

A study on Land Grabbing cases in Uganda

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Plate 1. This is John Muyiisha. His land was grabbed by oil palm growers in Kalangala.

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List of Acronyms

NAPE.....	National Association of Professional Environmentalists
NFA.....	National Forestry Authority
REDD	Reduced emissions from deforestation and forest degradation
IFIs	International finance institutions
WB.....	World Bank
NFC.....	New Forests Company
FACE.....	Forest Absorption Carbon Emissions
IDA.....	International development agency
IFC	International financial corporations
FAO.....	Food and Agriculture Organization of the United Nations
UNIDO.....	United Nations industrial development organization
USAID.....	United Nations Agency for International Development
CAADP	Comprehensive Africa Agriculture Development Programme
IFAD.....	International Fund for Agricultural Development

EXECUTIVE SUMMARY

This report investigates cases of land grabbing in Uganda, focusing in particular on oil palm plantations in Kalangala, Lake Victoria. It assesses the impacts on rural communities and on the local environment, and questions who benefits from these projects.

Land grabbing

Land grabbing occurs when land that was previously used by local communities is leased or sold to outside investors, including corporations and governments. Typically, the land is taken over for commodity crops to sell on the overseas market, including for agrofuel and food crops. However land grabbing also occurs to clear land for tree plantations (grown for carbon offsets), protected reserves, mines and can often result from speculative investments when funds predict a high rate of return from land investments.

Land grabbing is not a new phenomenon. For centuries, communities have been intimidated to abandon – or have been forcibly removed from – their land. However we are now witnessing a new aggressive land grab, driven by high food prices and growing global consumption, with multinational corporations, often in partnership with governments, seizing the land.

As a consequence, peasants, herders, fishers and rural households are being dispossessed of the means to feed themselves and their communities, local populations are being evicted and displaced, human rights are being violated, and the environment, as well as traditional community structures, is being destroyed.

Uganda

In Uganda, the Government, keen to attract foreign investment, has allowed foreign companies to move onto large areas of land for a range of projects, including the development of a large scale oil palm plantations, carbon offset tree plantations and following the recent discovery of oil, for drilling.

This study examines a number of these projects in eastern, western and central Uganda, with a particular focus on the Kalangala palm oil project on Bugala Island in Lake Victoria, which is being developed as part of a government programme with backing from the International Fund for Agricultural Development (IFAD) and the World Bank.

The study documents cases where land has been grabbed in Kalangala and elsewhere and looks at how local people have lost access to land and other natural resources.

It also examines the wider impacts of the Kalangala project and the effects on the local economy, the way of life and the natural environment.

It finds that although rural communities' customary land rights are protected under the Ugandan constitution, in practice, these rights are being violated. As a result, communities are being displaced and losing vital access to natural resources, including land for farming, firewood, forest products and in some places, water supplies.

Culturally important sites have been destroyed and local traditions and customs are being lost as the local population migrates and diversifies.

Forests have been cleared to make way for the plantations and wetlands have been drained, damaging the rich natural biodiversity.

The reduction in local food supply has meant more food has to be imported to the island, leading to increased food prices. As the plantation only offers low paid casual work, local people struggle to make ends meet. As a result there is a greater risk of food insecurity.

In the oil rich Albertine region, local communities are losing their land to oil companies and land speculators.

The tree plantations being developed to seek carbon credits are replacing native forest with monoculture plantations of non-native species such as eucalyptus and pine.

Land conflicts and intertribal /ethnic clashes have occurred in some communities where land grabbing has occurred.

Land grabbing in Uganda is intensifying and spreading throughout the country. This development of industrial scale agriculture projects to supply global commodity markets is depriving local communities of access to natural resources, exacerbating rural poverty and aggravating the risk of food crises.

Action is needed to support the development of small-scale, agro-ecological local agriculture projects, which allow local people to grow food for their communities and improve local food security.

The case of Uganda exemplifies a global trend.

The food, energy and financial crises in recent years have galvanised corporations, rich governments and financial investors to look towards land and agriculture overseas to secure food and energy supplies and provide new investments/targets for speculative capital. Underlying this is the global problem of highly inequitable consumption.

Over-consumption of for example meat and dairy products and energy by the industrialised world, and increasingly by elites in the developing world, mean they consume the lion's share of the world's limited land. Stopping land grabbing will also require a change in consumption patterns to make them more equitable and bring them in line with the planet's capacity. Currently too many countries rely on other's resources to sustain their standard of living – driving global inequity and poverty.

Friends of the Earth demands that the Government of Uganda:

- *Conducts comprehensive research on the impacts of land grabbing*
- *Respects constitutional provisions on land tenure*
- *Respects and protect natural forests rather than promoting plantations at the expense of natural forests rich in biodiversity areas.*
- *Moves quickly to design, move a bill, enact and enforce a law to protect citizens who own land under customary tenure system*
- *Stops grabbing land for agrofuels, carbon credit trading and other monoculture systems and instead supports policies and laws that promote agro-ecological farming systems and practices*
- *Complies and enforces its policies regarding social and environmental impact assessments, including assessments of impacts on local/community based food production before the commencement of any project throughout Uganda*
- *Domesticates international treaties, conventions, protocols and any other binding agreements regarding land and sacred sites including the Voluntary Guidelines on Land and Natural resources tenure*
- *Holds International financial institutions (IFIs) and World Bank to account for funding projects that reduce poverty rather than those that promote poverty through violation of community rights and subsequent land grabbing*

Friends of the Earth calls on international Governments to:

- *Immediately cease all large scale land grabs and return the plundered land to communities*

- *Implement genuine agrarian and aquatic reform programmes and implement actions agreed at the 2006 International Conference on Agrarian Reform and Rural Development*
- *Target public investment towards peasant agriculture, family farming, artisanal fishing and indigenous food procurement systems that are based on ecological methods as outlined by the conclusions of the 2008 International*
- *Assessment of Agricultural Knowledge, Science and Technology for Development*
- *Reject the weak World Bank Principles on Responsible Agricultural Investment (RAI) and instead base national and international governance structures on the 'Voluntary Guidelines for land and natural resources tenure' agreed at the Committee on World Food Security in order to provide secure access to land, forestry and fisheries for communities*
- *Abide by their obligations under international law, especially under the Universal Declaration of Human Rights and other Human Rights obligations with regard to stopping land grabbing*
- *Put in place policies to stop overconsumption that drives land grabbing: by scrapping agrofuels mandates and subsidies in the European Union and United States of America and tackling high meat diets in West*

INTRODUCTION

Land grabbing occurs when land that was previously used by local communities is leased or sold to outside investors, including corporations and governments.

