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LAND GRABBING AND ITS EFFECTS ON THE COMMUNITIES IN THE OIL RICH ALBERTINE REGION OF UGANDA

The Case of Hoima, Buliisa and Amuru

SUBMITTED TO IS ACADEMY

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Acronyms

ALC	Area Land Committee
CDO	Community Development Officer
DLB	District Land Board
HIV/AIDS	Human Immuno Deficiency Virus/Acquired Immuno Deficiency Syndrome
KI	Key Informant
LC	Local Council
LRA	Lords Resistance Army
NOGP	National Oil and Gas Policy
PSA	Production Sharing Agreements
ULA	Uganda Land Alliance
ULC	Uganda Land Commission

Executive Summary

This report is in relation to a study on the Land Tenure and Livelihood Issues in the Albertine Graben Region. The study was carried out in three districts of Amuru Buliisa and Hoima. The study specifically focused on tenorial arrangements and land transactions in the region. The ultimate outcome of this study will be drawing of policy issues for policy engagement and dialogue towards a comprehensive policy direction to land governance in the Albertine Graben. The study was guided by three key questions namely; how oil exploration has impacted on land tenure and livelihoods in the Albertine Graben, what are the characteristics of the new land acquisitions in the Albertine Graben, and what are the business practices of the oil exploration companies and the Government and how they relate with communities.

The study utilized three main methods of data collection including household surveys, key informant interviews, records review and Narratives. The household survey covered a total of 300 households in five sub-counties in the three study districts. Key Informant Interviews following a semi structured questionnaire were conducted for; LC 1 officials, Sub County chiefs, Chairperson Area land committee Chairperson District Land Boards and Resident District Commissioner.

Findings

Settlement Patterns and Land Tenure

Information collected during the survey on settlement patterns of the respondents suggests that there is a substantial rate of inward migration (47%). On the whole customary land holding pervades all the three districts although most prominent in Amuru district. The means of acquisition expectedly showed a related pattern with inheritance of land being the commonest means of land acquisition at 41% followed by land purchase at 35%.

Land Transactions

The level of land transactions among respondents was very low with up to 11% of them attesting to having been involved in a land transaction in the preceding two years. Information extracted from the District Land Boards shows an increasing trend in conversion of land from customary tenure to formal tenures-leasehold and more recently freehold.

The number of applications for sub-divisions and transfers of land suggests low level transactions over registered. This coupled with the level of applications for conversions and applications suggests that most transactions are on unregistered land which is increasingly being converted to freehold.

Land Related Problems

The most common land related problems mentioned include among others; land grabbing and encroachment (42%), increased land disputes apparently due to oil discovery (27%), and land

fragmentation (21%). The leading causes of land related problems include corruption among the land administrators (21%), population growth (18%) and absence of clear boundaries (14%).

Relationship between Communities and Oil Exploration Companies/Government

Responses from the local leaders in Buliisa and Hoima districts indicate that the community relates with the companies through a liaison officer (Community Development Officer) for Tullow Oil directly as well as through local leaders. Some leaders viewed the relationship as being unclear and largely adhoc without clear communication channels. Leaders in Amuru district indicated absence of a relationship (direct or otherwise) between the prospecting companies and the communities.

Level of Knowledge about Land and Oil Related Laws

The respondents exhibited very little knowledge of laws on both land and oil with 40% and 67% attesting to knowing nothing about the respective laws. The level of knowledge among the local leaders on the same also appears to be low.

Impact of Oil Exploration on the Communities

It is clear that the impact of oil exploration in the study areas is dependent on stage. Oil exploration process in areas of Bunyoro (Buliisa and Hoima) is more advanced nearing oil production while the process is at prospecting stage in Amuru. In Buliisa and Hoima districts, there has been remarkable improvement in public infrastructure and social services undertaken by central and local government, as well as by the oil companies themselves, in support of oil-prospecting activities or as part of their social corporate responsibility. The same cannot be said of Amuru district where oil exploration is still at infant stage.

On the social front, oil discovery has been associated with increase in land disputes in all the three districts. Furthermore, in ward migration into the area particularly in Buliisa and Hoima has led to increase in prostitution and crime.

Conclusions and Recommendations

In general terms the level of transparency so far demonstrated particularly by government suggests that the sector is on a different course from that suggested by the National Oil and Gas Policy. The extent to which government functionaries go to protect information concerning oil activities is alarming even at district level. Furthermore, the leaked PSAs suggest that there will be no maximization of benefits for Uganda as a country. While there are many forces advocating for greater share from oil revenue accruing to local governments, the share of land owners appears to be disappearing from the discourse.

Pressure on government to increase transparency and later on accountability should be sustained. Also, the issue of sharing royalties –including share accruable to land owners- and the mode of land acquisition should not be lost in the discourse over oil. The debate ought to be stretched to include the important aspects of terms of use of land for oil related activities, disruption of livelihoods such as access to natural resources.

Information on land transactions including transfers, conversions and dealings over unregistered land at the district and sub-county (Area Land Committee) ought to be accessible to the general public for scrutiny.

The government and the companies are largely organized yet the community members on the other side are not. It is therefore important that community members in the oil exploration areas are organized in a group in order to pool resources for common voice and ultimately negotiation.

1 Introduction

This report is in relation to a study on the tenure and livelihood issues in the Albertine Graben Region¹. The study was carried out in three districts of Amuru Buliisa and Hoima. In the 1930's the Albertine Graben region was considered an attractive oil prospecting region given the natural oil seepage in the area. British Petroleum Companies explored the area and in 1938 the first well was drilled. Later, production was suspended as a result of World War II. The current estimates of the region's oil (around 1 to 1.5 billion barrels or bbl of recoverable reserves) put Uganda among potential leading African oil producers and among the world's top 50 (International Alert: 2009).

Article 244 of the Constitution of the Republic of Uganda 1995 puts oil and other minerals under the protection of the Government and provides for benefit sharing between the community, the local government and the individual owner of such land. The study was premised on the notion that oil discovery in the region has brought about unprecedented interest in land in the region as people rush to position themselves for potential benefits from the oil either directly or indirectly. There have been reports of increase in land titling in the region as well as land conflicts particularly in Buliisa². The oil has pitted the elite and resource rich individuals, companies and government on the one hand against the poor uninformed citizens of the region on the other.

The Production Sharing Agreements (PSAs) signed between the government of Uganda and the prospecting companies (Tullow oil, Dominion Oil, Heritage Oil) have remained a closely guarded secret by both the Ugandan Government and the oil companies. The Civil Society Coalition for Oil in Uganda³ obtained draft copies which on further enquiry were likely to be the same as the signed PSAs. None of these contracts have to date been made public by either the government or the oil companies. This has created a lot of suspicion and mistrust from various segments of society.

1.1 Background to the Study

For Uganda Land Alliance, an organization working for the protection of the rights of the poor and vulnerable, land has a multidimensional character – land is of economic, social, political, cultural, and environmental meaning and importance. It is our view that the

¹ The Albertine Graben in the Western part of Uganda consists of the nine districts of Hoima, Masindi Buliisa, Fort portal, Kasese, Bundibujjo, Kanungu, Nebbi and Amuru.

² Bagungu – Balaalo Clashes

³ The civil society coalition on oil (CSCO) is a network of twenty civil society entities both at national and district level hosted by the Advocates coalition on environment and Development (ACODE) a national NGO working on Environmental governance in Uganda. ULA is part of this network. The CSCO is making significant contribution in improving petroleum accountability, good governance, awareness, policy advocacy and knowledge on best practices of promoting maximum benefits to the people of Uganda from the development of its petroleum resources

multidimensional significance of land for people can only be taken seriously through the lens of a “human rights approach⁴”- it starts from the recognition of especially the most vulnerable humans – that is, the “women, peasants, family farmers, indigenous peoples, communities of artisanal fisherfolk, pastoralists, and landless peoples who are “rights-holders” with respect to land.

