

Citizens Voices and Stories of Change



Citizens Voice for Economic Rights and Development

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Preface

The Citizens' Voice for Economic Rights and Development (CiVoRiDe) project was implemented in the districts of Arua, Nebbi and Koboko by CEGED and RICE West Nile with support from VOICE programme through Oxfam Novib. It had three results areas of intervention i.e. 1. Amplifying voices of youth and women groups on the operations of government entrepreneurship funds -Youth Livelihood Programme (YLP) and Uganda Women Entrepreneurship Programme (UWEP), 2. Enhancing governance and management of land-tenure and resolution of land-conflicts of rural women led producer groups, and 3. Providing spaces for women market vendors associations to engage with duty bearers on business operating environment.

The stories of change in this newsletter show an intricate connection between the social and cultural dynamics of land use within families, functioning of local markets and trade amidst a growing but poor population especially as result of refugee influx, and the effectiveness of government entrepreneurship fund programmes to the youth and women as one of the way to address high unemployment in the three districts.

Given the changing economic and social landscape of West Nile from a war affected area to now a new hub of cross border trade to South Sudan and one of the biggest host community of refugees from the Democratic Republic of Congo, stories from this project show how communities are embracing this new role and their level of involvement in most local economic activities. For instance, there is increased production of cash crops including tobacco, cassava, fruits and vegetables in the area which mainly determine how land is used and by whom. The pressure on land that is communally owned has also caused land conflicts that have strained local elders entrusted to resolve them. The expansion of local markets as well as growing need for vendors to get involved in managing them has also demonstrated the existence of opportunities that can lead to better markets conditions, influencing development of new and better market infrastructure and access routes, as well as increase in local revenue generation.

Fortunately, the wide spread challenges that affected government entrepreneurship funds led to changes in the guidelines, better management of the fund programme and new approaches towards fund recovery. The new guidelines now allow a more flexibility and innovative approach towards enterprise selection and management and since majority of enterprises supported are in agricultural produce buying and selling, the youth might play a great role in creating markets for farmer produce as well as creating employment for themselves.

I therefore encourage you to read these stories of change and share any feedback. CEGED welcomes your views and opinions because it is what enables us consolidate and focus our future interventions in building a strong and vibrant base for economic growth and good governance in West Nile. I also take this opportunity to thank TeCID for compiling these stories of change.

Vincent Katungye

Team Leader, Centre for Governance and Economic Development



Abiria Juliet and Sarah Aikofezuyo- Market Vendors (Onions, Potatoes, Avocado) in Kampala market

KAMPALA MARKET: EXPERIENCES AND BENEFITS OF VENDORS' INFLUENCE IN LOBBYING FOR BETTER MARKET CONDITIONS

Kampala market is one unusual market that you would expect to find in Uganda's capital city-Kampala, but it isn't the case because this one is located at the border between Uganda and the Republic of Congo in Arua district, Logiri sub-county. According to Mr. Atiku David, the Assistant Agricultural Officer in Logiri sub-county, the origin of the name dates back to 2003 when the market was small. However, until now, the name still carries one common factor – the vibrancy of the market and competitive trade behavior between the communities on the two sides of the border.

The market has since expanded into one that serves the whole of Arua and other districts like Koboko, Pakwach, Yumbe and Moyo. It is operational on Thursdays -mornings only- and Sundays from morning to evening. According to Juliet Abiria one of the women vendors in the market, on any market day there are about 15 to 20 trucks loading merchandise mainly foodstuff like avocados, Onions, cabbages, Irish potatoes, bananas, tomatoes and many others as well as livestock all destined to different places including some areas in Congo.

Because of the rapid growth of the market, there are now more vendors and traders but

with facilities and services improving at a lesser pace and sometimes not at all. This mismatch is what prompted CEGED to work with the vendors in Kampala market in order to ensure that they are able to influence contractors that manage the market as well as local government officials to provide more or better services and infrastructure within and outside the market.

While working with women vendor groups – that are normally organized around particular enterprise or business interest like savings and loans- CEGED was able to build the capacity of the vendors to understand their role and rights in the market.

Vendors influence for better services

Ms. Sarah Aikofezuyo, another market vendor says that during the first meeting that was organized by CEGED for women vendors, they made a tour of the market to assess the challenges that vendors were facing and ranked them according to priority. High on the list was the bad sanitation situation of the market that needed urgent attention. This included the need to replace an old latrine with a new one, better management of garbage in the market, provision of sheds for women vendors that sell produce in

the open space under a lot of heat from the sun and addressing high market dues.

During the market tour, CEGED and the women vendors invited the Local Council III Chairman, officials from Logiri sub-county and a representative of the contractor managing the market. This marked the beginning of critical process that led to regular interactions between the vendors and local government officials as well as the market management contractor to ensure that the challenges identified are addressed.

According to Mr. Ronald DralekuNguma -a member of Amica United Market Vendors which currently manages the market- he says that most of the challenges faced by the market vendors have been addressed in the last two financial years and only a few are being handled at the moment. For instance, the local government was able to build a new latrine for the market which is now functional.

Garbage is also being managed well with the introduction of rubbish collection baskets in different parts of the markets as well as collecting

it from the central place to a dumping ground a few kilometers away from the market.

The market dues have also been reduced to a reasonable and manageable level by vendors. Vendors use to pay UGX 8,000 to 10,000 for every sack of Irish potato brought into the market, but that rate has since changed to UGX 3,000 to 4,000 for a sack while a basin moved from not less than UGX 1,000 to now UGX 300 to 500.

