LC3 Koch Goma
- 5) Tom Ocitti, Rwot and Cabinet Member of Land Affairs Koch Goma Cultural Institution, Koch Goma Sub-county
- 6) Denis, Kinyera, Secretary Production, Amuru District Local Government
- 7) Samuel Kilama, Acting Secretary Production Management, Anaka Sub-County
- 8) Christine Atimango, Deputy CAO, Amuru District
- 9) Amos Odongkara, Environment Officer Amuru District
- 10) Vincent Umar Sub County Chief Purongo Sub-County
- 11) Francis Komakech, Parish Chief, Patira Parish
- 12) Christine Jukumoyo, Parish Chief, Pamucha and acting sub-county chief Amuru Sub-county
- 13) Dennis Opiro Rwot La wot, Alero Sub-county
- 14) Christopher Otim, Parish Chief, Pangol Parish Acting sub-county chief for Anaka Sub County
- 15) Aochor Apori, Koch Goma

References

Ker Kwaro Acholi, 2008, Technical committee report on Madhvani Land Proposal for Sugar Works in Amuru