



# Refugee Law Project

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Briefing  
Paper  
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## RAPID ASSESSMENT OF POPULATION MOVEMENT IN GULU AND PADER

### INTRODUCTION

This briefing paper presents preliminary analysis of research conducted with IDPs in Gulu and Pader in 16 “new settlement” and “decongestion” sites in six different sub-counties from 12-22 May 2007. The research team used a combination of forty-two in-depth one-on-one interviews and ten focus group discussions with IDPs. Additional interviews were also conducted with key government and agency officials in the said districts. While a rapid assessment cannot claim to make a definitive statement on the situation, the intention of this briefing is to shed light on dynamics surrounding population movement, in order to better understand what the decongestion and resettlement sites represent, and to raise issues requiring further investigation.

The three over-arching questions investigated were: 1) what is the nature of the decongestion and resettlement sites? 2) Where do they fit in the overall return process? 3) Do IDPs in such sites require on-going humanitarian support or should there instead be a shift from humanitarian assistance to post-conflict developmental intervention?

The assessment reveals ongoing doubts about whether the Juba peace process will result in a durable peace, and correspondingly tentative movements out of the mother camps. Three distinct types of movement are observable; government encouraged moves to ‘decongestion sites’, and spontaneous movement to ‘new settlement sites’ in response to conditions in the mother camps, and spontaneous movement to original homes. Only the last is considered as return home by the IDPs themselves. The viability of new sites is discussed first by clan meetings in the mother camps, though subsequent decisions to move are taken at the household level.

In all settlement types there continue to be acute gaps in all areas of humanitarian service provision ranging from a nearly complete absence of health and sanitation facilities, human resource shortages within all sectors including education, possible food-insecurity in areas of “return”, and critical gaps in physical and legal protection. The context remains highly militarised and the rule of law has yet to be re-established.

**A note on terminology:** This paper distinguishes four broad settlement types: ‘mother camps’ are the long-standing IDP camps which existed prior to recent movements (this term is the one used by IDPs themselves); ‘decongestion sites’ which were identified by the Government (some with assistance from humanitarian agencies); ‘new settlements’ which are identified by IDPs themselves but are not their pre-displacement homes, and ‘home sites’ which are their pre-displacement homes.

## BACKGROUND

At the height of displacement in northern Uganda, 2 million people were either in camps or in locations other than their areas of origin. Since the government of Uganda and the rebels of the Lords Resistance Army/Movement (LRA/M) announced their intention to negotiate a peaceful end to the 21 year old conflict in northern Uganda, and still more since the signing of the Cessation of Hostilities on 23 August 2006, there has been a gradual improvement in the security situation in the greater northern Uganda and to a limited extent in Eastern Uganda. Humanitarian access has improved, and freedom of movement has been promoted by the Inter Agency Standing Committee in Uganda spearheaded by UNHCR from 2006 onwards. The Government has also come under increasing scrutiny and pressure from the international community, most clearly following two United Nations Security Council Resolutions (1653 – January 2006, and 1663 – March 2006) addressing the situation in northern Uganda.

There have been substantial reductions in IDP numbers, notably in the Lango region, and the Government has been keen to portray the emergency situation as nearly ended. Indeed it has tended to present the return process in Lango as representative of returns throughout the whole of northern Uganda, and as “evidence” that the humanitarian situation has dramatically improved. In November 2006 the Office of the Prime Minister commissioned return assessment officers to investigate IDP return intentions, but in reality they also in some cases strongly encouraged people to leave the mother camps. Currently there are ongoing discussions about replacing the Joint Monitoring Committee (JMC) (a temporary organ established in May 2006 with the objective of monitoring the Government’s Emergency Humanitarian Action Plan), with a body charged with ensuring the coordination of the Peace, Recovery and Development Plan (PRDP), as a more accurate reflection of the coordination needs given the current state of affairs.<sup>1</sup>