Benefits to the Vendors and market contractors

The expansion of the market and improvement in the market services there is a better trading environment in Kampala market and better incomes to farmers within Logiri sub-county and neighboring areas. As Ms. Abiria Juliet, a vendor in onions, sweet potatoes and avocado, says, “when the charges were too high, most vendors would not realize any profits and they abandoned the market. But since the market dues went down, most of those who left have come back to the market and selling their produce with good profits.” She further says that these



Old Latrine

benefits have been realized because currently the market is being managed by Amica United Market Vendors which is an association of fellow vendors that have a better understanding of the market, interests of fellow vendors and desire to enable the market grow unlike previous private contractors whose main interest was to extort as much as money as possible.

Mr. Ronald Araleku further confirms this point when he says, “Apart from collecting market dues, we ensure that the market is kept clean and we would like every vendor to belong or be linked to our association so that they are able to benefit directly from a well-managed market”.

Other than benefits within the market, most vendors who also double as farmers especially when they are not in the market on the two days, have benefited from having quick markets for their crops or livestock. They have also been able to buy directly from their fellow farmers in the neighboring villages or sub-counties since most of what they grow is less than what they need to sell in the market. Some vendors buy produce or livestock from women or youth village farming

groups where they are members which make them a link between the groups and the market. Ms. Abiria Juliet confirms that a vendor who is also a member of a village farming group understands the market dynamics so well and offers a better price compared to middle “men”. Sometimes she sells her merchandise in the evening markets with her village or neighboring sub-counties after attending to her garden in the morning.

Ms. Sarah Aikofezuyo also testifies that over the last two years, her sales in the market as a result of better market conditions and increased produce from her farm has led to her annual net income grow from are a range of UGX 500,000 – 600,000 to more than 1 million shillings currently.

For Ms. Juliet Abira, most times the profits are used to clear her children’s school fees and therefore it is hard to know the actual level of growth in her profits since she operates on a needs basis. However, she testifies that in the past, it was difficult for her to raise fees for the three children at once. But now she doesn’t struggle anymore and pays on time because money is easily available unlikely before.





Hon. Muki Francis Mawell-Sectary finance,
Adiru Margaret-Vice Chairperson Vendors
Association, BayoMuki Peter-Member
Vendors Association

THERE IS NEED TO REGULATE MARKET MANAGEMENT CONTRACTORS IN SETTING MARKET FEES

In the quest of raising local income to meet the increasing expenditure in delivering essential services to the people, local governments consider local markets as one of the main sources of this revenue. Every financial year they set targets i.e. reserve rate for monthly collections from each market and kick start the process of procuring services of a contractor to collect the market fees. The process of securing the right contractor is competitive and usually the best bidder that is likely to raise the projected target and probably more will be considered.

Members of Mambira group vendors' association in Keri Market, Koboko district feel the process of setting reserve rate for monthly collection from the market contractor needs to be revisited by government and instead standard rates on every type of produce are set and known to all market vendors. For instance vendors need to know how much a basin of dry cassava will be charged in every market instead of leaving it to the contractor to decide.

Ms. Adiru Margaret, the vice chairperson of the Association says that, private contractors are only mindful of meeting the monthly target and in most cases all they do is overcharge market dues from vendors. Currently the reserve rate

for Keri market is at 2.8 Uganda shillings but someone will quote a monthly collection rate of 3.6 million shillings because they want to win the bid without a clear assessment to establish of the rate quoted can be realized without disrupting the businesses in the market. The current contractor IPE Rocks Ltd owned by Mr. Aruma William was collecting 3.2 million shillings last financial year but to-date it is collecting 3.6 million shillings.

She further says that some contractors always want to raise market fees in order to realize the target quoted but this drives out vendors from the market who eventually start creating parallel markets on the road side in order to avoid high fees. It is better to have affordable fees which also attract more vendors in the market and eventually more fees are collected because of more vendors in the market and not high fees.

With support from CEGED, the association members have been lobbying local government officials especially Hon. Muki Francis Mawell who is the sectary for finance at the sub-county and the contractor to provide better services and a clean market environment alongside low market dues and some progress has been realized to-date.

Last financial year the contractor used to charge 17,000 Uganda shillings for a single lock-up but it has since reduced to 15,000 shillings. A basin of dry cassava and that of groundnuts used to be charged UGX 1,500 but the fee was reduced to UGX 1,000. A basin of beans used to be charged UGX 3,000 but it is now UGX 1,500. However like other markets the general sanitation in Keri markets is still low especially management of rubbish pit and garbage collection, clean latrines in the market, security lights at night and storage space.

A more structured interaction between the vendors, local government and the contractor has only happened twice in year and this isn't sufficient according to the members. The aspect of effective lobbying is also new to the vendors despite the fact that they are clear on what needs to change. This is why having a new latrine took so long to construct as well as commission for use. Instead of having proper garbage collection containers, the local government only provided wheelbarrows in different places of the market

and they get so full so fast. No shade for the vendors has been constructed as much as the local government keeps promising that funds have been provided in the budget. The new lockups for eating spaces have not been provided and the general hygiene standards are still in a wanting state.

Mr. BayoMuki Peter who is a member of the association still believes that as the group grows more vibrant with time, they will be able to influence government more. Currently the association is less than two years old, and the earlier objective was to increase members' savings and loan opportunities. One of the strategies that Mambira group vendors' association intends to use is to recruit smaller but more vibrant groups so that it can increase its financial base. Some of the targeted groups for recruitment include Kurubar Women Association, Keri Salon and others that have been formed to benefit from government programmes like Youth Livelihoods Programme (YLP) and Uganda Women Entrepreneurship Programme (UWEP).