With the lack of knowledge in the public domain on the oil exploration in Uganda, the focus of the Civil Society Coalition on oil in Uganda has mainly been geared towards raising awareness on the existence of the PSAs and to foster transparency in the oil deals. Underlying these deals is a population that is facing enormous pressure from the elite and wealthy to relinquish their rights to land. Although this has been reported in various meetings and workshops, no evidences have accrued as to the volume of these acquisitions, who is buying out, what are the terms of the land sales and whether the people understand and are getting fair compensation for their land value.

Furthermore, to date, it is uncertain whether the PSA’s contain benefit sharing agreements with the land owners as a benefit which would not only accrue to the land owner but to the community. The human face to oil in Uganda seems to have disappeared and simply remained on paper under the constitutional provision.

Whereas small holder farmers utilize small pieces of land to meet their basic needs including food, shelter, health and clothing, commercial farmers and land speculators utilize large acreages of land with the sole aim of accumulating wealth for the individuals or corporate entities owning the investment. As a result, commercial farming initiatives and land speculating for the case of the Albertine Graben always address profit maximizing opportunities irrespective of the cost to either the environment or the communities in which the oil exploration is taking place.

This study initially set out to investigate land grabbing in the Albertine Graben region but the scope was widened to include tenure and livelihood issues for three main reasons. First is that a study on land grabbing was adjudged to be repulsive to the local leaders who are not only the entry point into the community but are also witnesses in many land transactions⁵ and would thus be an impediment to accessing the communities. Second was that land grabbing was embodied in actions that reallocate rights to land including ownership, access, transfer which are also elements of tenure. Third was to do with the need to go beyond land grabbing and look at the impact of the land takes on livelihoods.

⁴ In a human rights-based approach, human rights determine the relationship between individuals and groups with valid claims (rights holders) and State and non-state actors with correlative obligations (duty-bearers). It identifies rights-holders and their entitlements and corresponding duty-bearers and their obligations, and works towards strengthening the capacities of rights-holders to make their claims, and of duty-bearers to meet their obligations (UNDP 2004).

⁵ The title in its original form carried with it the potential of being accusatory to local leaders among other groups/individuals.

It was decided that the study investigates the effect of oil prospecting and discovery on land tenure and livelihoods in the region with deliberate efforts being made to unearth issues related to land grabbing. The study specifically focused on tenurial arrangements and land transactions in the region. The ultimate outcome of this study will be drawing of policy issues for policy engagement and dialogue towards a comprehensive policy direction to land governance in the Albertine Graben. The study was guided by three key questions indicated below⁶:

1. How has oil exploration impacted on land tenure and livelihoods in the Albertine Graben?
2. What are the characteristics of the new land acquisitions in the Albertine Graben?
3. What are the business practices of the oil exploration companies and the Government and how they relate with communities?

1.2 Conceptual framework

As already indicated, the gist of this study was to investigate the impact of oil discovery on land tenure and livelihood issues in the region. Livelihood in this context is stretched to encompass wealth and assets. The conceptual framework for this study is rooted in World Development report 2004 where a case for putting a human face to development by ensuring that part of the benefits from the resources accrue to the communities near to these resources. It is argued that globalization exerts pressure on natural resources as foreigners move in with their capital to extract the resources. The extractive industries established usually have both direct (also immediate) and indirect (also differed) impacts on the livelihoods of communities around the resources. Directly, eviction from land or restriction of access to areas depended upon for livelihoods and the related disenfranchisement may negatively impact on livelihoods. Indirect effects may include destruction of the environment which further reduces the productivity of agriculture. Indirectly also, speculation over land leads to increase in land prices, land grabbing and tension over land with the potential of flaring into conflicts as has been seen in Buliisa district.

This study draws from Anthony Bebbington's propositions on a framework for analyzing peasant viability, rural livelihoods and poverty (1999) with the objective of maximizing benefits. He sets minimum needs that the framework needs to address including: the diverse assets that the rural people draw on in building livelihoods; the way in which people are able to access, defend and sustain these assets; and the abilities of people to transform those assets into income, dignity, power and sustainability-or otherwise; higher consumption levels, better living conditions, ability to defend assets effectively and build

⁶ See annex I for the sub-questions for each of the key questions

an asset base that continually allows transformations. He further suggests two levels at which livelihoods and human well being can be conceived; first is at the household level at which four forms of capital-natural, produced⁷, human, social and cultural-that make livelihood strategies possible and give people capability and the outputs that make livelihoods meaningful. The second level is on the engagement of the household with the market, state and civil society and the implications of these engagements for the distribution and transformation of assets. The later requires that there is information to enable the individual/household evaluate and choose the benefit maximizing option.

The centrality of land as an asset to both livelihoods and national efforts for transformation in Uganda is clear. Land is viewed as the both produced capital- acquired-whose productivity is greatly dependent on natural capital. The discovery of oil introduces new actors and relationships that can potentially impact on the capacity of households to transform land as an asset into livelihoods and wellbeing improving strategies occurring at different levels. From the view point of maximizing benefits at individual/household level, opportunities and how they can be ceased for the betterment of the individual is very important (Opt Cit.). With oil discovery, the scope of benefits in relation to land includes among other things⁸ increase in the value of land which is also the incentive for speculators and share of royalties accruable to land owners. The eligibility of a land owner for royalties emanate from the recognition of the right of ownership. The transfer of ownership of land below the 'real value' or by use of unlawful means dampens the benefits accruing to the household. Restriction of access without reparations has the same impact on benefits accruing to individuals/households.

1.3 Structure of the Report

This report comprises six chapters including the introduction which addresses the issue of potential effects of oil discovery in land tenure and livelihoods in the Albertine Graben, the objectives as well as the conceptual framework. The following section attempts to contextualize land ownership and eligibility for benefit sharing by tracing the history of land tenure in the relevant regions (Bunyoro and Acholi) and Uganda in general, the legal framework in which benefit sharing will take place as well as experiences from elsewhere on benefit sharing. Chapter three presents the methodology of the study and sets out the methods of selection of respondents, data capture, scope of coverage and limitations. Chapter four presents the findings of the study while in chapter five the conclusions are drawn and recommendations presented.

⁷ Land can have both natural and produced capital aspects

⁸ Including improvement in infrastructure, creation of market for produce, bringing services closer to the community which are not the primary focus of this study

2 Context:

This section focuses on the context of oil exploration in the study areas. The context of oil exploration in these three districts like all the other oil exploration areas in the country has been shaped by the historical perspectives of land tenure from the colonial era and the internal conditions of the districts - economy and social fabric. The superimposition of sharing benefits from oil on to this context is dependent on the legal framework in which rights to land and resources are defined. The proceeding sub-sections expound on these notions.

2.1 Historical Perspectives of Tenure in Bunyoro and Acholi

The three districts covered under the study fall in two historical socio-political regions of Bunyoro (Hoima and Buliisa) and Acholi (Amuru). Colonial legacy and other random events have greatly shaped land tenure in these two regions and Uganda alike. Bunyoro Kitara under the rule of Omukama Kabalega went to war with the British and her arch rival Buganda. At the end of the war in which the British emerged victorious, large chunks of Bunyoro land were given to Buganda, and smaller chunks to the Tooro Kingdom, leaving Bunyoro greatly impoverished. The annexations of land were entrenched in the 1900 Buganda agreement in where indigenous Banyoro become squatters on their own land, an event that up to today makes land matters especially sensitive in the region. Later, the Bunyoro agreement 1933 put all land in Bunyoro under the Governor (Section 25) but recognized the right of natives to use land and were required to have a certificate of occupancy over the land (Section 27). Forests and minerals were also put under the jurisdiction of the Governor although the natives were granted rights to access salt deposits at Kigorobyia (Sections 28-31). The governor reserved the right to alienate any land in the territories of Bunyoro for forests, roads, townships or any other public purpose (Section 26). There was also a declaration that there would be no further proclamation of forests in Bunyoro (section 32) which was in response to the wide spread view that most of the viable land had been gazetted leaving less productive land for the natives.

