



# Communal Land Associations (CLAs): complexities, realities and challenges of implementing state land governance in communal land territories of Karamoja region.

## LESSONS FROM THE FIELD

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**Background;** in one workshop, someone asked LEMU: *how can I protect my untitled land if someone comes to take it with a gun?* The answer to the question is that, the government should be protecting our land. With support from DanChurchAid (DCA) since 2017, LEMU under its Communal Land Protection Program worked with communities in Amudat and Napak districts to form Communal Land Associations (CLAs) for Communal Grazing lands held under customary tenure: a system where land is untitled and is governed by oral traditional norms and practices. Customary land in Karamoja is divided into three; individual land, family land and communal land. With the communal land protection project in Karamoja, LEMU aimed to increase understanding of communal-customary land rights, laws and policies of the state around them in order to facilitate informed decisions and to secure sustainable self-governance of communal land through formalization of land rights and improved access to resources. A communal land association is a group of persons who already use/own communally shared lands and resources but have come together for the common purpose of forming themselves into a legal entity known under the law as a communal land association (CLA), and may register communal land in order to use and manage any other common resources on it for the benefit of current and future generations<sup>3</sup>.

Bearing in mind that the structure of a CLA was never discussed or even conceived in law, several land actors (CSOs, faith based institutions and state actors) are working with communities to form communal land associations, however the CLA structure used by the different actors is different and dependent of their understanding of the context and how customary tenure is organized. LEMU invested three years investigating land management in Karamoja and our learning was that clans, which in regions such as Lango

form land management bodies, are not the basis of traditional governance in Karamoja; the generation set system called Akiriket is what informs the decision making forums; Therefore forming CLAs based on clans can be misleading. With all the learning, it made more sense to form CLAs around villages sharing the communal grazing lands as primary users and integrate the visiting communities as seasonal users in order to avoid exclusion.

CLAs provide a basis for providing security of tenure over land for the current and future generations and for democratic governance, provides a legal framework for making byelaws or rules for self-regulation by the group of its activities in order to ensure the most sustainable and beneficial use, management and sharing of the resources on common land. It also allows the communal land owners to negotiate for investment opportunities at the highest values and for the best benefit sharing arrangements and making binding agreements. CLAs is also an avenue through which communities whose land rights are at risk because in most communal lands are considered as “not owned” can secure their rights by becoming a legal entity and claiming for their rights in a context where external interest over land has increased over the years.

The purpose of this write up is to share lessons from supporting three communities to protect the communal grazing land through formation of communal land associations in order to inform the processes and promote best practices among land actors. Some the important processes of communal land protection, and the lessons generated from them are presented below.

### **Community entry and how to select a communally owned land for protection.**

The communal land protection model LEMU was using is premised in the fact that if over 70% of the communal land is encroached, then there is no more communal land to protect and the communal land protection process will not be initiated in such a community. This

<sup>3</sup> MLHUD guidelines on how a community or land holding group can register to become a legal entity and register communally owned land under the Land Act (CAP 227), 2018.

therefore makes community assessment one of the most important stages in communal land protection because implementers are likely to lose time and resources facilitating processes that will come to nothing especially if the land is almost entirely encroached or considered a resettlement area for families and individuals. As part of “community assessment”, it is important for all villages, households and individuals that own the land (permanently) to be documented in the CLA register book, while neighboring villages and sub-counties that graze the land documented as seasonal users. In Amudat Sub County, the entire Ausukyon village a newly formed village was previously part of Arimonyang communal grazing land however, a considerable amount of this grazing land remained at risk of future encroachment if not protected. LEMU carried out wide consultations with elders and sub county leaders when selecting the communal lands and the community assessment was also to determine if there were any threats to the land. While some communities said there were no threats to their land, other communities said that their land was at risk of land grabbing and that they had already wrestled with some individuals who attempted to grab the communal grazing land. Some communities were weary of outsiders (such as NGOs) who come in the name of helping them secure their land especially because they felt their land was secure “in the hands of their grandfathers”, the security that comes from customary way of land management by elders.

