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GENIDA
Global Engagement Network on Internal Displacement in Africa



COLLOQUIUM ON INTERNAL DISPLACEMENT IN AFRICA

Concept Note and Programme



Colloquium to Critically Examine Uganda's National IDP Policy against the Kampala Convention Using Africa Case Studies

Date: 8th – 9th September 2021, 9:00 am to 4:00 pm (EAT)

Background

Uganda has a massive number of internally displaced person (IDPs) – more than 1.7 million, making up over 6% of the national population. Although it is one of the few countries with a national IDP policy, many IDPs still face security threats, limited access to humanitarian assistance, and difficulties returning home owing to weak enforcement mechanisms.

Some 90% of the population in northern Uganda are still displaced due to conflict between the Lord's Resistance Army (LRA) and the government. Considerable additional displacement has been caused by armed cattle raiders from the northeastern Karamoja region. Most IDPs live in squalid camps where they are vulnerable to human rights abuse, disease and deprivation.

Uganda's National Policy for IDPs was adopted in 2004, following a visit by Francis Deng, former Representative of the Secretary-General on IDPs.¹ It draws on the Guiding Principles on Internal Displacement and commits the government to protect its citizens against arbitrary displacement, guarantee their rights during displacement and promote durable solutions by facilitating voluntary return, resettlement, integration and re-integration.

The Ugandan IDP Policy is built on constitutional provisions for the protection of citizens,² regional human rights policies,³ standards and the UN Guiding Principles on Internal Displacement. It offers a comprehensive framework for dealing with internal displacement caused by conflict as well as natural hazards. Additional programs and plans have been designed to address specific aspects: the National IDP Return, Resettlement and Reintegration Strategic Plan for Lango and Teso sub-regions of 2005, the Emergency Plan for Humanitarian Interventions in North Uganda of 2006, and the Karamoja Integrated Disarmament and Development Program of 2007 as well as the latest program, the Peace and Recovery and Development Plan (PRDP) of 2007.⁴ The latter is running since 2009.

The gaps in the policy

Despite efforts to demonstrate the broad participation of IDPs and local institutions in developing the IDP Policy and PRDP, in short, the process was not transparent enough: NGOs and IDPs repeatedly make the reproach of insufficient consultation and consideration of concerns of IDPs. Members of the Refugee Law Project and Ugandan Women Parliamentarians Association argue that in the PRDP, there is an imbalance between expenditures for military, security, and infrastructure expenditures compared with community support and reconciliation.

1 G.W. Kanyeihamba, Constitutional and Political History of Uganda. From 1894 To Present, 1 (2nd ed., Law Africa, Kampala, 2010).

2 The Ugandan Constitution's bill of rights refers to all universal human rights standards as well as provisions on the rights of Ugandans, especially XIV. General Social and Economic Objectives, and Chapter Four. Protection and Promotion of Fundamental and Other Human Rights and Freedoms, see Government of Uganda: Constitution of the Republic of Uganda, 25-39ff, 1995.

3 The Republic of Uganda-Office of the Prime Minister, Department of Disaster Preparedness and Refugees: The National Policy For Internally Displaced Persons, 2 (Aug. 2004).

4 Brookings-LSE Project on Internal Displacement, Laws and Policies: Uganda. <http://www.brookings.edu/about/projects/idp/laws-and-policies/uganda>. (2012).

It approximates a more comprehensive policy, addressing internal displacement caused by natural disasters and human-induced disasters, such as civil conflict and cattle rustling but does not explicitly provide the prevention or solutions aimed at long-term durability of return or resettlement.

With 90 % of Uganda's population depending on income earned from agriculture, Uganda is particularly vulnerable to the impact of natural disasters and climate change, leaving people of the most vulnerable regions at risk of repeated reliance on humanitarian assistance. In 2011, heavy rains in many parts of Uganda resulted in flooding, waterlogging, landslides, death, displacement and destruction of property and crops. Over 80,000 people were affected, mostly in eastern Uganda. In many districts, local governments were unable to cope with the impact of torrential rains and required assistance from Kampala and humanitarian agencies (Government of Uganda, 26 December 2011).