Typically, the land is taken over for commodity crops to sell on the overseas market, including agrofuel and food crops. However land grabbing also happens to clear land for tree plantations (grown for carbon offsets), protected reserves, mines and often is a result of speculative investments from funds predicting a high rate of return from land investments.

Land grabbing is not a new phenomenon. For centuries, communities have been intimidated to abandon – or have been forcibly removed from – their land in a seemingly endless battle to control natural resources.

High food prices, combined with growing demand for land and for other natural resources and a financial crisis that forced investors to look for new speculative investments, have triggered a new global land grab. Only now, it is multinational corporations, often in partnership with governments, which are taking the land, frequently depriving local communities of critical resources. These companies often secure long leases to exploit the land for profits, extracting natural mineral resources, or growing crops for food, fuel or carbon credits.

As a consequence, land, especially fertile agricultural land, is increasingly being privatised, depriving rural communities of access to vital resources.

1.1 The scale of the problem

Examples of land grabbing have been recorded in more than 60 countries around the world, with investment groups, corporations and governments taking the land. There is no global land registry, so it is difficult to know exactly how much land is involved, but recent estimates range from between 80 to 227 million hectares. (Borras et al 2011) (Oxfam 2011) The Global Land Project identified 62 million hectares in just 27 African countries in 2009 (GRAIN, 2011) In many countries a significant percentage of land is owned or leased by foreigners for agri-food production. In Ethiopia, 10 per cent of the country's farmland is under foreign control. In Indonesia and Cambodia foreign landowners control 8 per cent. In Uganda, estimates suggest between 4 and 8 per cent of land is under foreign land deals (GRAIN, 2011a).

1.2 The demand for land

A number of different factors lie behind this phenomena. Many cash rich and land poor Governments are trying to secure food supplies by buying land overseas for domestic supplies.

Land and resource rich but cash poor governments are seeking foreign direct investment in land and agriculture. While many of the governments involved are seeking to expand their domestic production of food crops and crops for fuel, agribusiness is seeking to expand its operations and boost profits, growing more, more cheaply; growing new crops for new markets, particularly for agrofuels – as well as gaining access to new markets in rapidly developing economies. Investors and speculators are looking for good investment returns.

Governments and private companies are both keen to gain access to fertile land at a low cost. Rapid increases in the food prices in recent years left many governments aware of their vulnerability to the market and eager to boost domestic food supplies. Countries such as China, India and Egypt want to ensure they have access to rice and grain. Other countries such as Saudi Arabia have recognised that the changing climate and limited water supplies mean that some crops can no longer be grown at home. Instead they are looking to outsource production to areas where fertile land and water are in greater supply.

Land grabbing for food has been recorded across Africa, notably in the Sudan and Uganda; in Pakistan, in Cambodia; in Russia, the Ukraine and Georgia; and in parts of South America, including Paraguay and Brazil. Some of these are countries which struggle to feed their own populations – but which have enough fertile land to attract foreign investors.

The growing demand for vegetable oils in particular, driven by increased human consumption and the promotion of agrofuels, particularly in Europe, has led to expansion of industrial monocultures. The growing market for palm oil has seen companies buying up land in tropical areas of Africa and Asia to establish plantations. Similarly, soy has expanded in South America, and land has been grabbed for jatropha in India, Indonesia and a number of African countries.

High levels of demand for land have pushed up prices, bringing in investors and speculators. With long term forecasts predicting increasing water shortages and other climatic changes to agriculture, few expect the price of land to fall. As a result, the big investment banks have moved into farming, buying up agricultural land, livestock farms and processing plants.

Another driver of land grabbing is particular types of environmental conservation projects such as Reducing Emissions from Deforestation in Developing countries (REDD) projects that generate carbon credits from plantations. The appropriation of land and resources for environmental ends has been termed as 'green grabbing' (Vidal, 2008). In many cases communities that have managed and conserved forests for many generations are locked out of their communal forest lands due to conservation needs. As plantations are accepted as forests in international definitions, forested land is replaced by tree plantations aimed at generating carbon credits for companies (FOEI, 2008).

1.3 Increasing consumption

Behind these growing levels of demand lies a fundamental problem of over consumption - with the industrialized world and increasingly elites in the emerging economies using the lion's share of global resources to feed their affluent lifestyles. Globally, we are living beyond the planet's means. This problem is particularly acute in the US and Europe, setting a trend that is being rapidly followed by a growing middle class in parts of the developing world.

Europe's consumption levels in particular far exceed the continent's capacity, relying heavily on imported resources from the rest of the world. A study by Friends of the Earth Europe found that Europe's land footprint - ie the amount of land needed to produce the resources consumed - is one of the biggest globally, second only to the USA. More than half of the land used to produce resources consumed in Europe is based overseas (FOEE, 2011). A large part of Europe's overseas land footprint is due to high levels of meat and dairy consumption and agrofuels. Importing products produced from another country's land can sometimes the economy of the exporting nation, but land is a finite entity. This demand for exports reduces the land available to produce resources for consumption at home and puts pressure on natural resources, often at the expense of biodiversity and local food provision.