**Lesson I;** with no eminent external danger, even when the size of the communal land is gradually reducing due to encroachment and with evidence of changing land uses, especially from exclusively being used for grazing to introduction of cultivation in some sections of the communal grazing land, some community members are likely to see no need to protect their land and therefore may treat external intervention with suspicion or total rejection. This is quite risky, in a context like Karamoja where external interest in land (for investments) is growing by the day. Without

the ability to know who the “trusted outsider” is, communities may rely on their own strength of protecting the land through elders by rejecting external assistance.

**Community Bye-in and acceptance of the project does not come easy.** Having held several meetings with sub county leaders, members of area land committee, Kraal and Akiriket elders plus community women, the assumption was that the information would trickle down and that communal land owners were aware of the intentions of the project. However, even at a later stage of the communal land protection process, any attempt to introduce communal land protection activities within communities unaccompanied by sub county leaders is most likely to affect the progress of the initiative as this will lead to suspicion, misinformation and allegations of land grabbing. The communities of Adwaramukuny, Katulatyang and Loletio-amukaire in Lorengecora Sub County and Nakasiepan and Apamuto in Amudat Sub County which LEMU was supporting but was unaccompanied by sub-county leaders at the community inception meetings led to stalling of communal land protection activities. LEMU was suspected to be a land grabber especially by those who had not attended any of LEMU’s initial activities at District and sub county level and the elders who were part and partial of the entire process were accused of having sold the land. These events demonstrate some level of vigilance among the communal landowners but also exposed the lack of information sharing by those who were part of the ground-breaking activities. ‘While the initial processes of documenting oral rules for managing communal grazing land and the community education on laws and policies targeted the ALC members, Akiriket and Kraal Elders and community women, the youth were left out and this would later impede the progress. It is important to note that it is unlikely that all targeted communities will complete the communal land protection process at the same time considering the different factors at play such as community motivation and level of cohesion. In some cases, the project

would have gone as far as documenting rules for land management, creating a CLA land management structure, incorporating the CLA, having communal land boundary demarcated and GPS maps discussed and accepted, but at the stage of planting concrete pillars, new disputes and contestations emerge with some sections within the community or neighbouring communities disputing the boundary of the land. In such cases, all the project efforts of creating an organized communal land management system is reversed by the conflict, and new conflict resolution efforts including the intervention of the district and sub-county politicians may be required. This is the scenario faced by LEMU in Lorengechora sub-county in Napak district.

**Lesson II;** where there is a positive precedent and lack of (boundary) conflict, the level of community enthusiasm is very high and the community moves faster during the process of community land protection, for example in 2020 in Amudat LEMU had already facilitated CLA formation in the previous year and new communities progressed faster than expected in spite of the setbacks caused by covid19 lock-down.

### **Facilitating rules/constitution writing.**

One of the biggest challenges facing customary tenure is its oral nature and therefore in order to strengthen security of tenure, it is important to document the oral rules so that they can easily be passed on to the next generations and eliminate misrepresentation or distortion. This is despite of the critique that documentation of customary rules may lead to “solidification” of flexible customary norms. LEMU facilitated a process involving a number of stakeholders, (clan heads, Kraal and Akiriket Elders, area land committee members, District land board chairpersons, members of civil society, Karamoja Elders Association, the sub county leaders and faith based institutions) from all four districts of Napak, Moroto, Nakapiripirit and Amudat targeted by the DCA funded project. The documented rules were translated and disseminated to all the sub counties in the

four districts. These rules form a framework of rules for communal land management for Karamoja. At community level, LEMU supported communities to develop their constitutions as provided for in the law for the management of the CLAs and in order to undertake formal registration. This was done using a constitution template developed by the Ministry of land and customized by integrating the documented traditional rules acceptable in law to the liking of the communal land associations. It is important to note that integrating the documented traditional rules into the CLA constitutions was done to avoid a complete departure from their known way of life and to promote a sense of ownership. This process should not be rushed in order to allow communities appreciate the importance and need for the shift – from oral to written. The process of documentation should be carefully conducted to avoid invention of new practices alien to the community.