All land in northern Uganda and Acholi under which Amuru district falls was since the 1900 Uganda Agreement crown land except for freeholds issued to individuals by colonial government under the Crown Land Ordinance (1903). Customary user and occupiers were tenants at will of the state and were entitled to compensation in event of alienation of land to freehold or leasehold.

At independence, the Uganda Land Commission was established to hold the residual interest and manage land formerly held by the crown. The 1969 public lands act for the first time recognized customary occupiers of land and their right to compensation and consent alienation. The land reform decree (1975) that followed the 1972 degazettement

by Amin⁹ government put all land under the ULC except land in urban areas and that which had already been alienated. The protection accorded to customary occupiers by preceding legislations was scrapped¹⁰. The 1995 constitution recognizes customary tenure as one of the four tenures¹¹ under which land is held in Uganda and accords the right to timely and fair compensation in the event of land expropriation for public use. The Land Act (1998) as amended provides for the conversion of customary tenure to freehold.

This history appears to have created variations of land rights across geographic areas of Uganda. However, in the case of Acholi and Bunyoro, three issues stand out. One is the wide spread of customary tenure and communal claim and access to territorial domains including resources. Second is the pre-dominance of leasehold as compared to Buganda, Ankole and Tooro. Third is the sparse population that leaves large tracks on land uninhabited which creates the opportunity for intruders and other opportunists¹² to grab land. In Acholi region, this situation has been exacerbated by the protracted 20 year LRA rebellion that resulted in displacement of about 1.8 million people who only started returning home after the Juba Peace process (2006 – 2008).

2.2 Profile of Study Districts

2.2.1 Buliisa

Buliisa district formerly a county was carved out of Masindi district in 2006 and borders Lake Albert an area that has been found to be rich in oil deposits. The district comprises six sub-counties and a town council which is the main urban center. Agriculture and livestock production are the main economic activities. Fishing is another major economic activity, particularly in the areas bordering Lake Albert. Buliisa falls within exploration block two that was licensed to Hardman Resources and Energy Africa (now Tullow Oil) in 2002 (International Alert: 2009). The figure below shows the parceling out of exploration blocks in the Albertine Graben region.

2.2.2 Hoima

Hoima district comprises 24 sub counties with Hoima town as the main urban center. According to the 2002 projections, the population of Hoima is 349,204 persons (50.4% males and 49.6% females), with an annual population growth rate of 4.87%. Agriculture is the main economic activity, with 80.2% of the households being actively engaged and cultivating about 1,191 sq km of land. Livestock production is second in economic importance to crop production. Fishing is also an important economic activity,

⁹ Idi Amin – The President of the Republic of Uganda (1971 – 1979)

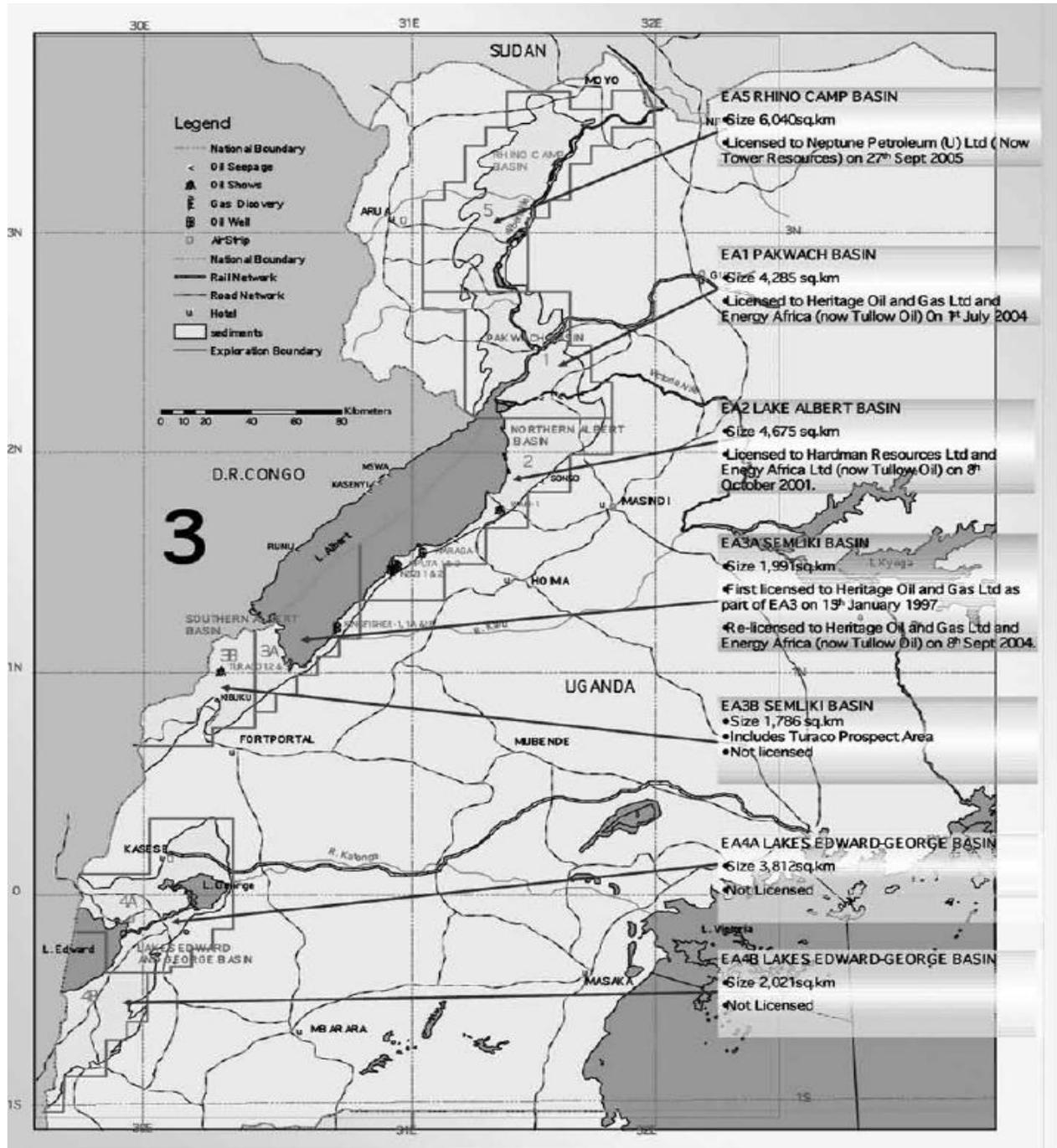
¹⁰ Wildlife Society Uganda 2010

¹¹ Others include Mailo, Freehold and Leasehold

¹² Some of these are members of the community that use their privileged status to alienate portions of land to the detriment of others

particularly on Lake Albert where fishing has greatly influenced the social and economic development of the sub-counties of Kigorobya, Buseruka, Kabwoya, and Kyangwali. Exploration in Hoima district largely falls under bloc two as well.

Figure 2-1: Map showing allocation of exploration blocks in the Albertine Graben



Source: International Alert (2009)

2.2.3 Amuru

Amuru District was established in 2006 having been carved out of Gulu district. By the time of this study, plans were underway to partition the district into two giving birth to Nwoya district. Subsistence agriculture is the backbone of the district economy, employing 98% of the population. Prior to 2006, the insecurity in the district had greatly affected activities in the region with some reports indicating that less than 5% of the area was inhabited and under utilization. The situation is slowly improving with the return of people from camps. Exploration in Amuru district falls under exploration blocks one and five licensed to Hardman resources and Energy Africa (now Tullow Oil) in 2004 and, Neptune Petroleum Uganda Limited (now Tower Resources) in 2005 respectively.

2.3 Legal and Policy Framework for benefit sharing

The focus of this section is on the legal provisions for oil revenue sharing in Uganda. Emphasis here is mainly on private benefits as opposed to community benefits which has attracted relatively greater attention of civil society and academicians.