1.4 The importance of land

Importantly, it is this demand for overseas land resources that is driving land grabbing and depriving communities in the target nations of the land and other natural resources they depend upon.

The lack of adequate and secure access to land and natural resources by the rural and urban poor is a prime cause of hunger and poverty in the world. Studies have found that around half the people suffering from hunger are estimated to be living in rural small-hold farming households. A further fifth are farming households without land (HTF, 2005).

In addition, global inequalities in land contribute directly to inequalities in health and quality of life. These inequalities cannot be reduced without addressing the over-consumption that lies behind this growing demand for land.

1.5 The situation in Uganda

Uganda has been a target of this trend for land grabbing, largely because the Ugandan Government is eager to attract foreign investment.

Land grabbing has happened in many places in Uganda but it has caused particular problems for local people who have customary land rights.

This study looks at a number of areas in Uganda affected by land grabbing and documents what has happened in the Buliisa oil rich region in western Uganda, the Bukaleba forest reserve in eastern Uganda, the Mabira natural forest in the central region, and the Kalangala oil palm project in Lake Victoria.

The objectives of the study were to;

- Document cases where land has been grabbed
- Expose land grabbers and those behind it
- Empower communities to resist land grabbers and to reclaim and defend their land rights.
- Communicate to decision makers in Uganda and internationally about the measures they can put in place to stop land grabbing

1.6 Methodology

The cases were selected from the different regions of Uganda. The most in depth study was done on land grabbing in Kalangala for palm oil plantations where we have documented video testimonials and photos of the affected communities (available at www.foei.org/landgrab). Other cases related to carbon trading and natural forest destruction and the relation to livelihoods and access rights violations were also documented. The following methods were used to carry out this study: focus group discussions, photography, interviews, literature review (reports, direct observation, web, newspapers, publications, Government and other policy documents).

1.7 Study Period

The study was undertaken from March 2011 to August 2011.

BACKGROUND

Uganda lies in east central Africa, has a tropical climate, and fertile agricultural land. The country has a population of some 30 million, and is mainly land-locked, with Lake Victoria dominating the south east of the country.

Agriculture accounts for just under a third of land use, and the country's main exports are coffee, fish, tea, tobacco and cotton. Some 15% of the country is covered by forest (U.S Department of State, 2012)

Some 85% of the population live in rural areas – and four in ten of the rural population, predominantly in the north and north east of the country, are considered to be living in abject poverty. Approximately five per cent of rural households are affected by food insecurity (Rural poverty portal, 2012).

2.1 Agriculture in Uganda

Agriculture plays an important part in Uganda's economy, with 80% of all jobs in the agriculture and fishing sectors. While some cash crops are grown for export (particularly coffee, tea, cotton and tobacco), many rural communities have traditionally relied on subsistence agriculture, growing cassava, corn, potatoes and millet, as well as plants for medicinal uses (U.S Department of State, 2012).

2.2 Uganda's land tenure system

According to the Ugandan Constitution: "Land in Uganda belongs to the citizens of Uganda and shall vest in them in accordance with the land tenure systems provided for in the constitution. These are classed as customary, freehold, Mailo and leasehold.

Under the Constitution, citizens owning land under customary ownership have to acquire certificates of ownership in a manner prescribed by Parliament. However, Parliament has yet to prescribe this. Consequently, the majority of the community members do not have land titles and/or certificates. In fact, a large number of people owning land under customary tenure system are in rural areas and most do not know how to go about acquiring the certificates.

Mailo land was traditionally land which was divided between the King of Buganda (known as Kabaka) and the Protectorate Government, but in 1967 Mailo Tenure was transformed into public land. Freehold Tenure is land owned through certification or title; and Leasehold is land owned on agreement between a leaser and leasee.

The Land Act of 1998 and the National Environment Statute of 1995 protect customary interests in land and traditional uses of forests, but the same laws also authorize the government to exclude human activities in any forest area by declaring it a protected forest, over-riding the customary land rights of Indigenous Peoples.

FINDINGS OF THE STUDY

In conducting this study a series of case studies were documented and these included: Kalangala oil palm growing, Buliisa oil mining, Bukaleba forest evictions, Mt Elgon forest reserve, Mabira forest and Luwunga forest. Cases of land rights violations are evident.

3.1 Kalangala oil palm growing

3.1.1 Background to the project

In 1998, the Ugandan Government launched a Vegetable Oil Development Project (VODP), supported by the United Nations International Fund for Agricultural Development (IFAD) and World Bank, to increase domestic production of vegetable oils in partnership with the private sector. This included the introduction of commercial oil palm production, as well as more traditional oil seed developments in eastern and mid-western districts of Uganda (IFAD, 2011a).

The Kalangala oil palm project aims to plant 10,000 hectares of oil palm on Bugala Island in Kalangala district in Lake Victoria. Bugala Island is one of the 84 islands in Lake Victoria which make up Kalangala district. The island has a population of around 20,000 people, who mainly depended on fishing, subsistence farming and tourism before the introduction of oil palm.

It is being taken forward by a partnership between the government and a private sector consortium, Oil Palm Uganda Limited (OPUL), formed in 2003. OPUL brings together foreign investment from:

- Global palm oil giant Wilmar International, one of the largest palm oil biodiesel manufacturers in the world. Wilmar has also benefitted from funding from the World Bank's private sector arm but has been implicated in illegally logging rainforests, setting forests on fire and violating the rights of local communities in Indonesia. (Friends of the Earth International, 2007)

- BIDCO, the largest manufacturer of vegetable oils, fats, soaps, margarine and protein concentrates in East and Central Africa.

The Kalangala project also gets significant funding from the World Bank.