**Lesson III;** operationalizing the shift from oral to written rules of land management is a slow process which should not be rushed. It takes various consultations within the community and with external stakeholders. In the process of documenting rules, caution must be taken so not to invent practices not known to the community or reinforce pre-existing forms of inequality such as gender inequality, generational inequality among others. A move from oral to written should therefore not become a process of entrenching inequality or erasing traditional customary practices, but actors should aim at striking a balance.

**Leadership and governance.** For land under customary tenure, the assumption is that the traditional governance is in place and the roles of the leaders are known, their decisions respected and easily enforced. In the Karamoja region, the Akiriket is held by a generation set in a particular area and all the generation set present have the right to participate even if they do not hail from the area. Each Akiriket displays the ranks and the social order within this society and the sitting order are governed by each participants order in generation and

age set system<sup>4</sup>. However, this system allows any elder even from another community within Karamoja to lead a specific Akiriket as long as they are the first initiated elder. During project implementation, we learnt that in Karamoja, the elders were responsible for demarcating land for grazing of calves, goats, cattle and land for use during dry seasons and wet seasons; they decided when the communal land owners will migrate to new land; were responsible for monitoring the changes in the environment to determine the abundance or diminishing of natural resources in the grazing land and inform the communal land owners to take appropriate actions; they provided security to the animals, herders and communal land owners; and held meetings formerly to discuss the issues affecting herders, animals, and land owners at a central location and informally at the river. However, although there were known elders in all these communities, they did not constitute formal land management committees and did not have written constitutions. We were made to know that increasingly now, the decisions of the elders are not respected by the younger generations and are difficult to enforce. Also, while the land act provides of a management committee of 3 to 9 members, the CLA constitutions must ensure at least a third women representation. LEMU communal land protection programme ensured a third women representation in the land management committees hence integrating women in land management and decision-making. The management committee members were selected from the Akiriket, but also integrate women and youths. It is important to note that the role of women and youths in the land question has gained widespread thrust for inclusive and sustainable development and can no longer be ignored. With assertions like *“there is nothing about us without us”* the need to incorporate women and youth in land management is paramount. In Karamoja, the youth are the more vibrant, energetic and erudite group and are therefore resourceful in the running of the CLA affairs. All the elders

are male the role of women in communal land management is misconstrued while the role of youths is passive and should deliberately be strengthened. The contemporary formation of communal land associations in the Karamoja region is therefore seen by LEMU as an opportunity to usher in a new era of undoing the elders’ monopoly over power and a precursor for inclusion of previously excluded groups (of women and youth) into the affairs of communal land governance.

**Lesson IV;** due to the vague Land management structure, the management of land is said to lie with the elders, but the governance does not clearly describe the hierarchy except for seniority set out through initiation. Strengthening communal land governance and promoting inclusive land governance requires that all social groups (elders, youth and women) that make up the community are part of the CLA management.

### **Land dispute and conflict resolution.**

Initially in Karamoja, the elders were responsible for receiving complaints on breach of the oral rules on management of the communal land and decide on the punishment for the offender and administer the punishment; receive and resolve conflict amongst the communal land owners on land, sharing pastures and water through mediation and dialogues. Elders were also responsible for ensuring that the rangelands and watering points are fenced and demarcated for grazing of the different animals; ensuring cattle paths exist and are not blocked by anyone; ensuring the animals are branded, watered and have access to pasture; and advising on the cattle movements during migrations by drawing road maps for cattle movements. When supporting communities to protect their communal grazing land, LEMU learnt that the communal lands are vast and that most of the communal landowners are preoccupied with the boundary conflicts between the districts as opposed to harmonizing the boundaries of the individual communal grazing lands. In fact, any attempt to determine the actual boundary of the communal land will be interpreted as an