PERSPECTIVE FROM NEBBI'S POLITICAL LEADERSHIP ON MARKET VENDORS DEMANDS AND ABILITIES.

By Hon. Alworanga Charity, Deputy Mayor, Nebbi Municipal Council

CEGED has helped market vendors understand how they can influence government and private contractor to deliver the essential services in the markets since they deserve better as tax payers.

There was a time I moved with CEGED staff and a few leaders of the Nebbi market inspecting and interacting with vendors row to row. The vendors were able to share with us problems they face in the market. Some of the critical issues that come through included; security, over charging of market dues, rubbish and latrine management, and general health in the market.

I also remember that CEGED organized a training for them on how they can present and follow-up their problems with the relevant authorities. The last of such trainings was on the local government procurement process and how market vendors can compete in the bidding process and manage the market themselves.

Managing a market is not an easy task and it requires a lot but it would be desirable if the vendors managed it themselves because it reduces on the current challenges that exist between them and the contractor because of

unmet expectations. Therefore, the vendors need to get prepared to meet some terms like payment of monthly target collection fees of 11m per month which would mean that they deposit three months target totaling to 33 million shillings ahead of tax collection.

In this case, they need to save money to raise the required reserve amount that is required by the council. Otherwise they will not be able to run the market or even bid competitively. At the moment, I feel they might not be able to meet these conditions but if their capacity is built overtime, they might be able to participate in the bidding processes. They have the willingness and desire to ensure the market conditions are better and CEGED has done a lot to change their mindset which is great.

Most times the market vendors have challenges with contractors who overcharge them. But of late there has been improvement and the double charging of market dues has reduced. Unfortunately, sometimes vendors' demands are unrealistic and they need to be educated on what is possible and what is not. For instance they is a time when the demanded for use of latrines to

be free of charge but our policies can't not allow that. They even demanded to construct their own toilets so that they are not charged and yet these toilets also serve the general public.

Vendors need to understand that if they are to access and use clean toilets, someone has to be paid to keep them in a clean condition on a daily basis. On the other hand, some people who come to the markets and use these facilities didn't contribute to their construction and that is why they need to pay some money whenever they use them.

When this issue was raised, I advised the vendors that they needed to deal with the real problem i.e. poor services of the toilets. They can also bid to manage the toilet themselves and put in place affordable user fees but the option of building their own toilets is not feasible.

They have also complained that sometimes their merchandise gets lost in the market and therefore they need more security personnel as well as stores that are more reliable. The municipal council has few security guards who can be deployed to the market and therefore it will not be possible to recruit and deploy more at the moment but we can provide more security lights.

In future we need to work as a team with the vendors and have more open communication channels. It is important for them to let us know where we are failing or not doing so well so that we improve. We also need to work closely with the technical staff so that collectively we deliver services to the people that elected us in office including the vendors and those that come to the markets.

At a political level, we have discussed their concerns but because most of us have been in office only for six months now, vendors need to be patient with some of their demands. We inherited some challenges that we had to deal with before we can handle new ones. So the budget we have been using since we came into office is that of the previous team. We hope to include some of the costs related to improvement of the markets in coming budgets starting with one for the Financial Year 2019/20.

Sometimes government procurement procedures also take long and it would be unfair to promise vendors that we shall work on these issues within one month or quarter. It might take time but we shall attend to the issue raised slowly. We have already prioritized construction of shelters in our next financial year even though they won't be as per the most desirable standards.

The vendors also wanted us to convert some of the small rooms located at the four entrances of Nebbi market into stores but these spaces are so small and using them as stores will cause more quarrels among the them. Secondly, these spaces are currently being used by the market contractor as offices and fee collection points. Converting them into stores will disrupt collection of market dues.

We know that the number of vendors has grown over the years and there are now over 1,000 in Nebbi town market alone. The population that uses the market has also increased. So, most demands from the vendors would require overhauling the structure of the current market instead of making small adjustments here and there and yet at the end of the day we shall still have similar problems arising. We therefore need a new market where we can accommodate all these vendors with better facilities. With a big market and more vendors in it, we can collect a lot more revenue and also be in position to offer better services.

The market vendors also need to be encouraged to attend our council meetings because we always announce on radio when they will take place. They need to know that they are free to come in and make their contributions or even listen to what their leaders are deliberating on or whatever budget is being passed. Is it in their favor or not? But in most of our sessions, no citizen comes to attend. Sometimes even the local council representatives don't attend and yet they participate in collecting views and priorities on the budget at lower levels. It is therefore important that the market vendors or their leaders do attend our meetings once in a while. They need to know what is going on if they are to engage us in a more productive way and CEGED can support them here.



USING A TAX CONCEPT AS A GOVERNANCE TOOL IN SEEKING ACCOUNTABILITY

Mr. Henry Acadribo, the CiVoRiDe project manager says that majority of market vendors are women and therefore the market environment needs to be friendly to them and their businesses. He says most markets in West Nile have more than 80 percent of market vendors as women and they contribute a proportionately high share of taxes in form of market dues. They also have the highest number of market associations, high level of savings portfolio within these associations and probably more potential for influencing duty bearers to provide better market facilities and services like toilets, water, garbage collection as well as setting of low rates of market dues.