2.3.1 The National Constitution

The constitution largely provided for the formulation of laws by parliament to regulate the exploitation, sharing of royalties arising from mineral exploitation, payment of indemnities arising out of mineral exploitation, and restoration of mining area lands. The interests of landowners, local and central government should be taken into account as well as protection and preservation of the environment (Article 245).

2.3.2 The Land Act Cap 227

The Land Act Cap 227 provides for the tenure, ownership and management of land and amends and consolidates the law relating to tenure, ownership and management of land and other related or incidental matters. In pursuance of the constitution, the law vests all land in Uganda in the citizens of Uganda and recognizes four land tenure systems under which land is held in Uganda including; customary tenure, freehold, mailo and leasehold tenure. The Act defines the rights and powers of lawful occupants and bonafide occupants¹³. It also places natural lakes, rivers, groundwater, natural ponds, natural streams, wetlands, forest reserves, national parks and any other land reserved for ecological or touristic purposes for the common good of the citizens of Uganda under trust of Government or a local government. In relation to prospecting or ascertaining suitability of land for public works, the act provides a mechanism for entering on land- which may follow mutual agreement between the undertaker or following an order by the minister where no agreement is reached.

¹³ The act provides for the creation of communal land associations in relation to communal and/or customary lands

2.3.3 The Local Government Act, Cap 287

The local government act provides for the creation of sub national governments and devolution of some services, functions and powers from the central government to local government. The sub-national governments are charged with the management of some natural resources such as local forest reserves and wetlands. The Local Governments Act also provides for sharing of government revenue but does not explicitly address the issue of sharing of revenue from natural resources

2.3.4 The Mining Act, 2003

The Mining Act regulates mineral exploration and extraction and vests all ownership of minerals in the country to the Government of Uganda. The Act provides for mineral agreements and prospecting licenses (Part 11). The holders of a mineral dealer's license are, under Section 71, liable for payment of royalties due on any minerals bought, received or exported. The Act under Section 98(2) provides for the sharing of royalties between central government, local governments and owners or lawful occupiers of land subject to mineral rights in the manner specified in the Second Schedule to the Act .Under the Second Schedule, the distribution of the 3 percent royalty is as follows: central government receives 80 percent; local governments receive 17 percent and the owners or lawful occupiers of land subject to mineral rights are entitled to 3 percent. The Mining Act has been singled out as the strongest precedent to the proposed derivation formula for the oil and gas sector in Uganda and indeed share of land owners.

2.3.5 The National Oil and Gas Policy, 2008

The National Oil and Gas Policy (NOGP) recommends the upgrading of existing regulatory framework by putting in place a new law for the administration and management of oil revenues in accordance to the constitution. The NOGP in section 5 emphasizes openness and access to information as fundamental rights given the potential impacts of oil discovery on individuals and communities. The NOGP commits to promote high standards of transparency and accountability in licensing, procurement, exploratory development production operations as well as management of revenues. It promises agreements between land owners and the prospecting/drilling firms to cover compensation for land surface interests as the main means of accessing land for related activities. In recognition of the potential of oil discovery and associated industries including distribution on land, the policy proposes acquisition of land by oil companies and or government. Furthermore, the policy pledges to take into account the interests of communities where oil and gas production is undertaken in sharing of royalties.

2.4 Revenue Sharing: Lessons from Other Countries

There is dearth information about the details of the Production Sharing Agreements between Uganda and the Prospecting companies. This has become part and parcel of the civil society discourse on oil and benefit sharing but has not brought government to bear. In this sub-section, we expound on the petroleum fiscal system¹⁴ components and classification used in some countries. The idea here is that experiences from elsewhere would provide insights to the nature of benefits accruing under the different systems and stages of exploration for purposes of informing recommendations as well as policy in general. In most countries the resources are held by government on behalf of the citizens and the government charges royalties as is the case in Uganda. In the United States, the resource is owned directly by individuals and it is them that charge royalties.

The combination of royalties and tax for each country reflect the resource characteristics, policy objectives and culture. For instance in countries that are net exporters (with attractive resource base and market) tend to have higher royalties while the reverse is true for net importers which have lower royalties to encourage production. Uganda being a net importer of oil at the moment suggests that the royalties and taxes will have to be set low to attract investors. Some fiscal policies apply before discovery of oil or gas including bonuses, and land rental fees- it is these that are largely applicable in the case of Uganda as of now. The majority of fiscal levies including royalties largely apply after production begins¹⁵. Countries such as China, Mexico, Saudi Arabia and Venezuela have national corporations through which the state participates in the industry¹⁶. This appears to be the model on which the proposed National Oil and Gas Corporation is based (NOGP: 2008).

¹⁴ Of which royalties are part

¹⁵ Alberta Royalty Review 2007

¹⁶ In this case the state obtains a share of the corporate profits in addition to royalties and taxes.

3 Methodology

The study was conducted in five sub-counties in three districts of Amuru, Bulisa, and Hoima (Table 3-1). This section presents the approaches to the study:- the sampling criteria, methods of data collection and analysis and the limitations.

3.1 Data Collection Methods

The study utilized three main methods of data collection including household surveys, key informant interviews, records review and Narratives which are discussed in detail in the following sections.

3.1.1 Household survey

The household interviews were carried out using a predesigned questionnaire and largely targeted the head of household or their spouse. Households covered in the study were selected following mixed criteria at different levels. Apart from the districts, two sub-counties per district and two villages per sub county where and around oil had been found or prospecting was going on were selected purposively with the guidance of the local leaders¹⁷..

Twenty five households were selected by way of systematic random sampling from a sampling frame for each village drawn by the study team under the guidance of Local council chair persons. The table below presents a summary of the geographic dispersion of the sample realized.

Table 3-1: Scope of coverage for Household Survey

District	Sub-county	Number of villages	Households covered
Buliisa	Butiaba	2	51
	Kigwera	2	48
Hoima	Buseruka	2	51
	Kabwoya	2	50
Amuru	Amuru	4	100
Total		12	300

3.1.2 Key Informant Interviews

Key Informant Interviews following a semi structured questionnaire were conducted for; LC 1 officials, Sub County chiefs, Chairperson Area land committee Chairperson District and Land Boards¹⁸

¹⁷ District and sub-county officials

¹⁸ Initially the Resident District Commissioners were supposed to be among the Key Informants but this was abandoned after noting that they were using this interaction to impeding data collection in their precincts.

3.1.3 Records Review

Records of the land office and the district land board for five years (2005 to date) were reviewed using a standard data extraction form. The extraction of the information was carried out by the district land officers. This was deliberately done to overcome the sensitivity with which land related records are regarded (See annex III).

3.1.4 Narratives

Narratives of five individuals who owned or at one time used land where oil exploration has been done in the districts of Amuru and Hoima were carried out¹⁹. The discussion during the narrative interview focused on;

- Ownership history of the land
- General uses of the land
- Initial contact with the exploration firms and subsequent interaction
- Details on land transactions with exploration company (nature of arrangement i.e. sale, lease, rent or any other, duration of the lease and amount received
- Arrangements to share revenue from oil between the respondent and exploration companies
- Level of knowledge of the respondent of provisions for oil benefit sharing in the constitution or any other policy.

3.2 Data Analysis

Analysis of data from the household surveys was done using the Statistical Package for Social Sciences (SPSS) while the pattern and trend analysis used qualitative data (Narrative and KIs).

3.3 Limitations of the study

The limitations of the study were largely in relation to data collection at two primary levels. Most importantly was the inability to extract information from the national land registry which would have given an indication of the pattern and trend of land titling and land transactions in the districts. This was due to the fact that clearance to extract this information was not given in time. The timing of the study coincided with election period which makes many officials jittery with fear of giving away information that may damage the government and may be used against the president.