<sup>4</sup>Willaim Lopetekou, 2018; History of Ateker

attempt to determine the boundary between two neighboring districts especially where the communal land runs across district boundaries. Whereas it is true that grazing within Karamoja is mostly unrestricted, it is important for the local communities to understand issues of ownership and rights. LEMU facilitated meetings between elders from Amudat Sub County and those from Moruita Sub County plus sub county leaders to resolve a boundary conflict that arose after those involved in the mapping of the Arimonyang communal grazing land were alleged to have encroached into neighboring Moruita Sub-County. It is important to note that where the communal grazing land stretches beyond the administrative boundaries of sub-counties and between districts, the two sections should be protected separately but allow unrestricted use/grazing by all traditional users (primary and seasonal) in order to avoid fueling conflict. In Lorengecora on the other hand, a conflict arose between those who were for and those against the communal land protection initiative due to misinformation peddling and suspected land grabbing. LEMU held several all-male meetings at community level involving sub county and district leaders to reassure these communities and build trust. Traditionally, the punishments were mainly through fines such as being asked to slaughter a bull for the elders or being forced to migrate to new areas if one was guilty of keeping sick animals in the grazing area. Those stopping others from accessing natural resources would be cursed by the elders. However, in some cases, communities have taken the law in their hands. The communal landowners of Lokitela Ngidoke in Lorengecora sub-county in Napak district reported that prior to the communal land protection initiatives, they uprooted trees illegally planted on their communal grazing land in a desperate attempt to salvage their land. The new forms of conflict that emerge during and after communal land protection and formation of CLAs have proved too tough for the elders and CLAs to resolve, partly because of the “inter-territorial” nature of the conflicts where the struggle for the grazing land boundary is between sub-counties and

districts. Sub-counties where CLA formation has not taken place usually rejects the idea of demarcating the boundary of grazing land, they instead see it as an attempt by the neighboring sub-county to grab the land or restrict their grazing. In such cases, LEMU has resorted to tapping on the political and military power of state and district authorities to carry more awareness among community members and sub-county leaders.

**Lesson V;** although the elders, district, sub county leaders are able to deliberate and resolve community internal boundary conflicts without contestations because the boundaries are known to them, involving community women and youths is crucial if this process is to promote sustainable outcomes. Resolution of boundary conflicts across state administrative boundaries also require the intervention of state agencies, it is beyond the elders and CLA structures.

### **Facilitating boundary harmonization and mapping of the communal lands.**

From previously facilitating the planting of boundary trees and drawing sketch maps while supporting communities secure their land in Lango and Teso, our experience in Karamoja found that the communal lands are too vast for one to be able to draw a sketch map by hand. The trail to map the communal land is winding and confusing for one to come up with any meaningful sketch map. Because of the semi-arid climate in Karamoja, planting of trees as a means for boundary demarcation also turned unrealistic. LEMU therefore adopted the use of MYGPS App to pick coordinates and worked closely with elders from the host communities and the neighboring sub counties to map the communal grazing land. Because of the size of the communal lands (mostly in thousands of hectares), mapping can take several days and weeks depending on the size of the communal grazing land. The involvement of the Area Land Committee is very important at this point as this is likely to foil any land grabbing attempts in the future because they will have known the boundaries of the communal grazing land. This

process is however not able to determine if the land is already registered in the name of an individual, unless the community decides to apply for formal registration and continue with the formal registration processes. LEMU's attempted but failed to conduct research on titles issued in Karamoja, yet this would be useful to know if the community land being protecting in the name of the community (considered by the community as their communal property) has not been secretly titled in the name of an individual. This kind of study is highly political, it touches on the wealth acquisition of "big shorts" of Karamoja but it would lead to a just process of securing communal grazing territories for the poor Karimojong. During the community education meetings on laws and policies on land and during the dissemination of the documented rules for communal land management, there were allegations in different communities of land being grabbed day and night and that the systems at district level are allegedly very corrupt and enabling land grabbers acquire title deeds. It is also important to note that CLA registration is only the first but a very important step in protecting communal land as they become a legal entity. In order to ascertain of the land actually belongs to the community (not already registered in the name of an individual), it is advisable that the community be supported to have the land registered in the name of the community, even with Certificate of Customary Ownership (CCO) as a first step. This recommendation appears to contradict previous LEMU positions challenging land registration as a means of guaranteeing security of tenure, but in a context where land registration is use as a tool for land alienation, it is feasible that the same tool should be taken up by the vulnerable groups of society to claim their land rights.

**Lesson VI;** the communal grazing lands are vast and may require several days to complete the mapping depending on the size and pace of those involved in this process. Formation of CLA and ascertaining boundaries is insufficient evidence that the community owns the land in a context where individuals secretly register

communal lands in their names at the expense of the communities.