In reality however, GoU rhetoric does not fully describe the current state of affairs. Close to 1.6 million people remain in IDP camps spread over northern Uganda.<sup>2</sup> In the Acoli sub-region, which has the longest history of mass internal displacement, movement out of the ‘mother camps’ has been notably more tentative than in the Lango region. By March 2007, while 76% of IDPs in the Lango region had already returned to their villages of origin, in Acoli only 1% had returned to villages of origin, a further 24% were in ‘new settlements’, and 75% remained in the mother camps. As of May 2007 the Acoli sub-region is still host to 722,852 IDPs, with another population of 367,985 in transition to sites identified by the government’s District Security Committees and the District Disaster Preparedness Committees (DDMCs).<sup>3</sup> As these figures suggest, some IDPs have moved or are moving into ‘decongestion’ sites and to “new settlements” located alongside major roads and facilities, but very few have returned to pre-displacement homes.

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<sup>1</sup> It should be noted that whereas the JMC was charged specifically with the LRA affected areas, the PRDP addresses the greater northern Uganda, including Karamoja and West Nile.

<sup>2</sup> Refer to statement by John Holmes, *United Nations Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Briefing to the Security Council on the Situation in Africa: Humanitarian Affairs in Somalia and Uganda*, 21 May 2007

<sup>3</sup> Refer to IASC Working Group.

The vast majority of the IDPs are therefore still living in dire humanitarian circumstances in squalid and unsanitary camps scattered all over the sub-region. As John Holmes, UN Under-Secretary for Humanitarian Affairs has noted, “[t]he situation, with most people still in camps, some in half-way house satellite areas and others already beginning to return home, presents us with a triple challenge...These three phases will co-exist, often in close proximity, creating a complex situation which demands a flexible and highly coordinated approach.”<sup>4</sup> Moreover, while most of the recent movements are attributable in part to the signing of a cessation of hostilities agreement between the GoU and the LRA/M, they are a poor expression of IDPs return aspirations. Indeed, as the Refugee Law Project (RLP) has noted before, only when comprehensive peace, security and law and order safe-guards are in place will IDPs have the confidence to leave camps and return to their areas of habitual abode.

The Government’s decongestion strategy (2005 – early 2007) has been challenged by humanitarians on a number of grounds. The most important considerations are firstly, that the mushrooming of new settlements – IASC’s latest map indicates 367 sites, nearly four times the number of camps a year ago - makes standard humanitarian provision extremely problematic, both logistically and financially. Secondly, the value of delivering services in decongestion sites and new settlements – both of which are considered by IDPs themselves as temporary pending their return to original homes – is questionable, particularly where those original homes are relatively near to the new temporary settlements. There has been fear among some members of the humanitarian community that donors will be persuaded to prematurely reduce funding for humanitarian operations and replace it with scaled-up development activities. On the other hand, it is important to approach the situation as one of coexisting humanitarian and transitional needs, a phase in which Government responsibilities to protect and assist the returning population should be prioritised. In the words of one UN worker, “donors are getting messages that the emergency is over and that we are in the recovery phase. In fact we are in a transitional phase; early recovery is not happening....That is where we are at. But some donors are putting a stop on the funding. We need to put in some concerted action. It is premature to say the emergency is over, we are dealing with a transition.”<sup>5</sup> Or in the words of another, “donors are looking at northern Uganda as though things are Ok but there are serious gaps. We want to look at critical needs in each of the sectors...”<sup>6</sup>

It is against this backdrop that this rapid assessment of the situation in a number of sites was commissioned in order to better understand the nature of movements to date out of the ‘mother camps’.

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<sup>4</sup> *Ibid*

<sup>5</sup> Interview with Agency official, Gulu, 15 May 2007

<sup>6</sup> Interview with , Agency Official, Pader, 16 May 2007

## SUMMARY OF KEY FINDINGS

### Types of Movement

Several movement patterns were observed. In some cases people had moved spontaneously to what in this paper will be termed **new settlement sites**. These moves do reflect an improvement in freedom of movement and the ability to choose where to settle, but do not constitute a return home. In other cases people had moved to what the Government until very recently referred to as **decongestion sites**. These are sites identified by Government in collaboration with humanitarian agencies, to which IDPs are at times more or less commanded to move. Again, these are not regarded as home by the IDPs. Indeed, despite the fact that both these types of sites in certain respects constitute a practical alternative to the horrendous conditions in the ‘mother’ camps, the majority of IDPs interviewed (both in mother camps and decongestion sites) expressed a desire to go to their real homes sooner rather than later, rather than hopping from one form of camp to another.