CEGED worked with 18 women market vendors association in the districts of Arua, Koboko and Nebbi to cause change. The entry point was linking the concept of taxes as a governance tool to influence delivery of services in the market. Henry says, the use of simple approach like letting every individual relate the 1,000 shillings she pays as taxes daily and how much of it translates into monthly or annual collection and this compared to what services will have been rendered within the same period by the contractors or local government. This way, the women are able to relate to what is due to them as tax payers and therefore demand the same from responsibility authorities.

This concept is what was used in the CiVoRiDe project and it enabled women ask the right questions not only once but all the time the tax collector came for his dues and when government officials came to inspect the market. The response varies from market to market and from leader to leader but what is common in all situations is that the vendors have continued to seek accountability for the taxes they pay, says Henry.

In Kampala market found in Logiri sub-county, Arua district, the women vendors were more concerned about garbage that wasn't being collected from the market. They too complained about not accessing clean drinking water as well as clean toilets. A new toilet was later constructed but it wasn't in use because the officials wanted first commission. The vendors had to complain about the continued use of the old toilet which was risking their lives. Later the local government officials had to allow vendors use the toilet but at a fee of 300 Uganda shillings. However, some vendors found this fee very high and prohibitive and opted to use the nearby bush as an alternative. The fee was later lowered to 100 shillings

In Kubara market, vendors were also concerned about poor garbage collection and lack of shades for some vendors that sell their produce in the

open spaces. Henry says that one day the vendors invited the Chairman Local Council III, Logiri sub-county for a meeting which was held in an open space near a hip of garbage in the market. The meeting didn't last more than five meetings because the chairman couldn't stand the heat, was sweating profusely and was choked by the awful smell coming from the garbage hip near. In their closing remarks, vendors informed the chairman that whatever situation he couldn't stand for five minutes is what women vendors go through the whole day as they sell their produce and yet they pay market dues whenever asked to do so. Other vendors that have their meal in the same place face hygiene risks and related diseases. Since then, the chairman committed to construction of shades in the market.

In Koboko main market, vendors realized that the municipality management committee used to hold quarterly meetings without full

involvement of the vendors. The meetings would only attended by the contractors and therefore vendors' perspectives weren't not captured. When they lobbied the town clerk, he accepted to have their representatives on board in subsequent meetings.

Unlike in a few markets in West Nile where market vendors associations are strong with a clear leadership structure most of the associations are not well organized to have a clear representation in policy processes through their leaders. Most of them are also founded on the principle of mobilizing and managing vendors' savings and lending operations and not so mindful of how they can use the same structures to influence contractors and government officials for better services in the market. CEGED intervention therefore enabled most of the weak associations have elaborate structures of leadership so that they are able to voice out their concerns.

EXPERIENCES OF AKANGA YOUTH ANIMAL TRACTION GROUP IN ACCESSING YOUTH LIVELIHOOD PROGRAMME FUNDS



When the government of Uganda introduced the Youth Livelihoods Programme (YLP) in 2013 targeting the poor and unemployed youth, 15 members in Atego, Nebbi district organized themselves under the Akanga Youth Animal Traction group to benefit from the programme. In 2014 they received 2.5 million shillings with the intention of having a vibrant animal traction enterprise in their village since they felt that this was the kind of service needed by the local farmers.

Once they received the money 50,000 shillings was paid to the sub-county accountant as a claim for his transport to the bank. The group further purchased 2 bulls at 1,580,000 and the balance was meant to buy the ox-plough, castrate the bulls and later train them on traction process. With an expected minimum income of 300,000 to 400,000 in a week, their dream of getting out of poverty was visibly close.

Unfortunately the morning after turned out to be the beginning of their long and daunting journey with the Youth Livelihood Programme. The two bulls had been stolen at night and there was no hope of using the little balance to replace them and continue with the project.

In order not to risk the funds further, the group immediately deposited 850,000 shillings back onto

HOW GROUP DYNAMICS AFFECTED PERFORMANCE OF YOUTH LIVELIHOOD PROGRAMMES



Ofataru Stella Barbara , Community Development Officer
Logiri sub-county

Ms. Stella Barbara Ofataru is a Community Development Officer in Logiri sub-county and she shares her experiences on how group dynamics affected the performance of Youth Livelihood Programme (YLP). She believes that the YLP is a fairly good programme with objectives that could allow the youth get out of poverty if they use the funds very well and repay on time so that other groups get same opportunity to start up new enterprises. In the last two years, she has seen recovery rates for most loans improve. There has also been improvements in the guidelines for the programme by the ministry of Gender, with relatively a high level of flexibility to enable new applicants overcome challenges that faced those during the pioneer stage

Some of the changes in the guidelines include; the minimum number of members in a particular group being lowered from 10 to now 5 members, funds being remitted directly to the group account, switching to a new enterprise if members feel it will be more beneficial and they communicate about the changes to the focal person and CDO, ensuring that process of assessing applications is faster, relaxing

the YLP recovery account. One member narrates further that the group started incurring extra costs from personal savings in order to recover the two stolen bulls. They made a radio announcement which costed them 25,000 shillings, spent 25,000 on transport and another 200,000 was paid to a witchdoctor who promised cast a spell on the thieves.

Day after day, their hopes of ever finding the two bulls dwindled and they started getting desperate. They went to the witchdoctor for a refund on to realize that he had also fled the village. At the same time the Community Development Officer (CDO) kept on visiting them to review the performance of their enterprise as well as enforce repayment of monthly commitments on the loan.

