



18 – 22 NOVEMBER 2019

LAND LEARNING JOURNEY IN UGANDA



November 2019 marked the third edition of the land learning journey under the land learning series. It was held in Kampala, Soroti and Amuria Districts, Uganda. It was the first edition to be held in Africa. The topic of the land journey in Uganda was **‘Property rights, land tenure security and sustainable land use management in the context of climate change’**

One of the key learnings was that; land is more than a productive resource, it’s an identity, life, tradition, culture as well as something that sustains biodiversity. In order to have food security, and healthy eco systems, we need to restore our bio diversity; we need to focus on land inequalities and injustices in various countries, settle issues around land ownership and ultimately have guided farming methods and friendly technologies for sustainable land use in the face of climate change.

BACKGROUND

Uganda was identified as the host country of the year' series because of the problematic land issues. The Ugandan context is two-sided and urgent in equal measure. On one hand, climate change has far reaching and devastating impact on people, societies and environment depending on land, on the other, the dominant exploitative relationship toward land resources, is among major contributors to human-induced climate changes, which require active engagement of Oxfam and partners at community and national level to promote land tenure security, and responsible land use management in complementary strategies.

Following global trends, in Uganda as well, demand for land continues to increase. Large scale land-based investments in agriculture, exploration of natural resources, and infrastructural projects. There is therefore an urgent need for a collective voice and action from everyone to minimize consequences of deforestation, review land use policies, call for land investments that are climate sensitive and

support local communities to protect and restore their land using traditional knowledge.

“Having this learning workshop helps the international delegations drive messages and advocacy of issues that may sometimes be difficult to be advanced at national level. For example, in Myanmar it was difficult to talk about land rights so they used the Learning Journey to push for those rights.”

Barbara Codispoti

Participants and representatives came from: Oxfam in Uganda partner organizations, Burundi, Tanzania, South Sudan; Myanmar, Indonesia, Cambodia, Timor-Leste, Bolivia, Guatemala, Peru, Oxfam in Uganda, Oxfam International and Oxfam Novib



Oxfam in Uganda's Resilient Livelihoods Manager, Harriet Mbabazi (in the picture speaking), said that it is inspiring that women across different countries are being supported to enjoy their land rights and acquire land titles. She however added that this alone is not enough as women need to be empowered to utilise this land and improve their livelihoods. “While giving people tenure land rights is not enough, it is the beginning of building resilience and a sustainable economic space.” Harriet

The journey started off with sharing Country experiences, before the participants went for field visits for knowledge exchange and finally a public event that brought various stakeholders including the Government, Academia, private sector and the Media among others.

Some learning questions that participants generated and were reflected on throughout the days were;

- 1) What is successful implementation of land and climate change?
- 2) What are those climate justice mechanisms that foster land justice?
- 3) How can people outside these communities support them in fighting for their rights?
- 4) What practices are used in climate justice?
- 5) How effectively can land be acquired for development projects without affecting the livelihoods of communities that rely on it?
- 6) NOTE: Ugandan participants would be of help to share with us more about how they managed to successfully block the bill in a country where it was not easy to do public campaigning.
- 7) How to balance land ownership and climate change in a country where land users are not necessarily landowners.
- 8) How can we better link and explain the work we are doing at a local level to the global conversation on climate change?
- 9) How have other countries protected the land rights of those communities under customary tenure; how have they successfully done this in their countries in cases where government counters the efforts to protect land rights?
- 10) Economic development vis –a- vi climate change, how monetary investments on land are embraced without damaging climate?
- 11) How can we share and learn different strategies within our economies to improve land rights, climate justice and equality?
- 12) How are we going make sure women and vulnerable people in communities get to the driver’s seat of this journey?
- 13) The success stories from different countries that are linked to the issue of women’s land rights.
- 14) How do we use natural resources without degrading the environment?
- 15) How do we defend land justice and climate defenders?

Sharing joint Country grouped experiences on the meaning of Land and climate

Across all the various countries, there is increasing pressure on land along the demand for natural resources. Climate change is only making the situation worse and leaving many communities more vulnerable. The different poor communities are competing with powerful interests including investors etc. for control over land, water and forest that they depend on for survival.