The UPDF’s involvement in these movements has been varied. In some instances (e.g. Aleto), the UPDF were requested by the IDPs to provide them with protection. In others (e.g. Mede), people followed the UPDF when new detachés were established.

### MOVEMENT TRENDS—RESETTLEMENT, RELOCATION OR RETURN?

Although in some respects the patterns of movement were similar across both Gulu and Pader districts (IDPs were relocating to areas in their parishes of origin and settling around major facilities, for instance schools, sub county headquarters, health facilities and along major roads, and in a few instances to their areas of habitual domicile) most of the movement in Gulu appeared to be towards new and unplanned settlements (and in some cases such as in Mede and Aleda, to remote and relatively inaccessible locations). In Pader, by contrast, the majority of the movement observed was from “mother camps” to planned “decongestion” sites which were mainly located along major roads, rather than to ancestral homes. Along the eastern flanks of Pader, however, very little movements out of camps could be observed, mainly due to the periodic and pre-displacement cattle rustling activities of the Karamajong.

The above movements raise complex questions, such as what constitutes “home” in a displacement context, and whether return to parishes within proximity to ancestral lands constitutes a durable solution. Although it is impossible for most IDPs to know when their displacement will truly end, few regard the ability to access ancestral land in parishes of origin for farming purposes as constituting a return “home”: Most interviewees spoke of “home” in terms of actually living in pre-displacement locations and indeed were hopeful that they will eventually return to the areas of former domicile. This latter view has resonance with pre-displacement notions of “origin” and was referred to by most as responsible for on-going land wrangles in some parts of Acoli land. It should also be noted that there are some instances of people thinking in terms of ‘returning’ to areas other than their pre-displacement homes. Clearly there is some danger of political opportunism and invented history informing such claims.

### **CLAN AND HOUSEHOLD DECISION MAKING**

It appears that clan meetings are taking place within the mother camps to determine whether or not to support the move to decongestion/resettlement/home sites. Once these clan discussions (which are predominantly made up of men, and which also involve discussions with Local Councillors and Government Internal Security Officers) have approved the principle of movement and identified a site, the actual decision to move is taken at the household and individual level (again predominantly by men). The end result is that in all sites we found the reconstitution of clan groupings, such that all households in a given site would be closely related. Respondents indicated that this was both facilitating the process of reintegration and underlay the relative absence of land wrangles. However, where land wrangles occur they can be serious and are often gendered, as suggested by reports of single women being murdered to prevent them from making land claims, an issue which requires considerable further investigation.<sup>7</sup>

Notwithstanding this re-grouping of clans in the new settlements, there are now many households which are split between the mother camp and the new sites. In particular many young people (adolescents and young adults) have proved reluctant to move to new sites because most of their lives had been lived in the mother camps. On the other hand, parents in new sites, who wished to send their children back to the mother camps because at the time of the study schools were re-opening after holidays, found their children very reluctant to return to the mother camps. The parents attributed this reluctance to the far greater space available in the new sites.

Within the household it is generally the men who decide whether to move or not, though some respondents suggested that women were particularly keen to move in order to access land and produce enough to feed their children (confirms women as bread-earners). On the other hand, some women expressed frustration at the way in which return seemed to be linked to a reassertion of extremely patriarchal norms which had been somewhat weakened by encampment. A further fear expressed by some women was that men had become de-skilled and unused to the hard labour of farming, but this was not what the researchers saw in the new settlements visited.