The other limitation related to data collection was interference by the Resident District Commissioners who made it difficult to get accounts of the people who previously used

¹⁹ Collection of narratives in Buliisa was hindered by the intervention of the RDC who halted the data collection exercise

the land where oil related installations have been put. Even where these people were traced, some people declined to be interviewed for fear of reprisal by government agents.

4 FINDINGS

This section presents findings from the different sources of information employed by the study including; the household survey, interviews with key informants, extraction from the district land board and summary of narratives. The social and economic profiles of the respondents during the survey are presented first. Analysis of the information collected during the study revealed stark differences for Amuru compared to the other two study districts of Hoima and Buliisa. This can be largely attributed to the fact that oil exploration was at a relatively early stage in Amuru District.

4.1 Social Profile

A total of 300 respondents participated in the household survey of which 93% (273) were heads of household. Women accounted for 25% (76) of all respondents. On the whole the respondents were of varied ethnic backgrounds with 63% indicating to have migrated into the study areas while 37 were born in the same locales. The mean number of children below 18 years was 5 while that of persons above 60 years was only one.

This investigation found that 90 (62%) of the respondents were aware of the existence of community clubs/groups within their area but 56 (38%) of them were members of at least one such group with a mean membership duration of 4 years. The main activities of these clubs were related to farming, drama imparting knowledge about HIV/AIDS and support for orphans and widows. The table below presents a summary of key social attributes of the respondents by district.

Table 4-1: Attributes of Respondents

		Buliisa	Hoima	Amuru	Overall	
Marital status	Married/cohabiting	74%	85%	83%	240	81%
	Single	5%	6%	4%	15	5%
	Widowed	9%	7%	11%	27	9%
	Divorced/separated	10%	2%	2%	14	5%
Level of Education	None	17%	3%	32%	51	17%
	Primary education	45%	73%	51%	167	57%
	O level	21%	17%	10%	47	16%
	A level	7%	6%		13	4%
	Vocational studies	5%	1%	6%	12	4%
Occupation	Civil servant	5%		1%	6	2%
	Trader	32%	28%		57	20%
	Service sector	10%	5%	6%	20	7%
	Crop husbandry	33%	1%	82%	113	39%
	Animal husbandry	2%	1%		3	1%
	Fishing	11%	60%	11%	80	27%
	Unemployed	5%	1%		6	2%
	Housewife	1%	1%		2	1%

Source: ULA Study 2010

4.2 Economic Profile

Economic aspects in the context of this study, focused on land owned by the households, land use and major sources of income. The 300 households covered use 486 parcels bringing the average number of land holding to two for each household. The average size of the land holdings was 1.35 for the two districts of Buliisa and Hoima. The average land holding by households increased to 10.23 acres when Amuru with an average land holding of 29.91 acres is included. Hoima district recorded the highest land utilization rates with an average of 93% of the main parcel which is may be related to the relatively smaller holdings in the area. The table below presents a summary of selected economic attributes of the households.

Table 4-2: Land size and Utilization rates among Survey Households

	Attribute	Buliisa	Hoima	Amuru	Total
No. of pieces of land owned	Average	2	2	1	2
	Maximum	4	3	4	4
	Median (50%)	2	2	1	1
Parcel size (acres)	Average	1.88	0.84	29.91	10.23
	Maximum	15.00	10.00	200.00	200.00
	Median (50%)	1.00	0.50	15.00	1.00
	Average Level of utilization	81%	93%	71%	82%
Land Use	Cultivation	38%	4%	95%	46%
	Grazing	9%	2%	35%	15%
	Commercial	33%	13%		15%
Major sources of income	Trade in fish	35(37%)	87(88%)	2(2%)	124(42%)
	Trade other	31(33%)	24(24%)	11(11%)	66(22%)
	Sale of produce/ livestock	54(57%)	20(20%)	83(83%)	157(53%)
	Casual labor	7(7%)	2(2%)	21(21%)	30(10%)
	Other	22(23%)	12(12%)	11(11%)	45(15%)

Source: ULA Study 2010

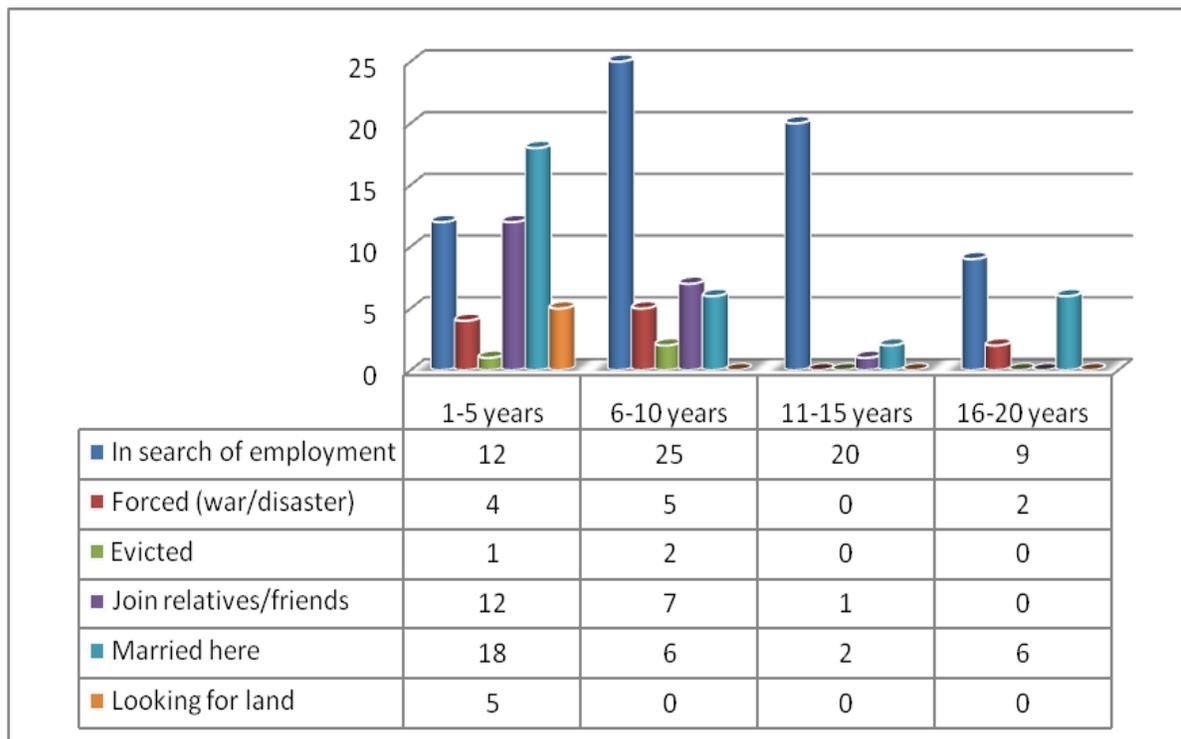
The table above depicts the differences across the oil prospecting areas in three districts; In Butiaba and Kigwera (Buliisa district) and, Buseruka and Kabwoya (Hoima district), oil prospecting and drilling is mainly along the shores of lake albert and therefore fishing and trade in fish is a very important economic activity which partly explains the low prevalence of land base land uses. Agriculture/farming is an important source of income for the communities in Buliisa compared to Hoima where over 80% of the respondents viewed trade in fish as the main source of income. In Amuru sub-county Amuru district, the land holdings are relatively larger, agriculture is the main economic activity in terms of land use, occupation and source of income.

4.3 Settlement patterns and Tenure Arrangements

Information collected during the survey on settlement patterns of the respondents revealed that 53% of the respondents had actually been born in the area. For the 140 migrants, 55 (39%) indicated to have moved into the area over the last five years while 45 (32%) indicated to have moved in between six and ten years.

The respondents were also asked to indicate when they had first used the land on which they were found at the time of the interview. The responses varied across the three districts with 40% of the respondents in Buliisa indicating to have started using the land before 1985, 32% and 63% of the respondents in Hoima and Amuru districts respectively indicated to have started using the land within the last ten years. The migrants were largely from elsewhere in the sub-county (59%) and other districts with in the respective regions (23%). The reasons for migration are depicted in the figure below.