Access to basic services has remained elusive for the majority of people in return areas, as well as those who stayed. There is no evidence whether returning IDPs have additional challenges in accessing basic services greater than those faced by other vulnerable Ugandans. Inadequate health care infrastructure has left populations susceptible to epidemics, such as Hepatitis E and polio. Many middle-aged people are affected by HIV/ AIDS, particularly women (The Daily Monitor, 22 February 2012).

Worse still, land grabbing has led to increased internal displacement across the country in the name of development. In early 2017, residents of Kakoba village in Kiryandongo district heard on the radio that they were soon going to be evicted from their lands.

Then in March 2017, agents and workers of Kiryandongo Sugar Limited descended on the area, accompanied by the local Member of Parliament and other local government officials.

Similarly, on 25 March 2020, in Nyamuntende, company agents from Kiryandongo Sugar, accompanied by four soldiers of the Uganda People's Defence Forces (UPDF), entered the property of land rights defender Richard David Otyaluk with a tractor belonging to the company and ploughed up his maize fields. When Richard David Otyaluk tried to stop the tractor from destroying his crops, the soldiers detained and beat him.

One of the recent land disputes leading to internal displacement is the contestation in Apaa, Northern Uganda, an arbitrary violation of the right to land and enshrined in Article 237(1) and Article 26(1). Despite the existence of the IDP policy, the Apaa issue has been recurring, with fresh attacks after another. The latest being a 21-year-old man who has been killed in the contested Apaa land with several fleeing their homes for safety. The purported attackers are looting animals and erecting new temporary or makeshift houses as they tell residents and/or indigenous to leave. It raises a question of the enforceability of the Uganda IDP policy and whether it embodies the principles of the Kampala Convention to protect internally displaced persons.

Close examination of most interventions, by both state and non-state actors, in the face of manufactured crises and natural disasters, is met with inadequacies in responses that have been largely reactive rather than proactive. The majority of the responses have been based on a charitable approach rather than a rights-based approach; an answer that has primarily been driven by political considerations rather than genuine humanitarian concerns; a response that has been largely spontaneous and not led by a comprehensive action plan; and responses have usually been short-lived and not durable.

Way Forward

Uganda ratified the African Union Convention for the Protection and Assistance of Internally Displaced Persons (IDPs) in Africa, which in 2009 was adopted in Kampala (and is therefore known as the 'Kampala Convention'). Although Uganda subsequently took a proactive approach by putting in place the IDP Policy, these challenges persist even with the policy in place. It raises a question of the viability and enforceability of the policy.

It is on this basis that the Global Engagement Network on Internal Displacement in Africa (GENIDA) and the Populace Foundation International (TPFI), in partnership with The State of the Union (SOTU), and in collaboration with the Centre for Public Interest Law (CEPIL) and the Centre for Policy Analysis, convene a "Colloquium to Critically Examine Uganda's National IDP Policy (2004) against the Kampala Convention" on 8th and 9th September 2021 from 9:00 am to 4:00 pm on zoom EAT.

The meeting will bring together IDPs in the six districts of Buliisa, Soroti, Mbale, Kasese, Oyam and Acholi in Uganda that have been impacted by internal displacement. The meeting will also be graced by the members of Parliament and CSOs involved in research on internal displacement.