- Asia**
- › Land and climate can’t be separated, and this was represented using a diagram of a tree.
 - › The tree representing a community being supported by land, with a deep connection to where it’s grounded/rooted. For a tree to thrive it needs sunlight and water.
 - › The tree provides food, it has birds flying around acting as its defenders.

- Latin America**
- › They thought about the territory as a living thing and land as a resource.
 - › With one side representing territorial rights and the other norms and procedures. On one side territorial rights as a source of organizing and on the other individual rights that can be used for extractive industry and private companies. One side vision of development based on resilient lens and on the other side economical model based on exploitation of resources.

- Africa**
- › It was agreed that in Africa patriarchy is still very strong; in that it to access this land we require traditional leaders.
 - › Gov’t policies tend to favor more large scale investment initiatives more than the small scale farmers who are still the majority
 - › There is a lot of pressure on land, smaller plots are feeding communities.

- On climate change**
- › Despite laws existing to protect the environment, there are individuals who own land titles for wetlands which is destroying the echo system
 - › In pastoralist communities, climate change is happening because of traditional practices like bush burning, because it is still believed the grass will regenerate, the smoke contributes to the formation of rainfall
 - › Land conflicts are related to land use and not the land its self; like for pasture and for water.
 - › We need to look at statutory and traditional frameworks which are still obstacles
 - › It should be known that ownership of land should come with responsibility so that it does not affect food production as a result of climate challenges.
 - › There is too much demographic pressure the population is growing, we need to look at patriarchy and single out the role of women.

Some Country specific experiences

UGANDA

Oxfam and partners in Uganda are specifically working on climate change advocacy, climate smart agriculture, wetlands use, GMO, conservation, large scale investment-extractives, legal framework on land rights in Uganda.

At the policy front, the citizens have been opposing the constitutional amendment bill of article 26. Oxfam and partners Working with other CSO's and the grass root movement, encouraged government to drop its interests in amending article 26 of Uganda's constitution as it would allow compulsory acquisition of private land for government projects without prior compensation. The power of this was having unbranded campaign that mobilised citizens across especially the grassroots voices. However, with the push back on the parliament bill, Gov't went back and returned with another process which would take us back to article 26.

Besides advocacy around article 26, the country team and partners have been engaged with several key stakeholders to challenge a policy on eradication of pastoralism which is a right and a lifestyle. They also engaged and contributed to the passing of the national agriculture policy. Since 2010, they have been engaged on influencing contents of the Genetically Modified Organisms Bill of which the President listened and refused to assent to the bill that the parliament passed into an Act. They engaged on the national budget financing to the land and agricultural sector and are now looking at influencing implementation of national land policy and the national seed policy that was passed.

The other efforts were around increased issuance of certificates of customary ownership to women, they planned to do 500 but managed 435, and this helped secure their land rights. Land wrangles significantly went down where these certificates were issued.

The Country team and partners use models and tools such as Community Management Systems (CMS), Gender Action Learning Systems (GALS) that helps with women learning issues of legislation, the farmer's advocacy conservation tool to focus on policy influencing, and community engagement in land scale land-based tool.

PERU

Their work is around influencing land rights in the face of climate change. Increasing pressure from the extractives industries has pushed deforestation in the Amazon to a tipping point of 20 – 25 %. This is dangerous as the Amazon, the biggest tropical rain forest is so important for climate regulation. Destroying the carbon rich forest highly contributes to climate change.

Oxfam in Peru is working with indigenous communities not only to support them to acquire land titles but also to demand for the respect and protection of the Amazon.

According to Oxfam in Peru, fighting for the protection of this forest means protecting the rights of the indigenous people and protecting all of us from the impact of climate change since the Amazon plays a critical role in mitigating global climate change.

They work on a project called protecting the amazon trying to limit the expansion and are working with the local communities working on large scale plantations so that they can access land titles.

Around 5 years ago they started a criminal case against illegal exercises in the Amazon and the judiciary gave a legal sentence and declared guilty to the local enterprises. Now they are negotiating to give back the land to the locals and they are going build files to get land titles for all citizens. There is a fine for any illegal deforestation and it's a good precedent for climate justice in Peru. "If we cannot completely protect the amazon, we can slow down its depletion" Peru team

CAMBODIA

Most of the land is not registered; people have access to it, but they do not have security of their land.