When the recovery wasn't forthcoming, most members started hiding from the CDO in fear of being arrested whenever they got to know that he was coming. Some of them moved to other villages while others had to find employment in faraway places.

When CEGED intervened and tried to sensitize them about dialoguing with the relevant YLP staff on a coming up with more feasible repayment plan they didn't trust them. Most of them thought

the requirement that all members come from same village but can now be drawn from same parish, and increasing the operational budget from 10% to 20%.

These changes will therefore lead to efficient ways of managing the funds, supporting and monitoring youth groups and building their capacity to overcome any challenges during execution of their enterprises. On the side of the applicants the new groups are likely to have fewer members, preferably those that have worked together and with high opportunity to resolve any disputes among members.

Ms. Stella Ofataru says that most of the groups in her sub-county of Logiri, ventured into buying and selling of agriculture produce. Out of the 13 groups the success levels differs a lot and this is highly dependent on the group dynamics experienced from the time of application. For instance, in the course of implementing the project, some members get married and get preoccupied with the new situation. Others go back to schools, while others fall out with fellow members and therefore many

this was a trap to hand them over to the police for failing to make the repayments. Fortunately, some level of trust was established and dialogue on the available repayment options started with CDOs.

Members agreed to share the burden of repayment equally both for the principal and interest which computed at 170,000 each and the average amount that had been paid was to be deducted. Since some of them used to get income from petty casual employment or farming, the CDO and YLP focal person allowed each member to pay whenever he or she sell some of their produce like onions, tomatoes e.t.c

Despite this commitment and sense of relief from being arrested, only one member Ms. Patricia Ayiorwotch has since cleared her allocated obligation of the loan. The rest haven't prioritized the repayment within their little income from produce sale or are reluctant to pay their loan obligation.

Those with the latter mindset share the belief that the YLP funds were a "gift" from the politicians who they voted into power and there is no need to repay any money and government should instead clear off any outstanding balance.

groups tend to disintegrate before end of the project. A few members that stay take up full responsibility of using and repaying group funds.

CEGED was instrumental in identifying challenges facing the YLP but according to Henry Acadribo the CiVoRiDe project manager these very proposals were first rejected by the officials from the Ministry of Gender. He further says that, it was until similar pressures and complaints about the impediments of some guidelines started coming from other areas like Gulu and within local governments that the ministry decided to consider making some adjustments.

To-date, YLP projects that received funds have registered varying degrees of success. For instance, Mr. Acadribo noted that the Oli group from Arua municipality received 12 million shillings and bought three motor cycles for the bodaboda business have since fully repaid their loan. On the contrary, other areas have faced very low loan recovery rates and in financial year of 2016-17 the Koboko Youth Livelihood programme was suspended because of the same reasons.

HOW FAIR ARE COMMUNITY ELDERS IN RESOLVING LAND MATTERS



Manzinda Raima - Ovanyako Women's group which is a savings group

When I got married, my husband's family had three brothers and the total area of land available for use for all of them was small and equivalent to 4 acres. At the time, my two brothers' in-law were not married and we therefore used much of the land with my husband. Later one of them got married and my husband being the elder he gave him one acre to use with his wife. After two years, he decided to marry another woman and at that moment he asked for another acre of land so that the second wife can use it. But my husband didn't give it to him because he had reserved it for his other brother and we continued using it with my husband.

During the first season of the year, I planted cassava and beans and when the crops were about 1 month old my brother in-law with the two wives cut them down. That is when a land conflict started and he claimed that the land belonged to his father and therefore he shouldn't be denied the right to use it.

I reported the matter to Local Council I to help us resolve the problem but I lost the case to my brother in-law. I then requested my brother in-law to compensate me for the crops he destroyed especially the money I used to clear the land and planting. Unfortunately those who mediated

couldn't not head to my request and I lost this claim as well and I felt more frustrated.

When CEGED and RICE trained us about land disputes and possible ways of resolving them, one of which was using the elders I decided to appeal my case to the elders. They visited the place and came up with new boundaries for all the brothers. Those that were married i.e. my husband and brother in-law with two wives received about 1 ½ acres and the remaining part was reserved for the younger sibling until he gets married.

Since then, I use my husband's portion and I am at peace with the elders' decision that was made. However, I had to deal with the insults from my husband's relatives especially his uncles and some clan members who felt that as a woman, I had no right to complain about land. But the sensitization by CEGED and RICE about women's rights to land helped a lot and since then I have encouraged my fellow women in our group not to keep quiet whenever they a land dispute regardless of who they are likely to face. My husband was supportive as well and that is how I managed to make an appeal to the elders.

I also came to realize that elders have a wealth of knowledge about land ownership and boundaries for respective clan members. Even when one goes to government officials to resolve any land dispute, they still contact elders to get to true information about the land before a ruling is made. So, alternative mediation process other than done by elders turns out to be expensive. For instance the local council I will demand a lot of money from the complainant in form of sitting allowance in the range of 30,000 and 40,000 shillings. But the elders will not demand for any allowance other than you giving them a token of appreciation that you can afford.

The Local Council courts also delay in resolving cases because it is in their interest to keep getting allowance whenever they have the case at hand. Sometimes they even ask how much you can afford to pay for the case and in case you don't have any money they will keep postponing your days and prolong the mediation and in most cases a complainant who can't afford to pay them will give up on the case with time. But

the elders aren't costly and they are willing to handle the land dispute fast enough. If the elders fail then one can always contemplate going to court although I would be against the idea.