### **REASONS FOR MOVING**

When asked why IDPs were not returning to their former homes, a majority argued that they were primarily responding to a government request to decongest the 'mother camps'. Additional and subsidiary explanations for movement were however diverse and intertwined and included a combination of the following (not prioritised):

- **Government deadlines:** In late 2006 the Minister for Disaster Preparedness and Refugees in the Office of the Prime Minister issued a deadline to IDPs to leave the 'mother camps' by December 31<sup>st</sup> 2006. This clearly prompted some IDPs to move prior to the deadline. In both Mede and Atyang, for example, there are few indications of further movements into these new areas of encampment after

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<sup>7</sup> Discussion with UN official referring to two cases reported.

January 2007. Coupled with this was the announcement of “safe” return areas by district authorities through return campaigns communicated over radio and other mediums, such as road shows (the overwhelming majority of the IDPs interviewed cited the radio as the major source of information regarding conditions in their return areas). Typically, the messages that were more influential were those aired by political figures and high-ranking district residents.

- **Access to land:** Almost all IDPs interviewed mentioned land-related reasons for leaving the camps. These included access land for cultivation, particularly in response to exploitation by landlords around the “mother camps” (this seemed to affect IDPs who came into the main camps from locations far away). With respect to the latter, interviewees cited exorbitant land rental fees of between UGX 20,000-30,000 per year as a main motivation to leave the camps. Although some fear of land disputes was mentioned, these were generally considered marginal owing to the fact that *most IDPs are moving in clans rather than as individuals, i.e. clan groupings are being reconstituted to a certain extent.*
- **Unfavorable conditions in the camps:** None of the interviewees who had moved to decongestion sites and new settlements had anything positive to say about their experience living in the mother camps, with many citing the yearning to leave the cramped conditions in the mother camps as a major motivation for relocating. In terms of IDPs perceptions of their new locations, all respondents were optimistic, particularly because they are near their home lands (without having to pay rental fees). However, some respondents lamented the fact that the new locations are still camps of a sort and that they will have to depend on food rations until they are able to fend for themselves.
- **Food rations:** Perhaps owing to the temporary reduction of rations by WFP from March 2007 onwards (due to a pipeline break there was a reduction from 60% to 40% rations), food rations were inadequate to sustain those living in the camps and therefore some decided to relocate. For those who had relocated to new sites, however, the rations were considered insufficient to sustain one while they cleared their gardens, with many arguing that insufficient food impacted on their ability to clear larger tracks of cultivable land.<sup>8</sup>
- **Education.** Numerous respondents talked of education as a key determinant of the decision to leave or to remain in the camps. Those who had decided to leave emphasized that it was easier to monitor their children’s education in a less cramped place. On the other hand, because most return sites do not have adequate education facilities, some returning IDPs left their children at the camps, where they could access some degree of education, while others decided to keep the whole household in the mother camp.

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<sup>8</sup> In this regard it is important to note that malnutrition rates in return areas in Lira are in some cases twice those found in the camps (personal communication, UN official).

- The need to maintain family structures and **to look after the vulnerable** was also cited as a reason for moving. In particular, those families who were hosting OVCs cited the fact that they need to take care of them and could do so properly only in areas of return. However, the elderly and disabled are at times ambivalent about moving as they are particularly vulnerable should there be any renewal of violence once they have moved to the more exposed settlements.

#### **IMPEDIMENTS TO LEAVING THE CAMPS**

- **Waiting for permission:** although some IDPs had heard of the government ultimatum to return to their areas of origin through OPM and via interaction with return assessment officials or indeed communications from district authorities, some stated that they were waiting for a clear government declaration regarding return, since the government was responsible for their displacement in the first place. Although this opinion was more prevalent in main camps, some IDPs in return sites expressed the same view when asked why they are not going to their areas of origin. This was more the case in decongestion sites which IDPs had been asked to relocate to. Lack of information regarding conditions in return areas, be they ancestral homes or new sites, was therefore highlighted by some.
- **Lack of grass for thatching of houses:** In most locations visited informants said they were waiting for elephant grass to mature before they could contemplate return. While traditional building techniques allows thatched roofs to be moved from one hut to another (and a number of IDPs are taking the roof from their house in the mother camp to the new houses they are building in the new settlements), this becomes impossible once the roof exceeds a certain age. Thatching grass will be ready for harvesting in about six months time (October-November). In the interim, a number of interviewees argued that, if given tarpaulins and other NFIs (in particular household items and agricultural implements), they would consider moving, and some women express an interest in establishing tile-making projects (which would also help to reduce the risk of fires spreading from hut to hut)
- **Lack of services in areas of origin.** Silting and drying of rivers and springs and the attendant lack of water and other associated services were mentioned by some. Some cited lack of access to health-care, and in particular lack of HIV services and access to treatment as deterrent factors.
- **Fear of un-exploded ordinances** in the fields and proposed return areas and areas of habitual residence is a considerable deterrent. There is an urgent need for wide-spread mine-risk education.
- **Lack of access roads** to and within areas of return.

