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**A submission from Food Rights Alliance in response to a call for inputs on Violence and the right to food.**

**Background**

Food Rights Alliance (FRA) is a coalition of over 40 members comprised of local and international NGOs working on issues of agriculture, food and nutrition security at household, community and national level. FRA contributes to democracy and good governance through upholding the key tenets of participatory democracy; inclusiveness, responsiveness, consciousness, mutual accountability, collective action and participation in decision making. The Alliance organizes civil society into issue focused influencing groupings and enhances collective planning, knowledge and information sharing and collective action.

**1. Please describe the nature and degree of violence prevailent in different parts of a food system in your country or community based:**

Despite the progressive legal regime, there are high incidences of small-scale and mass forced evictions orchestrated by the government, corporations and individuals for development purposes. Unlawful land evictions are not a new occurrence in the Uganda as it dates back to 2008. These includes the unlawful eviction of 178 Indigenous Benet families from Mount Elgon in Eastern Uganda (<https://www.amnesty.org/en/wpcontent/uploads/2021/11/AFR5941382021ENGLISH.pdf> ).

Further, in March 2018, more than 5,000 families were rendered homeless after forceful eviction in Kiryandongo and Kitwanga sub counties by two private companies Agilis Partners Ltd and Kiryadongo Sugar **(UHRC, Annual Report, 2019).** In 2018, communities in Lusanja in wakiso district where evicted. The forced eviction was conducted by a private owner on Private Mailo Block 206, Plot 671, (measuring about 9.6 acres) along Mpererwe-Kiteezi Road. Estimated number of 6000 indigenous communities in Kijayo village, Kikube district where evicted and left homeless **(Albertine Watch Dog, 2019).** In 2014, 26 square miles of land occupied by over 10,000 family farmers was given to a popular pastor to expand his rice farm in Mubende district; 11,600 hecatres of Buyaga Central Forest Area benefiting more than 10,000 family farmers were grabbed by private individuals; in 2002 2,524 heactares occupied by 4,000 coffee family farmers were grabbed by a German company to grow coffee.

https://www.fian.org/files/files/HR\_violations\_in\_the\_context\_of\_Kaweri\_Coffee\_Plantation\_in\_Mubende.pdf

Amidst the land evictions, are brutality since the evictions are done by the UPDF or Police officers, destruction of property (crops), acts of rape, intimidation and illegal arrests. This gross violation of human rights impacts extreme fear among the affected communities and greatly disrupted their livelihood which constitute agricultural production, trade, and consumption.

**In some instances, evictees have sued government however, their efforts have been frustrated. For example** In August 2002, Evictees of Mubende sued the Government of Uganda and Kaweri Coffee Plantation Ltd. (Civil Suit No. 179 of 2002) at Nakawa High Court (Kampala). The case was delayed at the High Court for eleven years. After this drawn-out period the judge ruled in favour of the evictees on 28 March 2013. In August 2015 the Court of Appeals set aside the High Court ruling and in 2016 the Kampala High Court gave the case a new number (2563/2016). However, since then to date, the case has not been completed settled, though some evictees have reached settlement while others have passed on without seeing justices.

https://www.fian.org/files/files/HR\_violations\_in\_the\_context\_of\_Kaweri\_Coffee\_Plantation\_in\_Mubende.pdf

**2. Please also provide examples of laws, policies, or campaigns that have successfully prevented or reduced violence in a food system, held perpetrators accountable, or provided reparation.**

Following Uganda’s ratification of the international legal frameworks which recognize property rights, Uganda has domesticated provisions in her laws though there has been week implementation of these laws. Therefore, all attempts made to prevent Land eviction in Uganda have not completely prevented the violations, though yielded some kind of reductions in the illegal eviction cases since they lay down some of the procedures to be undertaken before evictions.

The 1995 Constitution of the Republic of Uganda under Article 26 provides for the right to property and prohibits compulsory acquisition of land from individuals by government, unless done in accordance with a law which provides for prompt payment of fair and adequate compensation, prior to the taking of the property and gives a right of access to a court of law by any person aggrieved.

The Land Acquisition Act 1965 further provides the procedure for compulsory acquisition of land for public purposes.

The Land Act 1998 as amended under Section 27 provides for protection for the lawful and bonafide occupants and further under section 92 imposes punishment unlawful evictions of the lawful and bonafide occupants.

Uganda adopted The National Action Plan on Business and Human Rights (NAPBHR) **2020/2021-2024-2025 following** the recommendations under the Universal Periodic Review[[1]](#footnote-1) to strengthen the State duty to protect human rights, enhance the corporate responsibility to respect human rights, and ensure access to remedy for victims of human rights violations and abuses.

https://www.ohchr.org/sites/default/files/Documents/Issues/Business/NationalPlans/uganda\_approved-national-action-plan-on-business-and-human-rights\_august-2021.pdf

Presidential directive on illegal land evictions passed on 11th March to curb eviction, passed procedures for evictions and imposed penalties on district officials who do not follow the guideline.

https://www.mediacentre.go.ug/sites/default/files/media/President%27s%20Dirtective%20on%20illegal%20eviction.pdf

Directives of the Minister of Lands Housing and Urban Development passed on the 16th March 2020 following evictions during lockdown to mitigate wrongful evictions of vulnerable people during the lockdown.

https://www.independent.co.ug/govt-halts-land-evictions-during-covid-19-lockdown/

Initiative by government to cancel some of the illegal titles, e.g. the land titles which had been issued to Pastor Samuel Kakande for the 26 square miles of land he acquired in Mubende District. The cancelation is in response to Mubende District Land Board secretary who admitted that the process of giving away land to Pastor Kakande was marred by gross irregularities.

https://www.monitor.co.ug/uganda/news/national/government-cancels-pastor-kakande-s-mubende-land-titles-1757648

**3. Please indicate and describe what population groups and peoples are targets of this violence?**

The population groups that have suffered the land eviction violence has been mostly the family farmers in both rural and urban areas. There are 250 million family farmers of which 60% are women (FAO, 2018) and these are the most affected by land evictions. In Uganda, 70% of 48 million people derive their livelihoods from land. Land also comprises 60% of the total assets of a household, contributes 43% of the gross domestic product and 85% of the total export earnings.

1. See United Nations Human Rights Council ‘Report of the Working Group on the Universal Periodic Review; Uganda’ (27 December 2016), UN Doc A/HRC/34/10. [↑](#footnote-ref-1)