Policy advocates from Cameroon, Mozambique, Nigeria, Sierra Leone, and Kenya will examine the Uganda IDP Policy and its application in their countries for critical analysis and examination. These advocates are among the ten core GENIDA Network members based in these countries engaged in day-to-day research, advocacy and policy reform dialogues to protect the rights of the internally displaced persons in their respective countries. For this reason, they possess in-depth knowledge and experience to aid in the review and drafting of amendments to the Uganda IDP policy with the Kampala Convention as a benchmark. For this Colloquium, GENIDA will invite zoom presentations from the following GENIDA Network Members:

- **MS Nicoline Wazeh Nwenushi**, The Founder and CEO of Pathways for Women in Development (Pawed) in Cameroon.
- **Professor Ines Raimundo** Associate Professor Eduardo Mondlane University in Mozambique
- **Ms. Asmau Gangso Benzies**, Centre for Non-violence and Gender Advocacy, Nigeria
- **Mr. Rashid Dambuya**, Associate lecturer Department of Law, Fourah Bay College University of Sierra Leone, Sierra Leone.
- **Professor Ambani Sogo**, Dean Law School, Kabarak University, Kenya

The meeting will also explore new insights and successful approaches from development, disaster risk management, humanitarian action and peacebuilding initiatives on the ground for a better understanding of the risk and impacts on internal displacement.

With a specific emphasis on the Uganda National IDP Policy and the Kampala Convention, the Colloquium is a deliberate effort to systematically mobilize and utilize inclusive dialogue for policy review and reform one of GENIDA's objectives.

Colloquium objectives

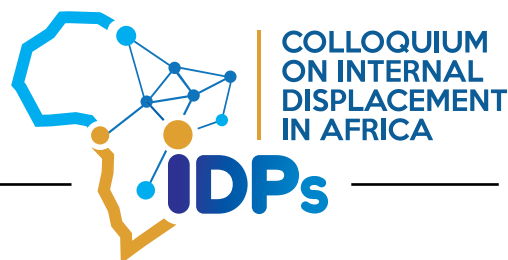
The overall objective of the Colloquium is to create a safe platform for IDPs to share their experience, which will enhance scrutiny of the Uganda National IDP Policy against the Kampala Convention and aid in the development of amendments to the policy.

Specific Objectives:

- To advocate for continued policy advocacy and law reforms regarding internal displacement in Uganda and Africa at large.
- To establish GENIDA National Coalition (Uganda) Chapter as a platform to scale up national-level coordination for dialogues that contribute towards research in various disciplines and other social standings in Uganda.
- To use the National-Level Coalition as a platform to reach out to IDPs in Uganda.
- To identify individuals within the IDP communities to champion their concerns through constructive engagements and follow-ups.
- To provide a benchmark for follow-up meetings with selected Ugandan Members of Parliament and other CSOs to advocate for the amendment of the policy.
- To comprehensively draft a report detailing proposed amendments to the Uganda IDP policy.



STRUCTURE AND PROGRAMME OF THE COLLOQUIUM



Day One (8th September 2021):

Time	Item	In-Charge
09:00 - 09:05	Welcome Remarks: 5minutes The Colloquium will commence with welcoming remarks from the GENIDA Network Officer.	GENIDA
09:05 - 09:40	Keynote Presentation: 30 minutes This will be followed by a keynote presentation by a representative of the Speaker of Parliament. His address will include an outline of the Ugandan IDP Policy and the Kampala Convention.	Speaker of Parliament of Uganda
09:40 - 09:55	Questions and Discussion: 15 minutes	Moderator
09:55 - 10:05	Tea Break: 15 minutes	GENIDA
10:05 - 10:35	Understanding Internal Displacement in Uganda and Leveraging Existing Frameworks for Law and Policy Reform: Mr Richard Obedi, 25 minutes The Executive Director of the Populace Foundation will provide a background and understanding on internal displacement in Uganda and aid in pinpointing the existing Frameworks that can be leveraged for inclusive policy and law-making processes on the issues of internal displacement.	TPFI
10:35 - 10:45	Documentary of the Fact-Finding Mission in Northern Uganda: 15 minutes	TPFI
10:45 - 11:45	#VoiceOfIDPs: 1 hour (10 minutes each district) IDPs from Bududa, Kasese, Bulisa, Oyam, and Teso will be invited to share their stories and experiences. This will be used to test the applicability of the Uganda IDP Policy against the Kampala Convention.	TPFI
11:45 - 12:15	Core Network Members Presentation (Sierra Leone): 20 minutes This will be followed by online analytical presentations from GENIDA Core Network members based in Sierra Leone. This is intended to provide a critical analysis of the theoretical application of the Uganda IDP Policy in Sierra Leone.	GENIDA
12:15 - 12:45	Core Network Member Presentation (Kenya): 20 minutes This will be followed by online analytical presentations from GENIDA Core Network member-based Kenya. This is intended to provide a critical analysis of the theoretical application of the Uganda IDP Policy in Kenya.	GENIDA