There are two friends of mine in our group who had similar land disputes like me. They too handled them through the elders as advised by CEGED and RICE. A similar procedure was used by the elders and their issues were resolved amicably.

One of the women had a land problem dispute with husband who wanted to reallocate her land to another wife he had just married and yet this particular piece of land wasn't inherited by husband but had been jointly bought. He was even planning to construct a new house for the new wife on this land and the old wife had to complain. When the old wife complained, the husband tried to chase her from home but she reported the matter to the local council for mediation. At the time I wasn't presented but when I returned, I advised her to report the matter to the elders so that it is handled fast enough. When the elders handled the matter the land was given back to the elder wife.

Since the mediation by the elders, we are now in harmony with my brother in-law and we even eat from the same dish as a sign of peace which wasn't the case before. I use my land and I have grown maize and cassava for home consumption and partly for sale. During one planting season, I earn 200,000 to 300,000 while the rest of the produce is reserved for food.

I used part of my savings from the land to buy a commercial plot within Kubala trading centre at 2 million shillings. Initially I paid 750,000 as a deposit and later started paying the balance in small installments and I have one more year to complete all the payment. I plan to build a house for renting as well as use it for other businesses. I also grow variety of crops like maize, cassava, groundnuts and beans which I sell and pay for land. Every day I run a small business in a trading centre where I sell tea with snacks.

HOW CULTURAL NORMS ON LAND USE HAS AFFECTED REALIZATION OF ECONOMIC RIGHTS IN WEST NILE



Ms. Drateru Natalia, Secretary for Production, Marketing and Natural Resources, Arua district

The CiVoRiDE project intervention in West Nile presents an interesting scenario in partly understanding how the linkage between culture, land use and markets play a role in promoting entrepreneurship and local economic development. Firstly, one of the foundations for Youth Livelihood Programme (YLP) is that the youth, including those in West Nile, will be innovative enough and put to use available resources to gain from available market opportunities. Secondly, almost more than 90% YLP applications were enterprises about producing or buying and selling agricultural products. This is because most youth that applied for the funds had an agrarian background or found such enterprises easy to run for lack of

skills in other areas. Thirdly, earlier government interventions that aimed at boosting agricultural productivity, increasing vibrancy of local markets and probably new export opportunities for goods to Congo and South Sudan were seen as catalysts in ensuring that the connection of land, production, enterprise development and markets is complete. Ms. Drateru Natalia, Secretary for Production, Marketing and Natural Resources, Arua district, says that YLP was therefore seen as one of the missing link that would ensure that the youth who are majority of the workforce, are included and active in the local economy and would be able to influence policy and governance processes because they have a stake and interest.

However, Ms. Natalia is quick to add that West Nile is unique part of the country majorly because of its customary land tenure system and cultural norms that have potential to lower the level of productivity. She says that the communal ownership of land limits its use for commercial purposes while cultural practices and norms also hinder women to fully utilize their production potential and yet they provide much of the labour on the land.

According to Ms. Drateru Natalia, West Nile and Arua in particular experiences many conflicts around land use. At household level, most conflicts between men and women are not about who uses the land but who manages income from the produce sold on the market. She estimates that 70% of household income that comes from the sale agricultural produce is managed by the men but even the decision of how 30% is to be used by the women requires a man's authorization.

On average, a household will have access to 3-4 acres of land both for food and cash crops. But there are areas like upper Madi where families have access to relative more land i.e. about 5-10 acres. In this area especially in Madokoro county they mainly produce simsim for both commercial and food security purposes. There are also other areas where tobacco is the main cash crop and women are involved in clearing the land, weeding, harvesting i.e. plucking the leaves, ferrying them to the curing area, sorting and even storing. The man sells the tobacco and it is upon him to bring or disclose how much income was earned from the sale.

Ms. Natalia says that when a married woman identify a particular portion of the family land and grows crops for sale, most men will have a problem with this because it means the woman has intentions to control the income. This mentality stems from the fact that customary tenure system allows elders or a father to pass on land to his sons who use it with their wives and children. This is why most men have sense of ownership because they control income from what is produced on the land. That is why when a woman starts controlling proceeds from the sale of farm products, the man feels he has lost some reasonable control and probably ownership of the land and he is likely to accuse the woman of

harboring ill intentions of "taking his land".

Unfortunately, traditional cultures for most communities in Uganda and West Nile in particular, don't allow girls to inherit land from their parents because they expect them to use what their husbands will have inherited when they get married. This norm assumes that every woman should get married to a man who has ever inherited land and in most cases this land should be big enough for her family needs and sons to inherit when they grow old. The same practice is also based on the assumption that the son is likely to stay on his father's ancestral land when he grows up into a man and wouldn't migrate to any new area.

Mr. Henry Acadribo, CEGED project manager thinks that times have changed a lot and because of increasing pressure on the land due to high population growth, these cultural norms don't seem to make sense anymore. The divorce rates have also gone up and women bear the brunt of divorce more than men since they lose access to the land where they were married and yet when they return to their parents' home, there will be at the mercy of any of their brothers to allow them use part of their land to grow food crops.

Women with children from different fathers or husbands end up hiring land to farm in case they have the money because most of them bear the burden of looking after their children from earlier marriages. Those who move into marriages find it harder because they aren't allowed to earn from land in their current marriage.