In 2006, the Kalangala Oil Palm Growers Trust (KOPGT), an association of local farmers, was established with support from IFAD, in order to promote local smallholder involvement in the palm oil project, joined the partnership, taking on a 10% holding in 2009 (IFAD, 2010; NAPE, 2011).

As well as increasing domestic production of vegetable oil, the project was designed to improve the infrastructure on the island, increase rural incomes and reduce poverty levels, attract private sector investment and to stimulate economic development in the area (IFAD, 2010; NAPE 2011).

Local farmers were seen as important partners, with 3500 ha of the total 10,000 ha designated for out-growers and small holders. The rest would be managed by the nucleus estate (Kalangala District NGO Forum, 2009).

3.1.2 Environmental impact assessment shows negative impacts

An environmental impact study was carried out on behalf of the government and this found that the project would not have significant climate or hydrological impacts on the island, but that it was likely to reduce forest cover, resulting in a loss of endemic species, and that it would reduce windbreaks, increase siltation in Lake Victoria, increase logging, reduce the potential for ecotourism, increase the local population and increase the risk of HIV/AIDS, food insecurity, cultural erosion, loss of sacred places and cultural conflicts.

Despite these threats identified by the Environmental Impact Assessment the project went ahead, with little evidence that the identified threats had been considered. (Kalangala District NGO Forum, 2009)

3.1.3 Funding

Funding for the project was made up of US\$120 million from private investment, US\$19.9 million from IFAD (\$10.8 million for supporting out-growers and infrastructure), US\$12m from the Government of Uganda for land purchases, electricity and roads, and US\$10 million from the World Bank through its private sector lending arm, the International Finance Corporation.

Through the scheme, small holders were able to participate in other local savings and credit cooperatives (SACCOs) run by the Kalangala Department of Finance Administration (DFA); as well as accessing credit from KOPGT through Stanbic Bank, to start and maintain their own plantations.

KOPGT is also responsible for ensuring farmers get a fair deal when selling their fruit to BIDICO.

In July 2010, the Government secured a further loan of US\$52m from IFAD to expand the Vegetable Oil Development Project. This includes funding to expand oil palm production on Bugula Island and also on Buvuma Island in Mukono District (IFAD, 2011).

BIDCO also plans to develop a further 30,000 ha of oil palm plantations on the mainland (IFAD, 2010). **Table 7 PROJECT FUNDING RESPONSIBILITY** (IFAD, 1998)

		US\$ Millions	Comment
1	Private Investor	120	
2	IFAD	19.9	\$10.9 for oil palm to support outgrowers plantations, and supporting infrastructure
3	Gov of Uganda	12	For land, electricity, and roads as counterpart funding
4	Smallholders	3.16	Through work, equity, land
5	World Bank (IFC)	10	

Local communities were not made aware of the oil palm developments (Box 1), except via the smallholders organisation and through the Kalangala Oil Growers Association (KOPGA), created to promote local participation in the project. Most of the island's population is not involved in growing oil palm and therefore were not consulted and do not stand to benefit from the credit cooperatives. (NAPE, 2011)

BOX 1

“The challenges with the government projects, is that there is a lot of secrecy and usually information is not made available”.

MPora Mpora

3.1.4 Impacts of oil palm plantations in Kalangala

The Bugala Island plantations have already resulted in a large number of social and environmental impacts.

3.1.5 Violation of Land Rights

Under the terms of the agreement, the 6,500 ha of land for the oil palm estate on Bugala was to be provided by the Government. While most of this land has been provided to BIDCO, this has been at the expense of members of the community who did not hold formal land rights to the land they occupied – often Mailo land, which is now officially recognised as public land; and at the expense of forests and the lakeshore buffer zone. (Kalangala District NGO Forum, 2009)

The remaining 3,500 ha was allocated to smallholders and out-growers, of which 2,000 ha had been acquired by 2009 (NAPE, 2011).

Land conflicts have arisen between members of the local community and BIDCO, following the allocation of land for the oil palm development, with reports of people being evicted from their homes in the forest to make way for oil palm. (NAPE,2011).

Because few rural dwellers hold official land titles for the land they lived on, they often cannot seek redress. Under the Constitution land tribunals are supposed to resolve land conflicts (Article 243) but these operated for only a short time before collapsing. Later the tribunals were supposed to be replaced with Land Committees in the districts, but these have not yet become fully operational. As a result there is little to prevent land grabbing, and indeed the government has appeared to sanction the process, giving land occupied under customary tenure to foreign investors.

Some small holders have also said that they were effectively forced to sell land they owned after planting oil palm because they were not able to pay for the fertilizer and other inputs needed. With no income from the oil palm, and no land for growing food, they faced little option but to sell. (Box 2).

BOX 2

"I had a big piece of land of about 8 acres. When BIDCO came with the programme on planting oil palm, I was given agro-inputs for which I failed to pay for. I later lacked food to eat because I had planted oil palm on the only piece of land I had. I later sold the land cheaply after failing to get food to feed my children. I am now landless!"
Community member

3.1.6 Human Rights Violations

People have reported that they were denied access to resources, including grazing lands, building materials and water, contravening their human rights.

In Kulugulu village on the island the path to the communal well, which was the source of clean water for the community, was blocked by BIDCO. Fertilizers and pesticides used in the oil palm plantation were also reported to have affected the community's water point (NAPE, 2011). The community sent a petition to Kalangala District Council Authorities asking it to exert pressure on BIDCO to reopen the path to the well, but they have not received a response (Nyirahabineza Winfred, pers.comm).