Figure 4-1: Reasons for inward migration



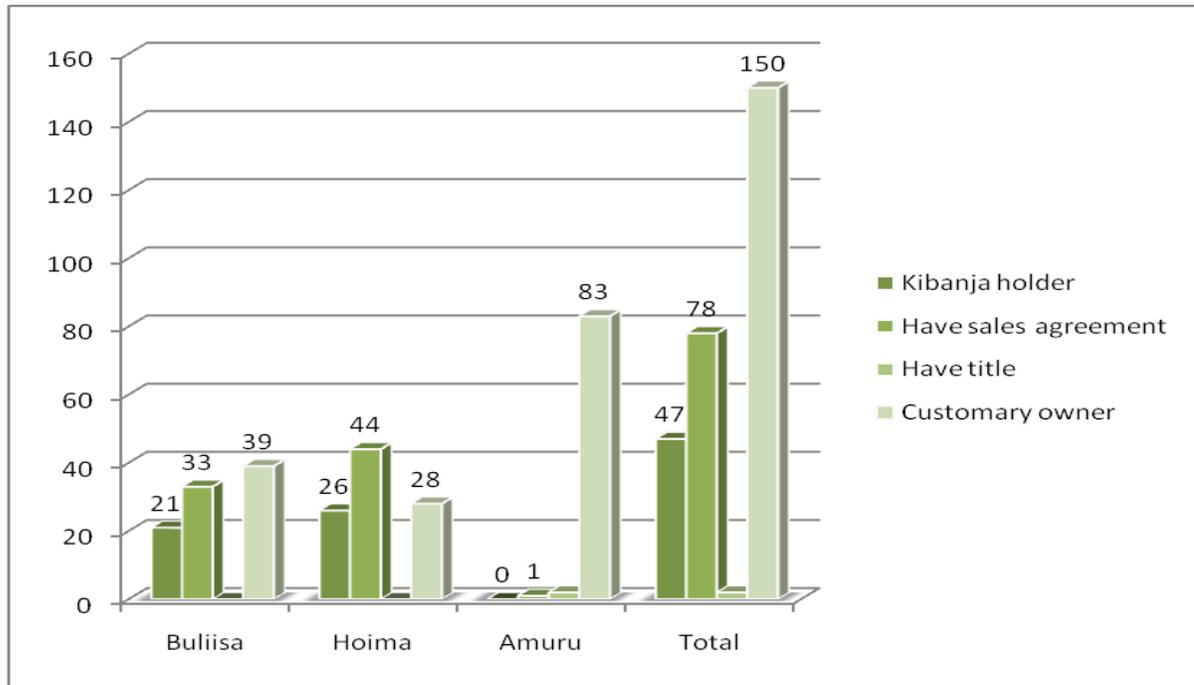
Source: ULA Study 2010

4.4 Land holding and Acquisition

There is often confusion over tenure among the population and therefore the survey applied the term land holding. Land holding refers to how people relate to the land particularly the nature of their claim to the land. The responses from Buliisa and Hoima vary greatly from those from Amuru highlighting the historical differences between the two respective regions. Most of the respondents indicated to be in possession of sales

agreements in Buliisa (35%) and Hoima (44%). A number of respondents indicated to be Kibanja holders as indicated in the figure below. On the whole customary land holding pervades all the three districts although most prominent in Amuru district.

Figure 4-2: Types of land holding



Source: ULA Study 2010

The means of acquisition expectedly showed a related pattern with inheriting land being the commonest means of land acquisition at 41% followed by buying land at 35%. This scenario makes many land holders invisible especially in areas where formal tenure exists alongside informal tenure. Benefits may end up being given to a registered land lord at the expense of holders of secondary rights- Kibanja. The absence of any kind of documentation makes it difficult for the land holders to prove or indicate their ownership when compensation happens.

4.5 Patterns and Trends of Land transactions

The level of land transactions in the study areas was very low with a prevalence of land sales among respondents of only 2% in the preceding two years. The prevalence of buying land was higher at but remains abysmal at 11%.None of the respondents from Amuru district reported to have bought or sold land over this period.

Information was extracted from the records of the district land board to give insights on conversion of tenure particularly to formal tenure namely leasehold and freehold. The table below presents a summary of the operations of the District Land Boards.

Table 4-3: Trend of land transactions at District Land Boards and District Land Offices

	2005	2006	2007	2008			2009			2010			
	H	H	B	H	B	H	A	B	H	A	B	H	A
No. of meetings	11	11	1	11	3	11	1	4	10	1	3	6	4
Av. People attending	5	4	4	5	4	5	7	4	n/a	6	4	n/a	6
Lease application	337	315		118	4	10	78	8	10	8	1	-	262
Freehold application	14	183	1	773	29	1234	1	35	985	15	60	395	26
Lease approvals	285	257		99	3	8	70	6	9	3	1	-	242
Freehold approvals	14	171	1	653	21	928	-	27	913	9	6	341	28
No. sub-division appn	12	17		18		18	n/a	4	27	n/a	2	16	n/a
No. of transfers	20	23		27		20	n/a	4	63	n/a	1	19	n/a

Source: ULA Study 2010

The table above shows an increasing trend in conversion of land to formal tenures- leasehold and more recently freehold- over the years particularly in Hoima. It is important to note that Hoima district is the oldest of the districts and its land administration and management structures have been in place for longer which may explain the difference in level of titling compared to other districts study districts. The table also shows a shift from leasehold to freehold starting in 2007 this follows amendment of (2004) to allow for conversion of customary land into freehold as opposed to leasehold. The number of applications for sub-divisions and transfers of suggests low level transactions over registered land compared to the other transactions. The local leaders were of the view that land transactions over land had increased as well as prices in all the three districts. This coupled with the level of applications for conversions and applications suggests that most transactions are on unregistered land which is increasingly being converted to freehold.

4.6 Land Related Problems and their Causes

The interest in land generated by the discovery of oil in the Albertine region has the potential of exacerbating land disputes and escalating evictions as people move to position themselves for potential benefits. This sub section focuses on the most common problems related to land and their causes with specific focus on land disputes. The most common land related problems mentioned include among others; land grabbing and encroachment (42%), increased land disputes apparently due to oil discovery (27%), and land fragmentation (21%). The leading causes of land related problems include corruption among the land administrators (21%), population growth (18%) and absence of clear boundaries (14%).

The overall prevalence of land disputes among the survey households is 42% with Hoima registering lower levels (19%) compared to over 50% for the other two districts. In 56% of cases neighbours were mentioned as the other disputant.

Table 4-4: Leaders' Views on how to handle ensuing land disputes

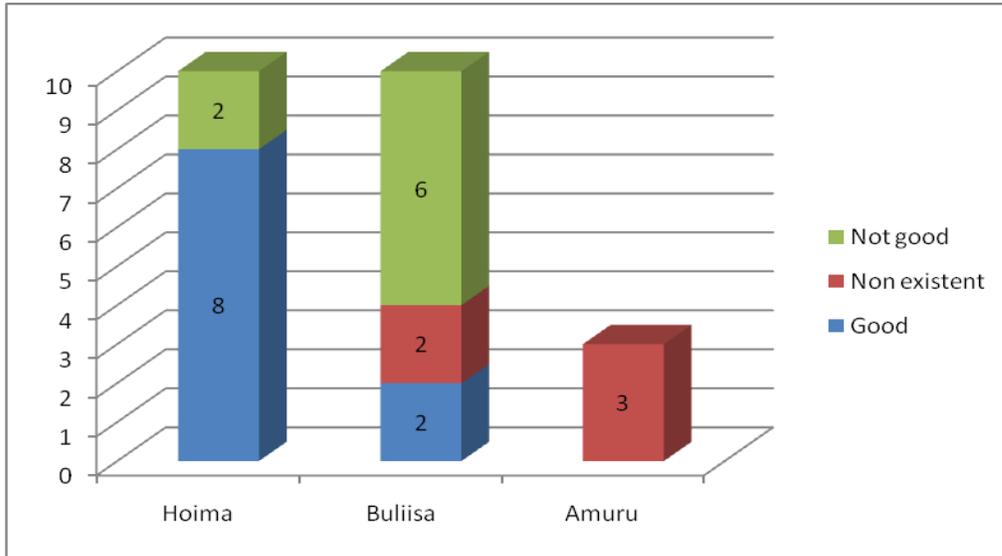
Views on how land disputes ought to be handled	Hoima	Buliisa	Amuru
Mediation should be first step	5	-	-
Demarcation of boundaries	4	3	
The district land board should be careful in its operations	-	1	-
Provide Land information to the community	-	2	1
Land titles issued recently should be checked for authenticity	1	-	-
General sensitization of community members	2	5	1
Strengthening Area land committees	1	4	-
Formalize land owners and oil companies relationship between	-	1	-