The Oxfam team and partners have been building and strengthening capacities of locals, so that they can fight for their rights. They strengthen their alliance and voice to be able to engage with the government

They influence companies which have committed to do something better for the affected communities and the community commit to monitor these commitments and hold the companies accountable.

Learnings

- *If communities are empowered, they can fight for the environment /their rights.*
- *Justice sometimes takes long especially where there is corruption, staying committed is key like the case of Peru*
- *In dealing with sensitive land issues, working in consortium with civil society, building allies with some key stakeholders including some trusted members of parliament was very key in countries like Uganda.*
- *Land challenges in the different countries are similar, for example in East Africa women have the right to use land but when it comes to major government projects like railway road compensation, they are left out because they do not have titles. Making links with different similar countries improves bilateral and multilateral activities and creates learning.*

TANZANIA

There are land conflicts among individuals, investors, and government. There is an issue of unpredictable rainfall and drought.

Oxfam Tanzania is doing land surveys, irrigation models, and drought tolerant crops.

To make communities resilient to climate change, they have them involved in honey projects and sunflower value chains. Women got a livelihood activity through bee keeping, since they didn't have any. Their efforts have led to a lot of individuals getting land certificates.

BURUNDI

Burundi is 27,000km square and they have more than 11m population of which 95% depends exclusively on land. 75% practicing agriculture are women and a big number of them don't own land.

There are land laws which are difficult to implement because politics oversteps a lot of issues.

Agricultural practices cannot develop because they are using the land just for survival.

Oxfam is trying to sensitize the population using organisations with deep roots that the status quo cannot prevail.

If women can be allowed to own land in a documented way, then we can have sustainable agriculture practices.

They don't aim at changing customary laws but using small success stories to influence. They believe that women can be allowed to own land by showing their contribution and yet their vulnerability.

GUATEMALA

In Guatemala, only 22% of women have access to land. To make matters worse, women's work and efforts on land largely remains unrecognized.

Most vulnerable communities also face the recurring impact of disasters and droughts

Oxfam in Guatemala is supporting indigenous women and their communities to have more access to and control over their land.

SOUTH SUDAN

Land management is basically being done by the traditional chiefs depending on customary laws. They have less power but they are the ones to resolve land issues.

There are 2.3 million refugees out of the country most of them in Uganda and 1.8M internally displaced persons who want to return.

Some soldiers have gone to different communities and occupied their land and houses, the people who want to return have issues with whether these occupants will evacuate their land and property.

As at end of October and beginning of November 2019, 0.9 million people have been affected by floods. 7 million of South Sudanese are affected by famine despite the aid.

Oxfam in South Sudan is considering;

Developing a multi-stake holder's dialogues on land use for sustainable and inclusive investment.

Creation of stock centers for legal support, learning and knowledge transfer in the region.



Going by the day's presentations, discussions, issues that were raised and observations:

- ↪ Land is a productive resource and its more than a resource; an identity, life, tradition, culture as well as something that sustains biodiversity.
- ↪ Securing land rights is not enough it's just the beginning of adaptation
- ↪ There is increasing pressure on land
- ↪ Either the private sector or government should intervene
- ↪ There are many laws which are not being implemented
- ↪ Note the importance of traditional land tenure systems and how they interact
- ↪ In order to have food security, and healthy echo systems restore our biodiversity -protect the Amazon all the existing forest cover.

TIMOR-LESTE

Over 75% of the population depend on land for their livelihoods and approximately 41% of the nation is forested, with 100% of publicly owned forests currently under community management. The people of Timor-Leste have strong, vibrant and diverse indigenous values and spiritual beliefs which are reflected in local institutions, customary justice and land management. There is significant evidence that customary land management and protection practices support environmental protection, including for forests. Customary land is also the entire system of land governance at the community level.

However, there is little to no systematic knowledge of the workings of local-level land governance (customary governance). As a result, the real on-the-ground ways that communities understand, order and govern land are often systematically ignored in the development of Timor-Leste's formal land regime. This represents a significant risk to the economic, cultural and religious rights of everyday women and men, who risk being dispossessed of their ancestral lands - as new legal structures create conflicting rights and confusion, and often weigh power in favour of elite actors with greater access to government, formal courts and markets.