Wells in Kibaale - Jovu village were also reported to have been destroyed. (Kalangala District NGO Forum, 2009)

Animals found trespassing on former grazing lands in the oil palm project area have been confiscated and owners have been fined. This is discouraging people living in the area from raising animals, affecting their food supplies. (Kalangala District NGO Forum, 2009)

Areas previously used for sand mining in Bukuzzindu have been allocated for oil palm, including accommodation buildings for staff and workers. This has meant the local community no longer has access to the sand supplies, which are used for building. This has led to a conflict with the local community, with the community digging sand ditches along the roadside, creating a hazard for BIDCO vehicles and employees. (Kalangala District NGO Forum, 2009)

A community playground in Kasenyi - Bamungi has been taken and converted into an oil palm plantation, depriving the local children of opportunities to play. (Kalangala District NGO Forum, 2009)

3.1.7 Access to energy

Because large areas of forest have been cleared to make way for oil palm plantations, there is pressure on the remaining forest resources, which traditionally provide building materials, boat-making materials, food and importantly, firewood for the local population. (Kalangala District NGO Forum, 2009)

3.1.8 Employment

One of the stated aims of the oil palm development was to create jobs for the local community (IFAD, 2009; NAPE, 2011), but most of the jobs on offer are for casual labourers and most are not from Kalangala. Many come from the Northern and Eastern parts of Uganda. Virtually all of these are men.

Casual labourers are paid approximately one dollar a day for work on the project, and many say this is not enough to cover their living costs in Kalangala. As a result, there is a rapid turnover of casual staff, with casual workers remaining at the project for just three months. (Kalangala District NGO Forum, 2009)

Living conditions for the casual labourers in the BIDCO workers' quarters are overcrowded, with nine workers allocated to two rooms. (Kalangala District NGO Forum, 2009)

Many local people say that they can earn a better living fishing and prefer to do that, rather than work as labourers. (Kalangala District NGO Forum, 2009)

There are complaints from the local community of thefts of food crops and other items, with casual laborers being blamed.

NAPE attempted to establish whether any local people were employed by BIDCO as officers at the plantation, but did not receive an answer. Similarly we were unable to establish from BIDCO managers how local farmers have been involved in the project.

3.1.9 Sudden rise in the price of land

As a result of the increased demand for land on Bugala Island, land prices have increased considerably, from 70,000 shillings an acre in 2003 to between 800,000 - 2 million shillings in 2009. (Kalangala District NGO Forum, 2009)

This increase in prices has attracted rich investors, encouraging poorer land owners to sell up. Some land owners who have refused to sell have found that oil palm has been planted on their land anyway, making it difficult for them to continue farming. (Box 3). More than 20 families found themselves homeless as a result of oil palm plantation establishments (NAPE 2011)

BOX 3

“Those who refuse to sell, oil palm is planted to zero them off. The victim finds it difficult to graze animals or have access to water for animals. Eventually one has to give in”.

Community member

3.1.10 Destruction of local economy

The introduction of oil palm has affected the local economy, which used to be based around fishing, timber harvesting and food crops. With land previously used for food now planted with oil palm, local food supplies have been reduced, and farmers who have lost access to their land have also lost their income. This has increased food insecurity.

Increased pressure on land and on forest products has pushed up prices – temporarily benefitting small landowners who have sold out – but ultimately increasing the cost of living for the local community.

These changes in land use have increased poverty for some, resulting in an increase in crime and conflicts within the community.

Members of the local communities around the shores of Lake Victoria used to derive their livelihoods from fishing, catching haplochromines, tilapia, Nile perch and lung fish. However, these fish have become more scarce, possibly as a result of pollution from the agrochemicals used on the plantation.

Women have been most affected by the collapse of the local economy and have organised themselves in small groups to offer advice to one another, working together to resolve family and community conflicts (Sheikh Mayanja, pers. Comm).

3.1.11 Exposure to Health Risks

According to reports, casual labourers and BIDCO plantation workers are not provided with adequate protective clothing when working with the agrochemicals used on the

plantation. This leaves them at risk of damaging health impacts, including skin problems, breathing difficulties and headaches.

The influx of migrant workers has also led to an increase in prostitution in Kalangala, an area with an already high level of HIV/AIDs infection. There has also been an increase in other sexually transmitted diseases. (Kalangala District NGO Forum, 2009)

The increased levels of HIV/AIDS have led to major problems with the increasing number of widows and orphans in Kalangala (IFAD, 2011).

3.1.12 Food insecurity

People living on Bugala Island used to grow beans, yams, peas, maize, and bananas and some of these crops were used to supply food to neighboring islands. But the island now has to import almost all its supplies of bananas, rice, beans and maize flour from the main land (Kalangala District Local Government, 2005).

This has led to an increase in living costs for the people on the island, making it difficult for some members of the community to be able to feed themselves. Many have now realised the links between deforestation, oil palm cultivation, environmental damage and food production (Box 4 and Box 6)

BOX 4

“I supported the introduction of oil palm growing and even allocated four acres out of my eight acres of my land to oil palm growing. I was convinced that I would get a lot of money and become rich, but now, I have realized that palm oil is responsible for the current environmental degradation. Chunks of forests have been cut down and replaced by oil palm .We no longer have land where we can plant crops and there is increasingly spread of some rare diseases which we had never heard about!”

Community member

3.1.13

Loss of Cultural Heritage and Values

BOX 6

“We consider food as the basic and first line of security for our members and the Country, and our primary demand in regard to biofuels is that Government hastens the policy and regulation of biofuels. We consider as unsustainable actions that mean degazettement and destruction of forests for planting oil palm or sugar cane”.

Morrison Rwakakamba, the Secretary General of the Uganda National Chamber of Commerce and Industry.

Bugala Island was an important cultural site for Uganda’s traditional Buganda Kingdom. Resources from the “Lugo Forest” on the island play an important role in Buganda traditions and customs. But much of the forest, and other sacred sites have been destroyed as a result of the oil palm plantations, contravening a stipulation that sacred sites, ritual sites, tombs and cemeteries could not be used. (Kalangala District NGO Forum, 2009) Only a small patch of Lugo forest remains.