Source: ULA Study 2010

4.7 Interactions Between Oil Exploration Companies and Communities

Interaction between oil companies and on the one hand and the community on the other can be viewed from two perspectives; one is communication defined by the frequency of communication, the channels of communication, the object of communication. The other is from transactions which two pronged - accrual of benefits and obligation/roles. The issue of interaction between the oil companies and the community in this study were put to local leaders who have a wider perspective compared to the community members. Responses from the local leaders in Buliisa and Hoima districts indicate that the community relates with the companies through a liaison officer (Community development officer) for Tullow-directly- as well as through local leaders. Some leaders viewed the relationship as being unclear and largely adhoc without clear communication channels. Leaders in Amuru district indicated absence of a relationship direct or otherwise between the prospecting companies and the communities.

Figure 4-3: Rating of relationship between oil prospecting companies and the communities



Source: ULA Study 2010

On the quality of the relationship, most leaders in hoima district were of the view that there was a good relationship between Tullow and the community largely due to the projects implemented by the company under what appears to be part of social corporate responsibility. Some leaders however felt that the relationship was marked by unfairness-

4.8 Level of Knowledge of laws/policy related to land and oil

It is clear from the discourse that voluntary disclosure of information by government on oil transactions is the exception- actually in most cases it has been compelled. While there is a lot of information at the national level on the country’s potential, the policies and laws regulating the sector, very little of this information trickles down to the host communities.

The respondents exhibited very little knowledge of laws on both land and oil with 40% and 67% attesting to knowing nothing about the respective laws. Even where they claimed to know some aspects, there were great misconceptions -deliberate or otherwise- that attests to low levels of knowledge. The local leaders’ responses also conform to this scenario with all judging the level of knowledge of laws among community members as low. The table below shows an aggregation of the aspects known about the laws/policy on land and oil. A closer look at these responses shows that in many cases the laws are misconstrued. The level of knowledge among the local leaders on the same also appears to be low. Below is an aggregation of aspects known by the local leaders.

Table 4-5: Knowledge of Land and Oil related laws among leaders

Aspects known about laws		Hoima	Buliisa	Amuru
The land law	Nothing			1
	Consent of spouse and children required for sale of land	2		
	Compensation in case of government taking land	1		
	Four tenure of mailo, leashold, customary and freehold	1	8	1
	Documentation of land ownership required	3	2	
	Wrong perception/interpretation	6	2	1
	Land belongs to the people		1	1
The policy/law on oil	Nothing	4	7	1
	Minerals belong/held by government			2
	Compensation in the event of eviction	2	1	
	Sharing oil revenue between central and local governments	1		1
	Environmental Impact Assessment to be done	3		

Source: ULA Study 2010

There are also indications that very little are known about related activities among the community in all the three districts as indicated by some of the accounts of some respondents. This goes for areas where Tullow oil is prospecting despite the company having a fully fledged community development office for the region.

'No one has ever come to inform us about oil related activities in our area. All we see are helicopters flying over this area which is peculiar. There are rumours that it is the prospectors trying to find oil.'

Respondent in Amuru

4.9 Effects of oil exploration

4.9.1 Benefits

This study focused on benefits from oil exploration that occur at two levels; first is the micro level where benefits accrue to private individuals/households. There are indications that some individuals had been paid by Tullow oil to lease land where installations are erected including base camps in Kaiso Tonya area Hoima district. This could not be verified during the study as the team could not identify people who had leased land to the companies. Efforts to get their details from Tullow were futile.

At the community level, the benefits were restricted to Buliisa and Hoima districts which may be due to the fact that the process of oil exploration in Amuru district is behind the two districts. There has been remarkable improvement in public infrastructure and social services undertaken by central and local government, as well as by the oil companies themselves, in support of oil-prospecting activities or as part of their social corporate

responsibility strategies. Improved public infrastructure and utilities has spurred an increase in inward migration as already mentioned. The table below shows respondents on the benefits of oil exploration from the view point of the local leaders.

Table 4-6: Benefits accruing to communities from oil prospecting

Benefits from oil discovery/prospecting		Hoima	Buliisa
Infrastructural	Roads have been constructed/improved	7	7
	Improved water sources such as boreholes have been erected	6	2
	Health centers have been constructed	5	3
Services	Peer educators for HIV have been constructed	3	2
	Mosquito nets have been distributed	2	
	Provision of scholastic materials	1	5
	People have been provided with seedlings to plant trees		
Economic benefits	Employment opportunities have been created (casual labor)	6	7
	Improved land value		1
	Provided greater market for produce	4	2

Source: ULA Study 2010

The benefits indicated above have interacted to improve welfare of people- improved infrastructure enabling increased movement goods and people which has in turn increased local economic activity and increase in incomes.

4.9.2 Adverse effects of Oil exploration

While the effects can also be viewed at micro and macro levels, the most of the effects cited largely permeate communities as they are mainly to do with social aspects as well as access to resources. On the social front, oil discovery has been associated with increase in land disputes in all the three districts. Furthermore, in ward migration into the area particularly in Buliisa and Hoima has led to increase in prostitution and crime.

Table 4-7: Negative effects due to oil exploration

Negative effects of oil discovery		Hoima	Buliisa	Amuru
Social effects	Increase in crime rate and prostitution	5	3	-
	Tenure insecurity among people due to fear of what may happen	2	1	-
	Increase in land grabbing	-	4	2
	Has caused unrealistic expectations	-	1	-
Economic	Increase in land prices	-	1	-
	High cost of goods and services	1	1	-
	Disruption of economic/livelihood activities	5	7	-
	Physical displacement	4	2	-

Source: ULA Study 2010

There were reports of restriction of access to prospecting areas including resources in the three districts as a result of oil exploration. The restriction covers access to fishing waters, grazing lands, watering points for animals, and cultural sites among others.

'For a very long time we used to fetch firewood from the nearby game reserve. However when the Wild Life Authority learnt about the existence of oil, they stopped us from going into the reserve. The boundary of the reserve was extended further into our land.' **Respondent in Hoima**

'The site at Ngasa is where we used to perform rituals which we were not allowed to perform upon the discovery of oil. The spirits were annoyed and the fish catch reduced which forced some people to migrate to other areas.' **Respondent in Hoima**

There is no clear indication of a mechanism for compensating for restricted access to the communities that depend on the resources in the area whose importance has already been demonstrated in section 4.2. This in many cases is a trigger for social unrest in oil rich areas and should be guarded against in Uganda's case.

5 Conclusions

This section presents deductions from the findings on the objectives and guiding questions of the study. It is clear that the impact of oil exploration in the study areas dependent on stage. Oil exploration process in areas of Bunyoro (Buliisa and Hoima) is more advanced nearing oil production while the process is at prospecting stage in Amuru.