Documenting customary land governance in all its complexity is therefore critical to re-centring Timor-Leste's land regime to reflect the existing land rights, responsibilities and relationships of everyday women and men across the country. This is what Oxfam is engaged in.

BOLIVIA

The Amazon is facing several pressures like deforestation for the expansion of cocoa cultivation, Logging through concessions and forest management plans, and exploitation of gas, oil and minerals at large

Scale. There is need and efforts going into promoting consensus on harmonious coexistence in the territories by all actors. The vision is the consolidation and reconstitution of the territories in favor of indigenous populations in the Amazon. This is through strengthening actors at different levels aimed at securing these territorial spaces.

All event discussions happened online under the hashtag #LandLearningJourney2019

INDONESIA

The Indonesian government has a progressive land regulation, but implementation is very poor.

People are not allowed to own forest areas, but they can access this land, though the access is also a challenge. More than 20m hectares has been allocated for palm oil plantations distributed in forest areas and some located in non-forest areas. The impacts of climate change that are partly caused by the clearing of Forests, and lack of access to this land have had significant impact on the lives and livelihoods of the indigenous communities.

Oxfam in Indonesia is working with indigenous community farmers especially women small scale farmers improving their food security but also trying to get them more access in the forested area. The participatory climate mapping methodology to map out forest and non-forest area is used. With this, the expectation is that in future they can effectively influence government to realise their commitment to grant communities access to forest area.



MYANMAR

Just like the other countries, land is a critical asset yet many people in Myanmar have little access to land. The customary land rights of ethnic tribes in Myanmar are not recognized therefore farmers don't officially own the land, with some investors taking it by force. Disputes over land remain a key challenge with a new era of land grabbing by laws. There are like 50 laws that affect land.

Oxfam is working with local partners and national actors to help protect the communities' land rights. Oxfam and its partners work closely with local communities giving them information and knowledge to deal with the challenges and opportunities that come with large project investments. They empower the communities to be able to hold the companies accountable in protecting the environment as well as respecting the rights of the people.

The Public Event

The highlight was a presentation by *Dr Lwasa Shwab from Makerere University*. The presentation highlighted contents of the IPCC special report as a key study on land. He highlighted the following;

- ↪ There is increasing evidence that the current extreme weather and climate events are related to the increasing warming climate. For instance, in Uganda - for the last 3 years the heat waves are becoming normal and has effects on health and food production; in South Africa it has been mentioned that there's under nutrition, effects on dry land agriculture and livestock.
- ↪ Deforestation and emissions from road transport affect the climate.
- ↪ The way we produce our food, the dietary choices we make and the production behind that food are the many choices that matter when it comes to global warming.
- ↪ Land degradation has been going on in many regions, but better land management can play an important part in tackling climate change.
- ↪ There are actions that could improve climate, enhance food security and improve nutrition.
- ↪ Urban infrastructure, energy, industry and agriculture; these have to be radically changed to stabilize the globe to under 2°Centigrade, the work is enormous and a lot of that work has to be land based.

In his conclusion,

land management is very key to address climate change

There are known and practiced nature-based solutions/ response actions that can be used

News links

<https://oxfam.box.com/s/2aa7gjw9fafm8pg0fe8ksma1kx9swzm>

<https://chimpreports.com/environmentalists-sound-warning-on-climate-change-effects/>

<https://www.watchdoguganda.com/news/20191125/83216/experts-warn-government-over-increasing-human-activities-that-influence-climate-change.html>



Field visit: Akello Hellen from Aririnyi village explaining the Large-Scale Land Based Investment tool which was developed and implemented by Oxfam and partner ESAFFUG to safeguard and secure agricultural interests of vulnerable communities



“Many Ugandans are planting forests of Eucalyptus trees. Did you know that every Eucalyptus tree consumes at least 25litres of water per day?” Ms. Proscovia Vikman from Buganda Kingdom advising that we plant more indigenous trees which protect the environment

The Most worrying part of organizing such events is that you are always not sure if participants will be able to relate between the theme of the event and what actually is on ground, but I am happy to see that the participants were able to relate their experiences with what was on ground and what the theme was. Jimmy Ochom – Oxfam in Uganda Land rights Coordinator & Organiser for the LLJ event in Uganda.