## What more can be done?

**Agreeing a suitable structure for CLA formation by all stakeholders.** Having determined that the clan is not the basis for traditional land governance in Karamoja and that the decisions made within the Akiriket structure are socially acceptable among the Karimojong, this should inform that formation of land management committees. Forming CLAs based on clans is therefore misleading and our view is that the CLAs should be constituted by villages surrounding the communal grazing land as the primary users and include the seasonal users in order to avoid exclusion and in the spirit of maintaining the Karimojong communal heritage. The CLA law describes steps to follow in the formation of the CLAs but is not explicit on how the membership should be constituted from existing communal governance structure (such as Akiriket). This leaves the several carrying out CLA formation in communities to guess what they deem appropriate some without thorough research on the governance structure since it is hinged to initiation, which is deemed complex. However, the traditional role of women in communal land management remains silent and considering that all Elders are male, constituting an all-male management committee would not comply with the laws of Uganda. The Ministry of lands enforced the 1/3 minimum constitution requirement number of women representation on land governance institutions including in Communal Land Associations. LEMU opted for a management committee that blended the elders, women and youth composition in order to foster (generational) continuity and ensure representation of the different groups in decisions pertaining their communal land. This will also ensure that women and youths are not excluded from opportunities to participate and voice their interests in the management and proposed allocation of communal land to investors, something that is currently a monopoly of the elders in Karamoja. It is

important to note that the role of women and youth in communal land management can no longer be ignored, therefore land actors in Karamoja should, as a matter of urgency engage on and agree the most suitable CLA structure that is all-inclusive and practical.

### **Operationalizing a community based monitoring and evaluation system.;**

One of the things that threatens CLA operations and continuity is the fact that many communities remain operating under the oral-informal system (no documentation of major decisions over the land and change of rules), yet in reality by being incorporated as a communal land association, they are required to shift to a formal-documented system of land decisions where decisions are debated and documented. According to the provisions of 1998 Land Act, CLAs are expected to hold periodic meetings, elect new leaders when the term of office expires and ensure transparency and accountability in the management of CLA affairs including ensuring sustainable use of resources. During formation of 27 communal land associations between 2019 and 2021 in the districts of Amudat and Napak, LEMU initiated a community based monitoring and evaluation system to enable communities hold quarterly meetings to discuss issues stemming from the management and use of the communal grazing land and agree on follow up actions. Each CLA was supported to select volunteer land rights activists who monitor CLA operations and raise issues during quarterly feedback meetings. This way, the CLA is expected to remain active and ensure continuity. This approach is expected to ensure that the elected leaders are **responsive** by executing their roles in a judicious manner and remain accountable for all their actions, it is also expected to promote **responsibility** by the communal land owners in the use of the natural resources and ensure sustainable use and to promote a cordial **relationship** between the management committee members and the communal land owners hence promoting mutual understanding and trust and fostering peaceful coexistence. Preliminary observations of how the CLAs are conducting their affairs however

indicate that the leaders do not appear as “empowered” as the project anticipated. They hardly hold constant meetings and document their decisions and some of challenges faced by the community is still left for LEMU to resolve or difficult questions are left for LEMU to answer. In such circumstances, it is important that external actors that initiate CLA processes in communities do not exit completely with the end of the project. External support should continue in such communities especially to support the new CLA leaders manage their transition from oral customary ways of land management to state-documented processes of land management.

### **Conduct GPS Mapping and/or Land registration.**

Since the formation of the 1998 Land Act in Uganda, LEMU has been engaged in sharp debates with policy makers and land actors in Uganda as to whether the security of tenure for communities can be achieved when only pro-customary processes of land registration such as boundary harmonization and planting physical marks but leaving the land to remain to untitled (under customary tenure), or when the community acquires a Certificate of Customary Ownership (CCO), or registers it rights through acquisition of freehold land titles. LEMU attempted to investigate the existing titles in Karamoja with no success because the required information could not be availed by the Ministry of lands, Housing and Urban Development. In the Karamoja context, some of the communal grazing spaces are without settlements and hardly with neighbors thus increasing the risk of fraudulent land registration by individuals. From the experiences of fraudulent land registration in Kamamoja region of Uganda, LEMU has recently come to a hard learning that in the end, one with a title has better security of tenure than one without a title. The land actors in Karamoja need to initiate an honest conversation on the registration of customary land especially in the wake of heightened issuance of CCOs in most parts of Uganda, in order to bring to light the benefits, risks of land registration and come up with necessary