## **HUMANITARIAN SITUATION**

In virtually all sites visited, there were no services or where some services were available, they could not, even at a bare minimum, meet the needs of the population. In all locations visited therefore, **IDPs continued to suffer from acute shortages in health care, water, food and shelter, and living conditions were increasingly becoming cramped.**

- The reduction in food rations was never properly communicated and is a strong influence in movement, with many informants complaining of hunger. Continuing food distribution in mother camps (rather than at decongestion/resettlement/home sites) hampers return, and in some instances, lures IDPs who have moved to new sites to shift back to their mother camps. Returnees were often unaware of distribution dates and even when they were aware, the distance between the return site and the distribution point was often long, demanding and discouraging. Poor nutrition is aggravated as men take food rations and sell them in order to buy alcohol. Paradoxically the alcohol is predominantly brewed by women, thus creating a vicious cycle.
- The majority of respondents were not clear on how long they were going to stay in the new sites and in the mother camps, and were demonstrating this by a reluctance to speculate about their future. A further indication of this is the fact that most IDPs are shifting with their camp structures to new sites rather than re-invigorating pre-displacement civilian administration structures. While the latter could be attributed to a number of reasons, including the need to continue attracting humanitarian assistance, and therefore suggesting widespread dependence, for an equally large number of those interviewed, the demand for continued food assistance appeared to be a pragmatic response to a nearly impossible situation in new areas, one which they are keenly aware is not sustainable.

## **SECURITY AND PHYSICAL SAFETY**

While most IDPs were aware of the peace talks currently going on in Juba, they were by no means persuaded that the conflict is about to end. They are therefore not pegging their return hopes on the peace process alone. In fact some informants are keenly aware of the flux in the situation and, as illustrated by the lull in movement following the interruptions in the Juba talks, some IDPs were employing contingency arrangements, such as keeping one hut in the mother camp and establishing another in the return areas, in the case of any eventualities. Indeed, the precarious nature of the peace talks and lack of proper communication regarding the proceedings in Juba were cited by many as reasons for a) remaining in the mother camps and b) not returning to original homes. Moreover, for some informants, while the successful signing of a peace agreement might be a good indicator of the possibility for return, knowledge of the fate of Joseph Kony and Vicent Otti would carry more weight. This latter point was linked to the fact that for Kony and Otti, ICC indictments represents an impediment to signing a peace agreement - and for



IDPs interred in cramped and over crowded camps therefore, the indictments are a sign that the conflict is ongoing.

In that context, interviews reveal that LRA may not be physically present in return areas and sites but the presence of many armed groups, including the infamous *boo-kec* (marauding deserters of both the UPDF and the LRA), LDUs, SPCs, UPDF are signs that the battle is (at least temporarily) over but the war is considered not yet won. A further indicator that many view the conflict as far from over, is the opinion expressed that the presence of LDUs and UPDF was clearly providing protection and therefore preferred their presence as a lesser evil. Many interviewees argued that a speedy de-militarisation of areas of origin, the replacement of camp management structures with Local Council structures, and the deployment of law and order officials, would be more objective indicators of a return to normalcy than the ongoing peace talks.

