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THE 'GREEN LAND GRAB' IN APAA VILLAGE OF AMURU DISTRICT, NORTHERN UGANDA:
POWER, COMPLEXITIES & CONSEQUENCES

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Biography

Eria Serwajja is a Lecturer at the Development Studies Department of Makerere University, Uganda. He holds Master of Philosophy Degree in Development Studies from the Norwegian University of Science and Technology and a Bachelor's Degree in Urban Planning from Makerere University. His research interests include land and agrarian transformation, large and small-scale land grabbing, the extractive industry including oil and gas, and small-scale artisanal mining.

Introduction

Seizure of community land in Uganda by foreign companies for environmental ends - dubbed as 'green land grabbing' (Corson & MacDonald, 2012) - is on the rise. As of 2017, several foreign companies acquire concessions to run private wildlife conservancies in Uganda (Tenywa, 2017). While this could be a 'development opportunity' (Cotula et al., 2009), deprivation of the rural poor from land in violent ways could stifle development (Deng, 2011). This study contributes to debates on 'green land grabbing'. It also shows the ways in which the Ugandan state is central in facilitating the enclosure of community land and fostering of capital accumulation by private foreign individuals. Further, it illustrates how wildlife conservation has accentuated marginalisation by divorcing the rural poor from the primary means of production (land). This could rekindle the silent Lord Resistance Army (LRA) conflict¹.

Methodology and study area description

The study adapted a qualitative research design and methodology. The data collection methods included in-depth key informant interviews, focus group discussions (FGD), and review of the concession agreement between the Ugandan government and foreign companies². Interviews and FGDs were conducted with officials from Uganda Wildlife Authority (UWA) and Lake Albert Safaris Limited (LASL) as well as Amuru and Adjumani districts. In terms of study area, Apaa village is located in Amuru district. It is divided into 42 sub-villages and broken down into 2,500 households with an estimated 17,541 people. Nonetheless, the actual area under contention is 'home' to about 2,000 people³, the majority being subsistence farmers.

1 The Lord's Resistance Army conflict headed by Joseph Kony started in 1986 after the ruling National Resistance Movement government took over power in Uganda. It displaced over 2 million people for more than 2 decades. As of 2017 all the displaced people had returned to their homes, but repossession of their original land continues to be a mystery for many.

2 Records at the registrar of companies in Uganda show that LASL is a Ugandan registered company owned by two South African nationals.

3 Extracted from the book containing household data that was obtained from the Apaa village Local Council one (LC1) chairperson, 27/05/2013.