In general terms the level of transparency so far demonstrated by particularly government suggests that the sector is on a different course from that suggested by the National Oil and Gas Policy. The extent to which government functionaries go to protect information concerning oil activities is alarming even at district level. Furthermore, the leaked PSAs suggest that there will be no maximization of benefits for Uganda as a country. While there are many forces advocating for greater share from oil revenue accruing to local governments, the share of land owners appears to be disappearing from the discourse.

5.1 Impact of Oil Exploration on Land Tenure and Livelihoods

Oil exploration has resulted into restriction of access to resources from which livelihoods are derived. During prospecting, access to tracks of land previously used for cultivating, grazing and other forms of resource extraction for communities and sectors of Lake Albert was restricted. There are also allegations of expansion of gazetted land around prospecting areas to restrict access to such areas. Without reparations or compensation to those dependent on the affected resources, livelihoods have been strained by reduction in incomes and production- agricultural and fishing. There is also a lot of anxiety among surrounding communities over the future due to uncertainty over the course exploration will take as well as the conduct of both the exploration companies and the government.

On the bright side, there has been tremendous improvement in infrastructure and social services such as health and education around the oil exploration areas in Buliisa and Hoim districts. This has led to increases in in-ward migration to the townships close to these areas as people move in to take advantage of the economic opportunities that may be created. Already a number of businesses are coming up in the centers which provide alternative employment and income the people besides agriculture. The increased population provides market for agricultural produce thereby improving the incomes of surrounding farmers.

There is unprecedented interest in land in all the areas where oil prospecting is being done. This appears to have increased land disputes and tenure insecurity fuelled by corruption and suspicion due lack of information on land ownership and transactions. Meanwhile, land transactions have increased in the areas while land holdings appear to have reduced as a result of subdivision Buliisa and Hoima. The rate of increase of land transactions in Amuru district is still below that in the other two study districts.

5.2 Characteristics of the New Land Acquisitions in the Albertine Graben

Owing to failure to extract information from the central land registry on land registration, we rely on information from the district land offices and the local leaders to deduce the characteristics of the new land acquisitions. Most of the new land acquisitions involve people from outside the areas acquiring land from holders or local leaders. The transactions also involve conversion of customary land to registered land - freehold tenure. For applications the district land boards, agriculture is the main activity for which the land is required. There are also reports of leasing of land by companies to erect essential infrastructure from both holders and the district land board. The terms of the leases are not clear.

5.3 Business Practices of the Oil Exploration Companies and the Government

This section focuses on the business practices of the companies and government while dealing individuals and communities in the host communities. There is no specific framework to regulate the transactions between the oil companies and government on the one hand and the communities on the other. Such a framework is important for the maximization of benefits accruing to those who deal with the powerful and more knowledgeable companies.

There is also no clear communication channel among the actors- government, oil companies and the community. In some instances the companies deal directly with land owners or leaders through their liaison office as is the case with Tullow or other agents while in others they go through government. The relationship is characterized by information asymmetry un-favorable to community members. The compensation paid has been viewed as being unfair.

Lack of information about oil exploration, policies, benefits and their accrual is costly to the communities in two primary ways; first is that in case of grievances on compensation or any other issue related to oil exploration activities, there is no clear avenue of raising these issues as well as guarantees that they would be given due attention. This may sow seeds of discord on which resource based violence feeds. Second is that decisions over land taken without adequate information are below optimal. Such decision is the decision to sale land and the price at which it is sold in light of potential streams of income in the form of royalties and/or future gains in land value. The information asymmetry between the ignorant land seller and knowledgeable buyer dampens the former's benefits due to oil discovery. Parties to a transaction should have access to information for decision making.

Also, the infrastructural improvements so far undertaken by the oil exploration companies have been misconstrued as being share of oil revenue accruing to the community even when they are part of Social corporate responsibility programs. This

makes it difficult to raise the critical constituency to advocate for benefit sharing- there is a false sense of having a share of oil revenues.

6 Recommendations

Pressure on government to increase transparency and later on accountability should be sustained. This will increase discussions on the resource which is associated with parsimonious utilization of resources, improvement of the terms of the PSAs as well as revenue sharing among central and local governments and, land owners. More so the pressure should involve groups from the oil producing areas so that the campaign is seen to involve communities around the oil resources. Also, the issue of sharing royalties and the mode of land acquisition should not be lost in the discourse over oil. Receiving royalties and leasing of land may confer greater benefits to land owners compared to one time land sale or compensation. Thus the debate ought to be stretched to include the important aspects of terms of use of land for oil related activities, disruption of livelihoods such as access to natural resources or simply access.

Information on land transactions including transfers, conversions and dealings over unregistered land at the district and sub-county (Area Land Committee) ought to be accessible to the general public for scrutiny. This will reduce the space for land administrators to extract rents through sanctioning fraudulent land transactions. This level of openness could also go a long way in allaying fears among community members of behind the curtain deals.

The government and the companies are largely organized yet the community members on the other side of the divide are not. This presents a number of challenges for negotiation between the two groups. It is therefore important the community members in the oil exploration areas are organized under some form of group in order to pull resources, for common voice and ultimately negotiation. This could be spearheaded by the civil society. The civil society also has the duty to ensure that information reaches people. This information includes existing as well as that collected by the CSOs.

References

Government of Uganda (1995), The Constitution of the Republic of Uganda

_____ (1997), The Local Governments Act.

_____ (1998), The land Act

_____ (2003), The Mining Act

_____ (2008), The National Oil and Gas Policy

Alberta Department of Energy. Alberta's Oil Sands Fiscal System, Alberta Department of Energy, Technical Report #1, March 2007, Alberta, Canada

Anthony Bebbington. *Capitals and Capabilities: A Framework for Analyzing Peasant Viability, Rural Livelihoods and Poverty*. World Development Volume 27, Issue 12 December 1999, pages 2021-2044

International Alert. Harnessing Oil for Peace and Development in Uganda: Understanding National, Local And Cross-Border Conflict Risks Associated With Oil Discoveries in the Albertine Rift. Investing In Peace Issue No. 2 September 2009

Uganda Wildlife Society. Sharing Oil and Gas Revenue in Uganda. Oil and Gas series #1. October 2008

United Nations Development Programme. Human Development Report 2004

Annexes

Key Informants

	District/Name	Gender	Designation	Contact
	Amuru			
1.	Ginyera Robert	Male	LC 1 vice chairperson - Mbegu	
2.	Jukomoi Christopher	Male	Ag Sub-county chief- Amuru	
3.	Okot Martin Lawok	Male	Chairperson Area Land Committee- Amuru	
4.	Obalo Johnson	Male	Vice Chair person	
	Buliisa			
5.	Makayanga Livingstone	Male	Sub-county chief -Kigwera	
6.	Richard XXX	Male	Chairperson District Land Board- Buliisa	
7.	Busiinge Godfrey	Male	Sub-county chief -Butiaba	
8.	Babyetiza Herasmos	Male	LC1 Chairperson-Piida A	
9.	Ntakimanya Deo	Male	Chairperson Area Land Committee- Kigweera	
10.	Tugume Bernard	Male	Chairperson Area Land Committee- Butiaba	
11.	Mugasa Musuku Stanley	Male	LC1 Chairperson-Nyamitete	
12.	Abok Matyasi	Male	LC1 Chairperson-Nyamasoga	
	Hoima			
13.	Kasangaki Gustav Ofungi	Male	LC1 Kyehoro	0779451646
14.	Sefatiya Kato Mboneraho	Male	Chairperson District Land Board- Hoima	
15.	Bigirwa Wilson Atwoki	Male	Sub-county chief -Buseruka	
16.	Amanyire Nicholas	Male	Chairperson Area Land Committee-Buseruka	075157643
17.	Manuel Birengo	Male	Member Area Land Committee- Kabwooya	0775916873
18.	Ocama Gilbert	Male	LC1 Chairperson-Sebagoro	
19.	Isingoma Jotham	Male	LC1 Chairperson-Toony A	
20.	Musinguzi Moses	Male	Sub-county chief Kabwooya	