### **INTEGRATION**

While obstacles to the full reintegration of IDPs are foreseeable in new sites, and the reconstruction of pre-displacement social networks will be a daunting task, strategies employed by moving populations, such as movement in clan units and the reinvigoration of *Rwodi* and clan cultural roles are diminishing the impact of displacement and give some grounds for optimism. On the other hand, the tension between memories of ‘home’ and the continued inability to return to pre-displacement locations, is a cause of daily stress and tension among communities and households (primarily because pre-displacement locations are clearly within sight of most IDPs), with children exhibiting more severe signs. Such reintegration should not assume homogeneity within the returning population: interviews clearly speak to complexities faced by different social categories, for instance ex-combatants and formerly abducted people who, having lived a traumatizing experience, are further alienated and stereotyped by society on account of perceived or real post-abduction “anti-social” conduct. Informants talked of the latter as “badly behaved”, “unable to cultivate for their own survival”, and disliked by most of the population. Women returnees are often seen as unable to manage a household, and many of them are moving to towns where they are vulnerable in a number of different respects.

Moreover, to say that surviving cultural values can fully attenuate the impact of displacement on social customs and relationships between and among people would be to undermine the extent of the damage caused by long-term encampment. The extent to which some sections of the encamped populations have become *individualized*, is noticeably impacting on the old, widowed/widower and the orphaned. Most have to depend on WFP food rations for daily survival, while for other needs, such as construction of houses, collecting water and even shopping, they are reliant on erstwhile supportive but now weary social structures. While it is difficult to speculate about other factors that might have disrupted peoples’ coping patterns if displacement had not taken place, there can be little doubt that IDPs’ modes of co-existence have, in the course of time, been eroded, as illustrated by their inability to support the weakest in their midst, as they did in a pre-displacement context.

## **RECOMMENDATIONS**

The number of new settlements and decongestion sites does provide evidence of greater freedom of movement, but does not constitute an unequivocal departure from camp life. Conditions in these new settlements remain difficult, and their inhabitants do not regard them as a permanent post-camp solution, though few can yet determine what the time-frame for returning to real homes will be. The provision of humanitarian support along existing lines (i.e. through formalized camp management structures) is neither feasible given the number of new settlements, nor desirable given the need to promote the re-establishment of civilian administration structures. This does not, however, mean that humanitarian support is no longer needed, rather that the manner of its delivery needs to be changed, with a gradual phasing out which corresponds closely to the degree to which people have managed to establish themselves in their home areas.

Given the temporary nature of many of the decongestion and new settlements, and given the need to begin the early recovery process sooner rather than later, it would be advisable to plan the provision of key services such as health, education, water and civilian policing at a parish rather than a settlement level. The choice of this administrative unit will allow the necessary humanitarian services to be run in parallel to the development of transition focused activities in which the Government of Uganda is fully involved.

As the briefing paper demonstrates, there are not only quite diverse movement patterns, but also divergent attitudes towards such movement arising from a multiplicity of experiences of displacement. There is therefore urgent need to study and analyse in more depths the specific motivations and constraints of different sectors of the population. In particular, there is a need for further exploration with the youth in the mother camps of what their options are/should be. Can they 'return' to livelihoods structured around subsistence agriculture, or have they been encamped for so long (not forgetting that many will have been born in the mother camps) that this is not an option for them unless considerable investment in training is made.

There is also a need to investigate further the situation of women, many of whom express ambivalence about moving out of the mother camps. On the one hand there are clear advantages in terms of access to land and the resultant ability to feed children and exercise greater control over them, on the other hand encampment has in some instances offered a measure of empowerment which is threatened by a return to home areas. These tensions require further exploration and the development of supportive strategies.

Given the fluidity of the situation, it may be advisable to repeat similar rapid assessments on a regular basis. For example, the re-emergence of clan structures as a feature of movements out of the mother camps raises a number of important questions which require further investigation, including the following: Is the re-emergence of clans a temporary phenomenon in response to the vacuum created by the lack of civilian authority structures? If such structures are newly or re-established, how will they relate to the clan structures? To what extent do clan structures threaten the 'empowerment' of

women as they return home? What will their position on the commercialization of agriculture be?



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*This briefing note will be followed by a more in-depth analysis of the findings which will be released in the near future as an RLP working paper.*