safeguards so that land registration does not become an indirect process of land alienation, as LEMU had ably expressed in earlier publications on this topic. Secondly, there were allegations in the communities where LEMU worked in Karamoja, that land was registered erroneously by local and national elites leaving local communities at risk of future evictions and potentially without a source of livelihood. It is therefore important that the Ministry of Lands, Housing and Urban Development publishes all titles issued in Karamoja, but the Ministry remains non-committal on this matter, despite numerous calls by stakeholders. But with the current existence of a National Land Information System (NLIS), the issue of transparency of which land is registered in whose name should not continue to be treated with suspicion. As a temporary cure, LEMU is working with Area Land Committee (ALCs) members to map the communal lands (using GPS application) in order to avoid situations where they approve registration of the same parcels of land in the name of individuals, having known the boundaries and that the actual owners of the land are communities that use them for communal purposes such as grazing. However, because of widespread corruption, this still leaves communities at the mercy of ALCs whose activities are mostly dictated by the District administrators. It has been the practice that LEMU works with the landowners, land management committees, local leaders, elders, clan leaders and neighbors to facilitate boundary tree planting after boundary harmonization processes such as in Lango region where communal land protection was implemented between 2009 and 2016. Because of the complexities arising from the contemporary realities of Karamoja, this is no longer a preferred way of working to protect customary land rights in the Karamoja context.

During community assessment prior to community entry, one of the questions asked is regarding the size of the land, however, even the sub county and district leaders do not know the size of the communal grazing land. Knowing

the accurate size of the large communal grazing lands (through use of GPS maps) will enable NGO partners plan adequately for boundary harmonization activities and put in place better protection. This therefore meant the project had to work with elders to walk round the land to determine the size of the grazing land and level of encroachment and in the process, an officer of LEMU familiar with how to capture GPS coordinates documents key points around the land, as part of ascertain the actual boundary of the land. After the “boundary walk”, a GPS map is printed and presented to the community land-owners and neighbours for validation. If the map is accepted, planting of concrete pillars around the grazing land begins, and if there is a disagreement, the community goes back to the drawing board.

While this activity of “boundary walk” led to the drawing of rudimentary sketch maps in past LEMU interventions in the Lango region, the vast size of the communal grazing lands in Karamoja forced LEMU to adopt the use of MyGPS App, which identifies the land area using physical features hence enabling communities to know accurate the size of the land. It is important to note that the measurement is near approximate and does not equate to an actual cadastral survey. In fact these communities would be safer if they went ahead and formerly registered the communal land in the names of all communal landowners or their representatives if the title retains the land under customary tenure.

**Illegal land sales and good faith giveaways;** stories are told of how elders were called to different places, given alcohol to drink and requested to giveaway huge chunks of land without consulting the vast majority of the communal land owners. The communal land protection process ensures that the CLA provides for a democratic and transparent way of managing the communal land association. Any decision relating to the communal land would require an absolute majority to consent but this was not the case in many communities. Where the district leaders perceive a project as

beneficial to the local communities (such as agricultural investments), the sites are identified at district level and the Local Councils (LCs) are asked to rally their people in support of the project. Sometimes, a section of the community is not in agreement with the proposed change in land use as was seen with the irrigation and livelihood improvement projects initiated by the Office of the Prime Minister (OPM) targeting some districts in Karamoja and requiring over 200 acres of land with funding from the World Bank. Many such land giveaways have cost elders and LCs their respect from the younger generation and have perpetrated (land) conflict. In Amudat, those who supported the project were forced to leave their villages for security reasons and to allow tempers to cool. There were also incidences where individuals sold sections of the communal grazing land or took over some sections of the communal grazing land for individual/family cultivation. In spite of all these however, there were no mechanisms in place to check these excesses. For those supporting communities to protect their communal land, the land management committees should be empowered to ensure that all communal land owners are consulted through an intense Free, Prior Informed Consent (FPIC) of the absolute majority on any matters relating to the communal grazing land and any decisions regarding (re) allocation either among community members or to external parties, usually government projects and investments.