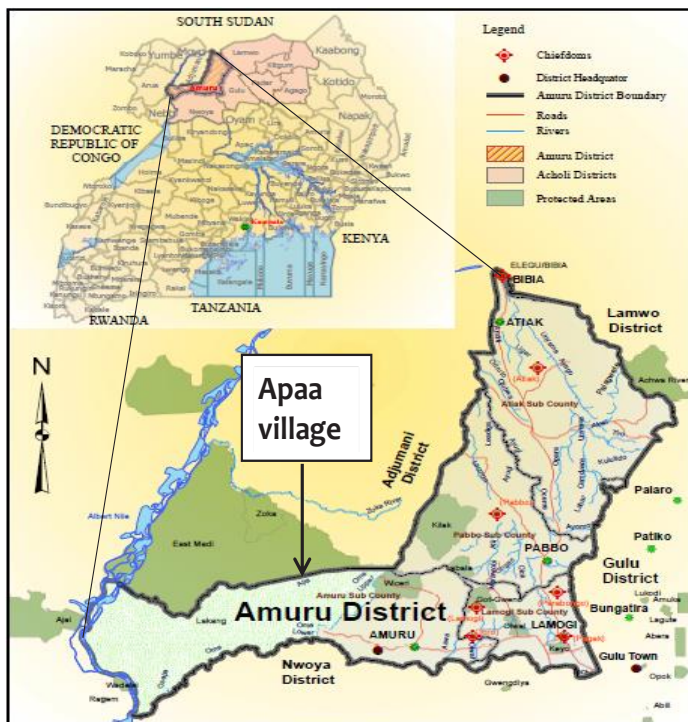


Fig. 1: Map of Amuru District showing Apaa Village @Eria Serwajja - 2017

Contextualising the green land grab in Apaa district

The contested land in Apaa village has a rooted convoluted history. The LRA conflict displaced the people of Apaa into Internally Displaced Peoples (IDP) camps. However, after the reduction in LRA attacks in 2006, the encamped communities moved to transit sites from where they based to reconstitute the shattered households. Yet the land on which the communities hoped to ‘finally return’ was subject to competing tenure claims. Four entities, that is, UWA, ADLG⁴, LASL and local communities claimed ownership of the land in Apaa village.

The UWA in collaboration with ADLG gazetted Apaa village as part of East Madi Game Reserve in 2002⁵. On 25th November 2009, two government entities - UWA and ADLG - signed a 20-year management concession with LASL⁶. At the time of writing, LASL managed East Madi Game Reserve, which according to the UWA and

ADLG, includes Apaa village and the adjacent areas. The Principal Wildlife Officer of the Ministry of Tourism, Wildlife and Antiquities in Uganda justified the actions of the state and the need for conservation through sport hunting by noting that :

Sport hunting is an innovative approach to conservation. Sport hunting tourism is condemned as an immoral act but as a Ministry we appreciate its use. It is a business which adds more value on the wildlife and generates income. Sport hunting tourism is lucrative as it targets ‘high end tourists’; people with a lot of money that they can spend on hunting for pleasure. It is also an innovative way of ensuring that the species which are threatened increase and is a good way of dealing with problematic animals.⁷

Meanwhile, Bruce Martin, the proprietor of Lake Albert Safaris Ltd claimed that:

Sport hunting contributes to income in the remote areas of Uganda where LASL operates. Sport hunting provides employment to local communities where the hunting takes place and the animal population is controlled. Some people say that sport hunting is bad, but the animal is killed in less than ten minutes. The client takes the skin and the horns. The meat is given to the local communities. The client pays a lot of money for the privilege of hunting. For every animal taken [killed] we generate about 6,000 USD but the local hunters obtain only 30,000 Uganda shillings [\$12] from the sale of meat after hunting an animal for the whole day. You can compare the benefits.⁸

Although sport hunting and conservation were validated based on ‘presumed’ economic returns, the local communities argued that conservation cannot be undertaken at the expense of people’s livelihood and on private property. The land is held customarily and is not part of East Madi Game Reserve. The people authenticated their land tenure claims by presenting land titles and lease hold certificates. For instance, the family of Olenso Obur

4 Adjumani District Local Government (ADLG)

5 Interview, Public Relations Officer of Uganda Wildlife Authority, 15/02/2012.

6 A copy of one of the land title is on file with the author.

7 Interview, 22/07/2013.

8 Interview, 30/07/2013.

Time period	Details related to the evictions in Apaa village
2002	Gazetted Apaa village as part of East Madi Game Reserve.
2007	Returnees blocked by UWA from returning to their pre-conflict villages.
November 25 2009	20-year management concession signed between UWA, ADLG and LASL.
July 17 2010	170 huts burnt by UWA game rangers.
August 3 2011	Minister of Tourism Trade and Industry temporarily halts the evictions
August 29 2011	Three Ministers caught up in chaos as the residents turn rowdy.
January 30 2012	Amuru residents invade the Madi communities of Itrikwa sub-county Adjumani district injuring five people.
February 8 2012	UWA evicts 6,000 residents of Apaa in Amuru district.
February 13 2012	UWA, UPDF and Uganda police violently evict people: one person dead, houses burnt and many injured.
February 15 2012	Members of Parliament (MPs) from northern Uganda visit Apaa to assess the impacts of forceful evictions.
March 12 2012	UWA, UPDF ⁹ and Uganda police continue to violently evict people of Apaa.
August 16 2012	A team of surveyors from the Ministry of Lands Housing and Urban Development (MLHUD) visits the area.
August 20 2012	Surveyors from the MLHUD clash with the people as they attempted to plant mark stones in the disputed area.
2015	Ministers of Internal Affairs and MLHUD visit the area and old women stripped naked in protest.
June 06 and 15 2017	Violent clashes between the Acholi of Amuru district and Madi of Adjumani district over land in Apaa village.