12:45 - 13:45	Analysis of the Uganda National IDP Policy Against the Kampala Convention: Mr Reagan Wamajji, 30 minutes	CEPA
	The Associate Director of the Centre for Policy Analysis will analyze the Uganda IDP Policy Against the Kampala Convention. This will open discussions into comparative analysis into the enforceability of the Uganda National IDP Policy.	
13:45 - 13:55	Plenary discussion: 45 Minutes	Moderator
	An open plenary discussion purposed to propose amendments to the Uganda IDP policy will succeed the GENIDA Network presentations.	
13:55 - 14:55	Closure of Day One: 5 Minutes	GENIDA
	Closing remarks from the GENIDA Network Officer.	
14:55 - 16:00	Lunch and departure at will	GENIDA

Day Two (9th September 2021)

Time	Item	In-Charge
09:00 - 09:30	Drama/Skit on IDPs: 30 minutes	GENIDA
	Day two will commence with a 10-minute skit/play by the national theatre drama actors will be acted in an attempt to apply the Uganda IDP policy and test its limits against the Kampala Convention in the protection of the rights of Internally displaced persons.	
09:30 - 10:00	Using Public Interest Litigation to increase state responsibility, obligations and Accountability to IDPs in Uganda: 30 Minutes	CEPIL
	A public interest lawyer will be invited to interrogate the role of public interest litigation in holding the state accountable to its responsibility under international law to protect, respect, fulfil and promote the rights of IDPs.	
10:00 - 10:15	Tea Break: 15 minutes	GENIDA
10:15 - 10:45	Core Network Member Presentation (Mozambique): 20 minutes This will be followed by online analytical presentations from GENIDA Core Network members in Mozambique. This is intended to provide a critical analysis of the theoretical application of the Uganda IDP Policy in Mozambique.	GENIDA
10:45 - 11:00	Documentary of the Fact-Finding Mission in Western and Eastern Uganda: 15 minutes	TPFI
11:00 - 11:30	Core Network Member Presentation (Cameroon): 20 minutes	GENIDA
	This will be followed by online analytical presentations from GENIDA Core Network members in Cameroon. This is intended to provide a critical analysis of the theoretical application of the Uganda IDP Policy in Cameroon.	

11:30 - 12:00	Core Network Member Presentation (Nigeria): 20 minutes	GENIDA
	This will be followed by online analytical presentations from GENIDA Core Network members based in Nigeria. This is intended to provide a critical analysis of the theoretical application of the Uganda IDP Policy in Nigeria.	
12:00 - 12:45	Plenary discussion: 45 minutes	Moderator
	An open plenary discussion purposed to propose amendments to the Uganda IDP policy will succeed the GENIDA Network presentations.	
12:45 - 13:00	Recognition of GENIDA members- Uganda Chapter:	Moderator
	The event will be crowned by the formalization of the GENIDA Network (Uganda) Chapter whom under the leadership of the Populace Foundation, will petition Parliament and the respective authorities for the amendment of the Uganda IDP Policy.	
13:00 - 13:05	Closure of Day Two: -	GENIDA
	Closing remarks from the GENIDA Network Officer.	
13:05 - 14:00	Lunch and Departure at will	GENIDA

Engagement with Law and Policy Makers.