Ms. Drateru Natalia therefore thinks that CEGED and RICE should continue sensitizing people especially elders about cultural norms that are more of a challenge in the current era and limit the ability of women to realize their economic rights. Women should have a right to inherit and own land because several of them are bread winners in families. It is the women who mainly care for and work on the land and therefore if given an opportunity to use it more effectively, they will greatly contribute to producing more of cash and food crops

CUSTOMARY VS COURT SYSTEM: WHICH ONE PROTECTS LAND RIGHTS OF THE POOR AND VULNERABLE WOMEN

Commonly known by her nickname “Maama Dranya”, Ms. Penina Nakabugo, a widow to the late Alfred Lodore and now 70 years old tells a story of how her neighbor from the Pipija clan instigated a land grabbing scheme on her late husband’s land. She says, the scheme started when the neighbor purportedly bought her land from a son of her brother-in-law without involving her, her children, any clan leader or even a local council official. She later came to know about the land sale when she started constructing a new house in the said land and raised the matter with the clan elders who invited the neighbor to have the dispute resolved. Unfortunately, the neighbor ignored the elders’ summons and instead opted to go to court over the matter.

Ms. Penina Nakabugo is a Muganda from Masaka, one of the districts in central Uganda, who got married on 11th Sept, 1973 to her late husband Alfred Lodore from Kakwa community, Bura Clan in Koboko district. Before her husband’s death in 2006, they lived in harmony with her neighbors and the community at large.

She narrates that in 1970 her husband approached his father that he was ready marry and he allocated him about 1 ½ acres of land where he constructed a house that became their home after marriage. Sadly after 34 years of living with her husband, he died in 2006. At the time of her husband’s death, one of the neighbors had land where he had constructed a small store for his tools and merchandise since the area was growing into a small trading centre. Unfortunately, the neighbor died and the son took over the place.

Ms. Penina Nakabugo says that after her husband’s death she immediately started having conflict with the late neighbor’s son when he encroached on the corridor space between their land which was used as a boundary. Little did she know that the “new neighbor” would later hatch a plan to grab her land through irregular means.



Genesis of the matter

In 2006 Ms. Penina Nakabugo started constructing a new house and the neighbor sent policemen to arrest her builders for trespass. She says that “*If we hadn’t constructed the foundation I wouldn’t know that there is dispute on the land*”. The neighbor claimed that he bought the land from Amure Latib, a son to one of her brother-in-law Mr. John Pia. She reported the matter to the elders who summoned the neighbor but he opted not to attend any of the meetings that were organize to resolve the dispute.

A few years later, Amure Latib was arrested by police on unclear charges and Ms. Penina Nakabugo says that she was informed that Latib had been coerced into signing an agreement in exchange for his freedom from the police cells. Shortly after, a civil suit was instituted against Amure Latib, John Pia and Angilo Iduro and in March 2014 the court found them not lawful owners of the land, trespassers and a court injunction was issued restraining them from interfering with the plaintiff’s peaceful ownership, use and possession of the land.



Land under dispute

Penina's right as a widow

Under the customary land system, entitlements to land are associated with family relationship rather than a legal code to exclude people. That is why upon marriage, a woman who left her clan or her father's home, is entitled to use her husband's land that was passed on to him. In the event that the husband dies, the widow must decide whether she is to remain within her husband's clan or return to her father where she might be allocated some land in case it is still available. A widow also has a right to become the head of the household upon the death of her husband where she takes over the responsibility to manage the land allocated to her and that allocated to her male children when they become adult and get married.

According to one elder Mr. Todoko Kara Kasim, when a woman loses her husband and decides to stay and look after the children the way Penina did, she becomes the new owner or custodian of her husband's land in the context of the Kakwa culture. He further confirms that, it was wrong for her in-laws to have signed off the sale of land without her consent and that is why that transaction was irregular. Probably this is why

the neighbor realized that he wouldn't win this case if it was to be handled by the elders and decided to use courts in Arua.

Conflicting conflict resolution mechanisms

In northern Uganda most of the land is under customary land tenure system and the clan or elders' structure continue to play an important role in resolving land conflicts. Similarly, courts of law have jurisdiction over some conflicts but the two systems are guided by different mechanisms. Mr. Henry Acadribo, the manager of CiVoRiDE project says that the decision for anyone to use clan or court system in resolving land conflict highly depends on several factors but the major ones are costs involved in each of them and the belief that some level of fairness will be achieved.

Majority of the people in Koboko and northern Uganda in general, use the clan/elder structure to resolve land disputes and that is why for over a long time elders have played a major role in this process. Mr. Henry Acadribo says that during one of the project induction meetings, several elders had reservations on the success of the project

because of two main reasons. Firstly, the project was promoting active participation of women in land disputes which the elders believe would fuel divorce and family misunderstanding and secondly, they still hold a strong belief that land dispute settlement is a preserve of the elders and not an issue for non-government organizations to work on.

CEGED innovative approach in dealing with elders' concerns

Despite the elders' opinions challenging the role of CEGED in being an active player to support resolution of land conflicts, some innovative approaches were used to change elders' mindset regarding women rights on access to the land. First, CEGED used the story group approach where women share their understanding of land matters among themselves i.e. the nature of land conflicts, who is most affected and what they need to do if they get into conflict e.t.c. The second approach was using the information from the story group approach to map out the most influential elders on land matters, while the third approach was organizing public debates about issues raised by women groups. The debates were organized within communities and attended by influential elders, relevant local government officials and local council officials from the sub-county courts. The debates would also be broadcast on radio live and those not attending were given an opportunity to call in and share their views on what is being discussed.