Fig. 2: Evictions trends in Apaa village of Amuru district @Eria Serwajja - 2017

presented the land title of their land.¹⁰ Similarly, the family of Jusafino Ojok - an elder in Apaa village - presented a copy of the lease agreement.¹¹ Community members who neither had land titles nor leasehold certificates made reference to particular histories in an effort to validate their land ownership claims.

Meanwhile other community members made reference to the rooted migration patterns and family settlement histories by pointing to how and when they occupied Apaa village. A 55-year old man who was evicted from Apaa village and was residing at Pabbo sub-county at the time of fieldwork recounted:

If we are looking at the history of the land we have

to realise that right before the colonial period, we were already living in Apaa. I was born in Apaa in 1958. But even then, other people were already living there. The gentleman referred to as Alensio Obur was sent there as a Jago [Parish Chief] by the colonial administration. We paid graduated taxes to Gulu district and censuses were held in Apaa village.¹²

The son of Alensio Obur whom the above informant referred to claimed that:

My father, an old man called Olensia, led his family to Apaa in 1972. He was not the first to go there, he just followed and joined other relatives many of whom already lived there like my fore-fathers, grandfathers and great grand fathers who lived,

⁹ Uganda People's Defence Force (UPDF) is the Ugandan army.

¹⁰ Amuru district under which Apaa village falls was cured out of Gulu district in 2006. Prior to 2006 all issues including land related matters were handled in Gulu district.

¹¹ A copy of one of the lease agreement is on file with the author.

¹² FGD held on 29/03/2012.

*died and were buried there. We lived there until we were forced into the camp by [Joseph] Kony in 1996. We obtained a land title on our land in Apaa village.*¹³

Timelines of cycles of displacement in Apaa village

The local communities of Apaa village have been evicted from the land on numerous occasions with the sole purpose of paving way for its alienation to Lake Albert Safaris Ltd. Details of the evictions are provided on Fig. 2.

Whereas UWA has variously evicted the people of Apaa village from their ‘ancestral and customary land’, a South African national was allocated the land to operate a privately-run sport tourism facility. The Ugandan state and the embedded institutions have employed forceful approaches to protect the interests of foreign capital while keeping the peasants and smallholder farmers off the land (Shivji, 2006; Harvey, 2003). The processes of appropriation similar to those carried out in Apaa village vividly indicate that the state is the ‘prime agent in the politics of accumulation by dispossession’ (Harvey, 2003, 189). Dispossession of the rural communities of their land was undertaken by the state institutions including UWA, Uganda Police and the military. These institutions did not only safeguard the interests of LASL but also violently brought peasant modes of production to an abrupt end. This case shows that land grabbing is not conducted through clear-cut processes but unclear and convoluted mechanisms that involve backdoor deals and kickbacks.

But what has been the reaction of the local people?

Responses by local communities

The local communities responded in overt and covert ways: some people continue to occupy their land despite the numerous evictions, while others petitioned their MPs and the MLHUD¹⁴. Also, on 3rd February 2012, the locals and MPs from the area filed a case against UWA and the Government of Uganda at the High Court in Gulu district. The key argument was that local people are the rightful owners of the land, and that UWA violated their rights to ownership of land

as enshrined in the Constitution of the Republic of Uganda which states that land belongs to the people (Government of Uganda, 1995). On 10th February 2012, the High Court sitting at Gulu issued a temporary injunction which instructed UWA and its agents or servants to stop “further eviction, destruction, confiscation or conversion and or interfering with the land rights, occupation and uses of land belonging to the [local communities] in the areas of Pabbo and Apaa in Amuru district, pending the determination of the main suit”.¹⁵ Despite this, police and military personnel continued to occupy the area. They blocked the communities from rebuilding the destroyed livelihoods following the violent evictions. As of 2017, some of the evicted people relocated to other areas of Amuru district, while those with no alternative places to relocate returned to the contested land. LASL provides limited sport hunting services in the uncontested parts of Apaa village. The situation remains tense and unclear with no immediate end of the contestation in sight. In the next section, I examine some of the impacts.