**Use of (state) ordinances to strengthen customary land management;** LEMU adopted the use of ordinances in order to ensure enforceability of the locally generated customary rules for management of grazing lands. At community level, we worked with Napak district Local Government to pass a communal land management ordinance in 2020 and this is being gazette for enforcement by state authorities. Although the documented rules provide that it is the role of the elders to resolve land disputes except for those with an element of criminality, the dissemination of the draft rules revealed that some attempts by elders

to resolve the conflicts were futile because the powerful choose to undermine the power of the customary elders and often preferred to go to state authorities such as police and courts. Even in instances where an encroacher has successfully been removed from the land by the elders; the system may not prevent future encroachment. The elders expressed inability to enforce their rules especially with the younger generation ignoring their advice on where to graze animals and attempts to enforce punishments were futile. In the past, the elders decided where the animals would be grazed, some grazing areas were reserved for next season and they restricted settlement in some areas and those who defied were punished. Considering that Karamoja does not have a centralized system of power through a “cultural institution”, passing ordinances on communal land management in the districts is seen as the only means to ensure wide spread recognition and enforceability of customary rules, although the process shifts enforcement from customary elders to state authorities at the district. LEMU worked with Napak district Local government to come up with a communal land management ordinance which captures the traditional-customary rules for managing the communal grazing lands so that it is not a complete departure from their customary way of life because ordinary Karimojong relate to their traditional way of life. Unlike in other regions of Uganda where “cultural institutions” with centralized forms of power exist, the documented rules for communal land management could not be linked to a traditional/cultural institution in Karamoja. The existing Karamoja Elders Forum was a creation of Uganda Ministry of Gender, Labour and Social Development, are not confined to the culture and heritage of the Karimojong people, but are more for achieving the development agenda of different actors and the state, and a channel for community awareness in several socio cultural issues.

**Importance of community education;** the aspect of community education was the bedrock of the communal land protection

project LEMU implemented in the last 10 years. All communities demonstrated very low knowledge of laws and policies on land and how they impact on customary tenure. In fact community members did not believe the 1975 Amin decree had any effect on them because they remained on their (customary) land. For communities to be able to make informed decisions regarding their land, they must know what the law says and how it impacts on them individually or as a group. LEMU also gathered information on what they considered threats to customary tenure in order to increase awareness of these problems and awaken their consciousness to defend their land rights when in jeopardy. The project conducted village-by-village community education due to the distance between villages and in order to maximize our reach to the communal land owners. This also means that depending on the number of villages, the project teams have to facilitate several meetings in order to realize change in knowledge considering that land information is complex and is riddled with misinformation. This aspect of education is considered an important process of customary land protection, because it is envisioned to be a conscientization process of mobilizing the poor

members of the society to question state policy and the top-down approaches of government leaders when it comes to land management and decision making over customary land.

**Work with the media;** during the first phase of implementation, LEMU worked with the local and national print media to capture community voices and highlight the issues they were raising. The project also conducted radio talk shows and ran radio spot messages discouraging land sales and promoting land leases/rental but mainly use for production in collaboration with Napak and Amudat District Local government. The media therefore played an important role in disseminating crucial information including disseminating the documented rules for communal land management. LEMU however learned that the vast majority of women do not listen to radios and therefore missed on important information. This therefore calls for use of other methods like the community radio or baraza, an approach that would be able to reach the women in their communities and give them an opportunity to participate in addition to the women conferences used during community wide meetings.

**Conclusion.** The land question in Karamoja is defined by dynamics of inherited colonial land alienation and contemporary expansion of extractive industry and market expansion through the quest for land for investments. All these factors have worked and continue to work against the land rights of poor customary land-owners in Karamoja. Effective interventions by NGOs such as LEMU and others therefore calls for meaningful definition of the problems, challenges and understanding these complexities so that interventions can bring about durable security of tenure for customary land owners. Interventions on the land question in Karamoja calls for concerted efforts.

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## **LESSONS FROM THE FIELD**

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