It is through this process that Ms. Penina Nakabugo's case was picked up, discussed and relevant officials committed to intervene into the matter. For instance, on 12th March 2018, the Local Council II chairperson for Auga parish wrote a letter confirming that Ms. Penina Nakabugo the widow to Mr. Alfred Lodere was the true owner of the land under conflict. On 13th November 2018, the District Chairperson, Koboko district, Mr. Hassan Said Nginya wrote a letter to the Chairperson of Dranya Sub-county, the family of late Lodore of Bura Clan, the family of Amule Samuel Pipija clan and the local council I chairperson asking them to seek a more harmonious solution to the conflict despite the fact that court had made a ruling

on the matter. According to Mr. Hassan Said Nginya, Penina's neighbor had won the legal case, but implementing the court ruling became difficult because of continued resentment from the elders and neighbors who felt that his actions undermined elders' role in the conflict.

Finding a harmonious settlement

In 2018, Penina's neighbor approached Mr. Isaac Toroco, the area local council chairperson and the sub-county community development officer to convince Penina and her family refund costs that he incurred on the court case which was to a tune of 8,329,000 Uganda shillings. According to Mr. Todoko Kara Kasim, a member of the elders committee, he didn't find it reasonable for the widow to pay this amount of money as court costs because he feels the whole process was "fraudulent" in nature. He feels that negotiations between the two parties should have happened before going into a costly court process. The elders were not even witnesses as much as they approached the local council 5 chairman on several occasions to intervene before they were chased away.

Ms. Penina Nakabugo says that she feels sad that she wasn't even summoned to court early enough to state her case clearly but instead her neighbor opted to use the police and other methods of coercion and intimidation to have an upper hand in court case. She clearly remembers one day when 7 cars full of policemen, army officials and a magistrate came to her place and they only opted to talk to her sister-in-law.

As a peace loving person, Penina says she has since paid 4 million shillings of the costs and waiting for an opportunity to sell part of her other land to pay the balance. She is not sure if she will ever get the money to clear the balance but wonders why she has to sell her land in order to regain another piece of her land that she honestly owns. To her, this is a sad state of affairs where someone manipulates the court process to extort money from a poor widow when the law is supposed to protect her.

STAKEHOLDERS' TESTIMONIES



Mr. Ezama Nelson,

Koboko District Youth Livelihood Program focal person

Unlike before, the Youth Livelihood Programme (YLP) has changed for the better because of the interventions by CEGED. Firstly, CEGED was able to provide a platform to the youth so that they voice out their concerns in relation to the challenges they faced in the businesses and ability to repay the loans during the first phase of YLP. Secondly, the platforms had officials that were responsive to the concerns raised and this allowed the youth to trust them. For instance, the Northern Regional Coordinator Mr. Amule Julius was able to forward issues raised during the platforms to the relevant ministry i.e. Ministry of Gender, Labor and Social Development. Thirdly, the ministry responded by relaxing some of the prohibitive conditions in the first YLP guidelines like lowering the average group number from 15 to a manageable level of 10, increasing the operational budget line from 10% to 20%, increasing the area where group members can be picked i.e. from a village to a parish, funding existing youth groups instead of those formed in the name of poor youths and so many other changes.

The first phase of YLP had a lot of constraints that stifled progress of the YLP and smooth operationalization of youth enterprises. But since the intervention of CEGED and responsiveness by Ministry of Gender, Labour and social Development, weekly recovery of funds in Koboko district has grown from as low as 2,000 to now 10-12 million shillings. To-date the district has recovered and transferred over 150 million shillings into the recovery account. All this is attributed to dialogue that was created between the youth and officials monitoring utilization of YLP funds unlike before where the recovery approach was harsh. Police would arrest defaulters and lock them up, while other youths would be on the run and few were able to concentrate on growing their business to pay back the loans. Now the number of youth demanding for YLP is overwhelming.



Paula Ayerango,

Tangana village, Adolo parish, Ndhew sub-county, Nebbi district

When my husband sold all the land where we used to grow our food, I tried use part of my father's land since it was in the neighborhood. But my brothers would always chase me away and sometimes with pangas because of the entrenched belief that women don't own land. I kept trying but they continued being hostile to me and I was forced to hire land where I would grow food for my family.

I belonged to a village women's group known as Canyabiyo women group that had been formed to support women empowerment in Adolo parish. Fortunately, when RICE was implementing the CiVoRiDe project, my group was selected in Ndhew sub-county where we were trained about land rights. This is how I got to know more about the rights of women regarding use and ownership of land. At another moment, I also attended a radio debate that was organized in Tangana Trading Centre on land rights. During the debate I was fortunate to meet some

RICE officials again and a one lawyer whose name I recall was Bawua Ahmed. He was very knowledgeable on land matters because I remember when I asked him a question about my situation, he was able to answer it well and even referred to a particular part of the law that related to women's right to property.

Luckily my brothers and some elders attended the same debate and were able to hear from these people who were more knowledgeable about land. With his response and the knowledge I had gained from the trainings earlier conducted by RICE, I decided to take my case to the elders who invited my bothers so that my long-time grievance of not being able to use part of my father's land can be handled.

The mediation went on well and I was allowed to use some of my father's land to grow food for my family. I feel justice was realized at last even though it came in late since I am now 72 years of age. But am happy that this matter was resolved and I am able to live in harmony with my bothers again but most importantly enjoy my right to land like any of my bothers that had been denied because I am a woman. I hope other families in my village can learn from my case and no woman should be denied her right to land anymore. Thanks to CEGED and RICE.