Impacts of the evictions on the local communities in Apaa village

Destruction of property

*I had crops like sorghum, millet and maize. Some of it was already harvested but part of it is [was] still in the gardens. Some of the crops were burnt and some crops looted. My house was physically pulled down by the security forces. After the eviction, I together with my family was brought here at Pabbo sub-county without food or shelter. The lucky few are squatting with relatives, but I do not have any, so I am here at the sub-county with my family waiting to return to Apaa village.*¹⁶

explained a 37-year old informant at Pabbo sub-county, where he sought shelter after the eviction.

The excerpt above shows the extent of the destruction arising from one of the many violent evictions. Further, the 13 February 2012 evictions

¹³ FGD held on 29/03/2012.

¹⁴ Ministry of Lands, Housing and Urban Development (MLHUD).

¹⁵ A copy of the court injunction with is on file with the author.

¹⁶ Interview, 10/03/2016.

resulted in destruction of the only community built and managed primary school in Apaa village. While the building was turned into a police unit thereby blocking the pupils from attending classes, school furniture was used as firewood by state agents. Children were denied access to education. Also, “enclosure induced displacement” processes (Araghi, 2009 : 112) disrupted the social networks which the children had built within the school environment and surrounding communities. Denial of access to education to a community that was displaced for over twenty years implies further disempowerment and an “uncertain” future for the children themselves and their families.

The borehole in Apaa village which, according to the local communities, was the only source of “good” water was destroyed by the game rangers and wardens, and the military personnel. The people who returned to the area claimed that they suffered from water-borne and water-related diseases which followed the use of unclean water collected from alternative water sources, mainly streams, as the borehole was destroyed. Relatedly, the women complained of the long distance they have to walk to alternative water sources.

Loss of life and imprisonment of youths

In 2011 when the UWA came to pull down women and children suffered. On the day when the

people’s homes, it was during the rainy season. So evictions were carried out, two women went into labour; but one mother died after delivery and the child also died moments later because the child was born in the open and there was no shelter to protect her from the rain and the cold. One boy called Oyat was arrested at 7 am and they detained him until 7 pm. But all this time he was enduring beatings. In Apaa trading centre, 6 men were arrested and locked up in a hut while naked.¹⁷

Loss of rights to land

The allocation of land to LASL resulted in the loss of land rights for the current and future generation. Many argued that land is the only resource that they have as a people given that all resources were lost during the LRA conflict. Indirectly, loss of land means disruption of rural livelihoods and survival. The Constitution of the Republic of Uganda, 1995 and the Land Act, 1998 indicate that compensation should be paid whenever the local communities are deprived of their rights to land, and restitution be considered especially in post-conflict areas when repossession of land and property is not possible to realise. However, compensation and restitution have not been considered as options whenever the repossession of property is not possible.

Conclusion

Appropriation of community land for nature’s sake through direct and indirect methods is increasing. The direct processes involve the violent expulsion of peasants with full support of the state and its institutions. The Ugandan state has facilitated the conversion of community land into a private commodity, a process which Harvey (2003) dubbed accumulation by dispossession. Meanwhile, indirect processes involved the use of state policies to accentuate the privatisation of community land. In both processes, it is the local people who are affected. Conversion of community land into exclusive property rights for sport hunting and environmental purposes has suppressed people’s rights to land. Also, it has disrupted subsistence forms of production, disoriented social networks that were under reconstitution after over twenty years of encampment, interfered with the processes of household and livelihood restoration and resulted in loss of life. This has created a new category of ‘environment-related Internally Displaced Peoples’.

¹⁷ FGD at Pabbo sub-county with the evicted communities of Apaa village, 15/09 2015.

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