This loss of culturally significant sites prevents the continuation of traditional rituals for local people. The growing number of migrants on the island also has an impact, adding to the cultural diversity, and contributing to the gradual loss of the area’s distinct cultural heritage. (Kalangala District NGO Forum, 2009)

3.1.14

Loss of biodiversity

Bugala was known for its rich biodiversity. Tourists regularly visited the islands to see the monkeys and also to watch birds. But the introduction of oil palm plantations has led to tropical forests being cleared, damaging biodiversity. (Kalangala District NGO Forum, 2009)

As a result, monkeys have been forced to hunt for alternative sources of food, leading to damage to crops, including the oil palm fruits. The local authorities have classed monkeys as vermin and ordered them to be killed. (Box5).

The loss of habitat has also affected populations of snakes, antelopes and water bucks.

The oil palm development has also damaged wetlands on the island, affecting wildlife, and leading to siltation problems in the Lake.

The loss of forest and grassland cover to make way for the plantations has increased problems with soil erosion. Some preventative measures have now been taken, including the use of cover crops. There is however a risk of future problems with silting in Lake Victoria.

The loss of forest has also affected the micro climate and led to a loss of natural wind breaks. As well as exacerbating soil erosion and adding to problems with dust, the increased wind speeds on Lake Victoria have affected fishermen, increasing turbulence and making it harder to fish. (Kalangala District NGO Forum, 2009)

Water supplies have been contaminated with pollution from the pesticides and inorganic fertilizers used on the plantations. Water table levels have fallen, increasing water insecurity and conflicts over access to water.

3.2 Land grabbing for carbon offsets in Uganda

Many carbon firms, which develop projects to generate carbon credits, now operate in Uganda. Under the Kyoto Protocol, developed countries are allowed to offset their carbon emissions by buying carbon credits from projects in the developing world through the so-called Clean Development Mechanism (CDM). These credits can then be traded on carbon markets. (FoE EWNI, 2009)

The Uganda Carbon Bureau registered in 2006 supplies carbon credits. It also provides information on climate change and carbon markets and has a close relationship with Uganda's main donors, and international NGOs involved in climate change and carbon finance.

Other firms operating in Uganda include the UK-based New Forests Company (NFC); the Busoga Forestry Co. Ltd; Forests Absorbing Carbon Dioxide Emission Foundation; the Dutch firm, Green Seat; the Norwegian firm, Tree Farms; and the Dutch firm, Norwegian Afforestation Group (FACE). They are all actively involved in land grabbing under the CDM.

Most CDM projects in Uganda promote tree-planting which entitles them to carbon credits under the Reduced Emissions from Deforestation and Degradation programme (REDD+). In exchange for planting trees, the projects are entitled to carbon credits.

Forests and grasslands have been substituted by monoculture plantations to obtain these credits.

3.2.1 Land grabbing in Mt Elgon National Park

In 2006, FACE, in partnership with Uganda Wildlife Authority (UWA), planned to plant 25,000 hectares of trees inside Mount Elgon National Park. In exchange for financing the planting of the trees, FACE received the rights to the carbon sequestered by those trees - estimated at 2.11 tons of CO₂ over 100 years. (New Internationalist, 2006)

The UWA-FACE project involves planting a two to three kilometer-wide strip of trees just inside the 211 kilometer boundary of the National Park. When the planting started local people were evicted from the site, infringing their human rights. The people who had land titles to their land sued the government and won the case. However, those on communal land lost out because they did not have customary land ownership certificates.

3.2.2 Land Grabbing in Bukaleba Forest Reserve

The Bukaleba forest reserve is located on the shores of Lake Victoria in south eastern Uganda near Jinja. The Mayuge District in the Bukaleba Central Forest Reserve is a source of water for people in Mbale, Pallisa and Bududa and Butaleja districts.

Tree Farms and the Norwegian Afforestation Group, through Busoga Forestry Co Ltd, grabbed 80,000-100,000 ha of Bukaleeba Forest and replaced it with pine and eucalyptus. Some 8,000 people from 13 villages were displaced by the company.

It was claimed that some of the local people had encroached on the forest during the political turmoil between 1975-1985. The communities were surprised that the government evicted them and gave the land to one investor.

The communities said they could also have planted trees in the area - and that they would have planted indigenous species, not the pine planted by the company.

There were no consultations with the local community about this.

3.2.3

Land Grabbing in Mabira Rain Forest

Mabira Rain Forest stretches across the three districts of Mukono, Kayunga and Buikwe in Uganda. The government of Uganda has been trying to give 7100 ha of the Mabira Rain Forest Reserve land to the Sugar Corporation of Uganda (SCOUL) since 2007, ostensibly to increase sugar production. However, local opposition in the form of the Mabira Crusade has successfully resisted this land grab.

In 2011 the Government resurrected its earlier plan of giving away the forests but has again faced strong resistance from civil society organizations, Members of Parliament and the general public.

Despite this, the government still insists that an area of the forest should be handed to an investor. If the Government goes ahead, the proposals will deprive communities of their access to the forest and consequently deprive them of their livelihoods. (Uganda Radio Network, 2011)

“So far an area of about 20 out of the 29,000 hectares of Mabira is under intense illegal tree cutting. The NFA staff at Nagojje resigned in June, and has not been replaced. This has given room for illegal loggers to operate freely”. Steven Galima (New Vision, 1 January 2012).

3.2.4

District

Land Grabbing in Luwunga Forest Reserve Kiboga

A 2011 study exposed land grabbing in Uganda by the New Forests Company which reported having projects covering more than 20,000 hectares of land. (Oxfam, 2011)

The New Forest Company was reported to have evicted some 20,000 people from natural forests in the Luwunga Forest Reserve in order to clear the forest and replace it with pine monoculture (Matsiko, 2012). The UK firm used [government officials to grab the 20,000 peasants' land](#).