The proposed amendments to the Uganda Policy will be presented to the Human Rights Committee of the Parliament of Uganda and a Petition on the same submitted to the Speaker of Parliament of the Republic of Uganda. This will be done within three weeks after the Colloquium.

Note: Throughout the Colloquium, media will be p to aid in documentation and dissemination of the proceeding, in addition to the use of social media as a tool for online dialogue. The Colloquium will be held both online (zoom and Facebook) and physically in Kampala only for invited guests with strict observation of SOPs owing to the outbreak of the COVID-19 pandemic.

Expected Outcomes

The outcomes likely to be realized as a result of the Colloquium include:

1. A draft proposed amendment to the Uganda IDP Policy.
2. Increased awareness on the issue of internal displacement and challenges affecting IDPs highlighted in Uganda and Africa at large.
3. Country case studies, video recordings, interviews and other materials documenting the state of IDPs and proposed sustainable solutions.

4. Learning experiences, knowledge exchanges and information-sharing among the participants through interdisciplinary discussions lead to improved coordination of peer-to-peer learning opportunities.
5. GENIDA National Coalition (Uganda) Chapter as a platform to scale-up countrywide advocacy and research towards holding responsible authorities accountable and developing sustainable solutions to internal displacement.
6. A comprehensive report detailing the deliberations of the Colloquium.

Duration

The Colloquium is expected to take two days. It is important to note that fact-finding visits to IDP camps in Kasese, Soroti and Mbale commenced on 4 August 2021 to aid in data collection to inform the deliberations of the Colloquium.

The Convenors

The Global Engagement Network on Internal Displacement (GENIDA) is an international collaborative project on internal displacement. It is a network geared towards the protection of internally displaced persons in Africa by bringing together academics, policymakers and civil society to address the paucity of research on internal displacement in sub-Saharan Africa; and the inadequate response to internally displaced persons (IDPs) in law, policy and practice in these countries. The project is an international collaboration between the [Centre for Human Rights, University of Pretoria](#), South Africa, and the [Refugee Law Initiative at School of Advanced Study](#), University of London, United Kingdom, supported by the [UK Research and Innovation](#) through its [Global Challenges Research Fund](#).

The Populace Foundation International (TPFI) is as an Indigenous Civil Society & Sustainable Development & Humanitarian-Aid Organization, and it is an independent policy research and advocacy Civil Society Organization (CSO) in Uganda with collaborative programmes and initiatives that stretch to the East African Community (EAC), Great Lakes Region, East & Horn of Africa, Southern African Development Community (SADC), the entire Continent and the Globe at large. TPFI **envision**s a society where humanity, social justice and human rights are all respected in the development processes. Its **mission** is to provide a supportive environment that enables the cultivation and restoration of hope through human rights advocacy, psycho-social support programmes, well-being, peace-education, peacebuilding, capacity-building and any other efforts that facilitate building fulfilled lives, harmonious, intergenerational community and dynamic society. TPFI works towards Justice, Transparency, promoting inclusive participation of all stakeholders, Gender Equality and is governed by **honesty, respect, truth, and humility**.

The Centre for Public Interest Law (CEPIL) is a non-profit, non-partisan, non-religious organization that **envision**s a Uganda where the rule of law is practiced and nurtured in the public interest. CEPILs **mission** is to be the leading catalyst for social change in the political and economic sphere using research, advocacy, public interest litigation, technology, and legal aid. CEPIL transforms Uganda's social, economic, and political environment and is governed by **excellence, accountability, integrity, and teamwork**.

The Centre for Policy Analysis (CEPA) is Uganda's leading not for profit think tank engaged in parliamentary democracy, and many of its policy and practice action areas have been adopted and implemented by the Parliament of Uganda. CEPAs **vision** is to become the leading public policy think tank in parliamentary democracy. Its **mission** is to foster people-centred parliamentary democracy by providing information and engagement platforms on the legislative, budgeting, and oversight processes in Parliament and is governed by **integrity, accountability, and humility**.