The New Forest Company was reported to have closed in January 2012 (Butagira, 2012)

The case is now under investigation by compliance ombudsman of IFC

3.3 Land grabbing in Buliisa

In 2005 Uganda embarked on oil exploration and discovered reserves stretching from Amur to Kanungu district. The oil reserves go under people's farms, under communally owned land and settlements such as Kakindo village and Buliisa town council. This region is one of the richest in Uganda in terms of biodiversity and is also home to most of its water resources.

Oil exploration was started by Heritage, a company that was tasked to ascertain the availability and the quantity of the oil available in the Albertine Graben. When the rich heard of the oil boom, they started buying land in the region from the locals, anticipating that they would be able to sell to the companies dealing in oil at a higher price. Up to 700 hectares of land were reported to have been grabbed by land speculators in Buliisa (Dickens Kamugisha, pers. Comm).

The company is proposing to construct a refinery in Hoima -Kabaale - Buseruka Sub-county. Civil society organizations have been denied the right to assemble in the oil region and refused the right to talk about issues around oil. A number of civil society representatives have been arrested for talking to communities about oil.

4 CONCLUSIONS AND RECOMMENDATIONS

The Uganda Government's willingness to allow foreign companies access to Ugandan land, and forest, is leading to the displacement of local communities and the destruction of their traditional way of life. The large-scale handover of the land they depend on threatens their livelihoods and infringes their basic human rights.

Evidence also shows that these projects are causing severe damage to the natural environment, including the clearing of forests, loss of biodiversity and the depletion and contamination of water.

This development of industrial scale agriculture projects to supply global commodity markets deprives local communities of access to natural resources, including access to land and the ability to grow their own food supplies. This causes growing levels of food insecurity.

In particular demand for oilseed crops is exacerbating this situation, with land once used to feed communities now used to grow palm oil

The model of large-scale, industrial agriculture and its dependence on pesticides and fertiliser, exacerbates rural poverty and aggravates the food crisis – in a country where four in 10 households in rural communities already live in poverty.

These problems are replicated by the recent surge of tree plantations, designed to harvest credits under the Clean Development Mechanism. While these projects are supposed to support sustainable development and reduce carbon emissions, they are in reality triggering deforestation and depriving local communities of access to the resources they rely on.

The discovery of oil in Uganda looks set to repeat these problems, creating a land grab by the wealthy, again depriving local communities of access to resources, including land, and damaging other basic human rights.

The case of Uganda exemplifies a global trend. The food, energy and financial crises of the last years have galvanised corporations, rich governments and financial investors to look towards land and agriculture overseas to secure food and energy supplies and provide new investments for speculative capital.

Underlying this is the global problem of highly inequitable consumption. Over-consumption of for example, meat and dairy products and energy by the industrialised world, and increasingly by elites in the developing world, mean they consume the lion's share of the world's limited land. Therefore stopping land grabbing will also mean changing consumption patterns to make them more equitable and bring them in line with the planet's carrying capacity.

There is much Uganda and the global community can do to support rural communities in developing small-scale, local agriculture projects, which allow people to grow food for their communities and improve food security and sovereignty. Several solutions exist at local, national and international levels that can halt the global rush for land at the expense of communities' rights.

Friends of the Earth demands that in the case of the Kalangala palm oil project, the Government of Uganda takes the following steps to stop land grabbing in Kalangala and Uganda:

- *Respect constitutional provisions on land tenure*
- *Respect and protect natural forests rather than promoting plantations at the expense of natural forests rich in biodiversity areas.*

- *Move quickly to design, move a bill, enact and enforce a law to protect citizens who own land under customary tenure system*
- *Stop grabbing land for agrofuels, carbon credit trading and other monoculture systems and instead support policies and laws that promote agro-ecological farming systems and practices*
- *Comply and enforce its policies regarding social and environmental impact assessments, including assessments of impacts on local/community based food production before the commencement of any project*
- *Conduct comprehensive research on the impacts of land grabbing throughout Uganda*
- *Domesticate international treaties, conventions, protocols and any other binding agreements regarding land and sacred sites including the Voluntary Guidelines on Land and Natural resources tenure*
- *Hold International financial institutions (IFIs) and World Bank to account for funding projects that reduce poverty rather than those that promote poverty through violation of community rights and subsequent land grabbing*
- *Allow communities to mobilized into communal land associations to defend their land rights and livelihoods*
- *Establish local and national land conflict resolution platforms (NLCRP) involving all stakeholders (government, CSOs, academics, communities, researchers, women's groups, youth groups, the elderly, the disabled)*
- *Respect and protects indigenous peoples' and forest dependent communities' rights of access to and use of natural forests resources*

Recommendations to the Government of Uganda regarding carbon offsetting projects

- *Put a moratorium on giving away natural forest land to carbon firms with immediate effect;*
- *In collaboration with civil society organisations and other development actors, endeavor to ensure that communities understand the effects of REDD+ on their livelihoods;*
- *Fast-track the climate change policy before implementing REDD+ to guide emissions reduction in Uganda;*

- *Carbon offsetting should not be done at the expense of local people. Prior informed consent of communities should be adhered to before the establishing projects or programmes that negatively affect people's livelihoods;*
- *Planting of exotic species in the existing natural forests should be stopped with immediate effect since it is tantamount to biodiversity loss, climate change and community disruptions;*

Recommendations to the Government of Uganda in the case of the Mabira Rainforest:

- *Abandons its plan to give away Mabira rainforest to Sugar Corporation of Uganda Limited (SCOUL) for sugar cane growing for agrofuels so that it can continue to play its multiple roles (i.e. local climate stabilization, habitat for diverse species, research and educational resource, carbon sequestration, source of medicines, food, honey, firewood, water, ecotourism, et cetera);*
- *Management of Mabira rainforest should be a collaborative effort that involves communities and other stakeholders; and*

Recommendations to the Government of Uganda in the case of the New Forest Company:

- *Displaced communities should be resettled back into the areas where they inhabited and the carbon firm (New Forest Company) should stop its activities; communities should be adequately compensated and resettled.*
- *Regular dialogues between government, local communities, CSOs and other development actors in Kiboga projects requiring large tracts of land should be conducted.*

Recommendations to the Government of Uganda regarding Buliisa:

- *Oil companies should stop violating community land rights to enable sustainable food production and biodiversity conservation in Buliisa;*
- *Access to information on oil agreements should be made easy by government and the oil and gas firm(s); and*
- *CSOs working on oil issues should be allowed to operate in the oil region, dialogue, debate, write, assemble, lobby and advocate against unfavorable laws, policies and strategies that harm the people and the environment without undue encumbrances.*

Friends of the Earth also calls on international governments to:

- *Immediately cease all large scale land grabs and return the plundered land to communities*
- *Implement genuine agrarian and aquatic reform programmes and implement actions agreed at the 2006 International Conference on Agrarian Reform and Rural Development¹*
- *Target public investment for peasant agriculture, family farming, artisanal fishing and indigenous food procurement systems that are based on ecological methods as outlined by the conclusions of the 2008 International Assessment of Agricultural Knowledge, Science and Technology for Development²*
- *Reject the World Bank RAI principles and instead base national and international governance structures on the 'Voluntary Guidelines for Land and Natural Resources Tenure' agreed at the Committee on World Food Security in order to provide secure access to land, forestry and fisheries for communities³*
- *Abide by their obligations under international law, especially under the Universal Declaration of Human Rights and other Human Rights obligations with regard to stopping land grabbing as outlined in the*
- *Put in place policies to stop overconsumption that drives land grabbing: by scrapping agrofuels mandates and subsidies in the European Union and United States of America and tackling high meat diets in West*

¹ http://www.icarrd.org/news_down/C2006_Decl_en.doc

² [http://www.agassessment.org/reports/IAASTD/EN/Agriculture%20at%20a%20Crossroads_Global%20Report%20\(English\).pdf](http://www.agassessment.org/reports/IAASTD/EN/Agriculture%20at%20a%20Crossroads_Global%20Report%20(English).pdf)

³ <http://www.fao.org/nr/tenure/voluntary-guidelines/en/>

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6.0

APPENDICES

Appendix 6.1

Interview guide

1. *Do you know of any projects involved in buying big chunks of land in this area?*
2. *Are there public forest reserves that have been given away to the firms?*
3. *Was government involved? If so how?*
4. *Was the local government involved and if so how?*
5. *Are you also among those who were evicted, lost or sold land?*
6. *If yes, how big was the land?*
7. *Do you know of any other person that was been affected by the eviction?*
8. *How have the NGOs operating in this area helped you to adjust or reclaim your rights to land?*
9. *Did the firm(s) compensate you or the other victims?*
10. *Has there been any community action to address the situation*

Appendix 6.2**Respondents**

Name	Village	Occupation
Gyagenda Jim Jim	Bumangi	Community member
Mpora mpora	Kasekulo	Human rights defender
Oweyegha Afunaduula	NAPE	Research Officer.
Muramuzi frank	NAPE	Executive director (NAPE)
Allan Kalangi	NAPE	Manager Sustainability school
Winnie Nyirahabineza	LVDI	Executive Director
David K. Nkwanga	Nature Palace Foundation	Executive director
Namayanja Milly	Kalangala	Farmer
Kobusingye Loy	Kalangala	Farmer
Nalugwa Mary	Twesowodeyo women group Mukono	Team leader
Pr Paul Ssebuliba	Pastor / charcoal dealer	Mukono
Betty Nakuya	Herbalist	Mabira
Beatrice Nakibuka	Mabira women	Mabira
Lutaya Robert	Christian Heritage centre (Mabira kids)	Teacher
Luyombya Moses	Buwoola Environmental Alert (BEA)	Jinja
Kazimiri Stephen	Timber dealer	Jinja
Nansikombi Madina Mubiru	Nagojje community biodiversity association(NACOBA)	Executive director
Tusiime Juliana	Charcoal dealer	Mukono
Nakanwagi Emilly	Firewood seller	Mukono
Mayanja Edward	Timber seller	Kampala
Mwanje Dickson	Charcoal dealer	Wakiso
Nansubuga Jane	Fish dealer	Kalangala
Nanzove James	Forest dependent	Butaleja
Akim Twaha	Farmer	Butaleja

Appendix 6.3

Introductory Letter

NATIONAL ASSOCIATION OF PROFESSIONAL ENVIRONMENTALISTS (LTD).



P.O. BOX 29909, KAMPALA
TEL: 0414 534453; 530181
EMAIL: nape@nape.or.ug
napeuganda@yahoo.com
WEBSITE: www.nape.or.ug
PLOT NO.7138
ENTEBBE ROAD – ZANA
KAMPALA – UGANDA

10.10.2011

The Management Director
BIDCO, Jinja

RE: David Kureeba

This letter serves to introduce to you Mr. Kureeba David who is an employee of National Association of Professional Environmentalists (NAPE). He is doing research on how the project is helping the various categories of farmers (i.e. small holders, settled out growers and spontaneous out growers), and also how far the project has gone in improving the social economic status of Kalangala district.

Any assistance rendered to him to enable him accomplish the task will be highly appreciated.

Sincerely,


Frank Muramuzi
Executive Director

Received by
Shamechi. Federal
Bidco Uganda limited
Tel 0434/24200