Report on Validation Meeting of the Violation Impact Assessment of Assets and Potential Losses at Mayanzi, Kigungu, Entebbe Municipality

Central Inn Hotel, Entebbe Municipality, 27 November 2019

Introduction and Background

Shelter and Settlements Alternatives Uganda Human Settlements Network (SSA: UHSNET) is a network organization established in 2010 comprised of civil society organizations, communities, individuals, and private-sector stakeholders in the development of human settlements in Uganda. SSA: UHSNET’s main purpose is collectively lobbying, advocating and sharing information for better policies, programs and practices toward sustainable improvement of human settlements in Uganda.

Our Vision: A nation with decent, affordable and sustainable Human settlements for all

Our Mission: To promote growth of human settlement sector through policy engagement, access to housing, basic service delivery and environmental conservation that benefits poor women, men and youth in Uganda.

In partnership with Housing and Land Rights Network of Habitat International Coalition (HIC-HLRN), Shelter and Settlements Alternatives: Uganda Human Settlement Network is implementing a project titled “Assessing Impacts of Women’s Dispossession from Land and Home”. This project applies the Violation Impact Assessment Tool developed by HIC-HLRN as a means of documenting the values and losses that communities – especially women – are subjected to when they are dispossessed of land and home.

The case that was reviewed is of a poor fishing community living along the waterfront at Mayanzi in Kigungu, Entebbe Municipality. The community is being threatened with eviction by the Uganda Peoples Defence Air Forces. The community is contesting the eviction which threatens their livelihoods, wellbeing and welfare.

According to information gathered from local community leaders and municipal officials, the UPDAF allegedly cited security reasons as the basis for the eviction. However, after several engagements between the community and highly placed government and military officials, a halt to the eviction was
agreed upon, pending extensive review before decisive action. The community under threat is composed of two smaller groups that were originally living on the two nearby islands of Makusa and Lwamunyu in Lake Victoria within the jurisdiction of Entebbe Municipality, from where they claim they were violently evicted more than a year ago.

After initial assessments of the case, HLRN’s Violation Impact Assessment (VIA) tool, modelled around the asset base (social, economic, civic) in addition to estimated expenditure (household and public) at stake. The method was genderized to focus on the impacts of the potential eviction on women. The tool helped to provide critical insights into the complex dynamics that underpin conditions of pre-eviction and displacement in relation to deprivation in its various forms. The VIA tool was pretested and validated before surveys commenced to generate information that could be adopted to develop and institutionalize relevant restitution mechanisms. Upon finalization of the data-collection exercise (application of the VIA tool), a comprehensive report was developed and presented to the duty bearers, including the town clerk, the mayor and the Community Development Officer of Entebbe Municipality, for validation.

Several important issues from the research were raised in the report that the technical and political teams alone could not respond to, as the initiative was just the beginning phase of formulating a remedy. When people are subjected to a gross violation of their human rights, there is need to fight for them. That is the reason for the existence and inclusion of different stakeholders and actors in the human settlements sector – to ensure that the community is better off than where it started from.

The call for the multi-stakeholder validation meeting in Entebbe Municipality was intended to familiarize all with the various losses the community experienced as a result of being moved from one place to another and being displaced from their original homes. Furthermore the meeting was needed to identify the responsibility of each and every stakeholder, including the community, government, private sector, leaders, etc., in seeking redress for the affected community.

**Presentation of the Violation Impact Assessment Methodology, Background, Location**

The research was introduced by the team leader, Peter Kasaija, who mentioned that the reason for the validation meeting was to present the findings of the investigations that were carried out in the Mayanzi community. He referred to the map in figure 1 to establish the location of Mayanzi, stating that it was a critical aspect of the discussion, since the issues of land displacements and land dispossessions were not new in Entebbe Municipality and other parts of the country.

What makes this particular community so vulnerable is that the location of the community is in the vicinity of important installations such as State House, the international airport, the UN base and the Uganda Air Force, among others. This has created a very complex scenario in dealing with a community that is vulnerable, but situated in a sensitive area. He mentioned that, during the research, it was a challenge to explain how to address the plight of the affected community, bringing in the context of all the other dynamics operating around it.

The survey collected valuable information on the assets owned by the women as they affected their livelihoods. Effort was focused on understanding assets such as houses, animals or
livestock, boats, mobile phones, and household items, among others, that women use to support their livelihoods in this particular community. The survey also helped to quantify the potential costs of displacement in a pre-eviction scenario. It would help to quantify the potential losses that the community would incur if they are evicted and what the required reparation would look like. The entitled compensation should be based on the wealth and assets that the community had, in order to quantify the potential costs in the event that an eviction actually takes place.

In May 2018, Uganda People’s Defence Forces ordered more than 700 registered men and women to vacate the two islands of Makusa & Lwamunyu. The community was able to negotiate with the land owner of Mayanzi to lease a piece of land on which they would be able to seek refuge, while they looked for other settlement possibilities. Therefore, the community is currently settled on a piece of land for which they entered into a private arrangement with a private landlord. It was mentioned that the community agreed on a lease period of two years, and currently one and a half years have already elapsed. They are thus living in a situation of uncertainty as to what would happen after their two years lease agreement ends and the landlord were not willing to renew their lease. Based on the survey findings it was noticed that the level of social cohesion had increased, whereby the community has to come together around a common problem that they needed to solve, while seeking redress for the community.

![Figure 2: Presentation of the findings](image_url)

**Research Findings**

During the session on the research findings, participants requested to use the local language Luganda for purposes of emphasis.

**a. Discrimination**

It was found that 7/10 of the respondents felt discriminated against in this community. Some of the reasons included gender bias, poverty, tribal affiliation and origin.
b. Housing

Of the respondents, 8/10 are tenants who require a source of livelihood to be able to pay for the rent in the house. However, the businesses these people have are small and cannot sustain the rent they pay. Most of the women own small shops or restaurants, and others engage in prostitution to get money to pay the rent. The findings showed that rental fees, including subletting, was between UGX 15,000 to UGX 150,000.

The respondents were also asked to mention the costs they thought their houses were worth in the event that they were evicted so that it could act as a basis for reparations. The findings showed that those who owned housing units valued their houses between UGX 5,000,000 and UGX 11,000,000 to UGX 20,000,000. This shows that the community has interests in the settlement since they have invested their hard earned money. Displacement should therefore consider the values and attachments at stake. The findings showed that 17% built their own houses 4% hired others to build their homes, and the remainder did not know.

c. Land, Water and Sanitation

When it came to land, it was found that the majority were on lease as per the rental agreement with the landlord.

It was also noted that the plots on which these community individuals were living were found to be very small, with the largest being 10x10 ft and others having even smaller plots. This has many implications when it comes to issues of dignity, privacy and
space, because housing is more than just the four walls. The findings showed that the majority use the land for business as shown in the picture above and others use them for both residential and business purposes.

When it comes to sanitation and water, the findings showed that the majority of the residents rely on untreated lake water, thereby exposing themselves to many health hazards. By the time of the research, however, the community was connected to a piped water stand, likely under the initiative of the Mayor Entebbe Municipality. However, because they had to pay for this water, very few were able to use it. The research findings showed that, in the community of 1,000 plus individuals, there are only four stance toilets, which clearly shows that there is a critical health problem in the area.

d. Household Assets

The findings showed that there was a range of assets that the community members had that act as livelihood support to the households. Households had furniture, electronics, bicycles, boats, generators, motorcycles. One of the most important assets was the mobile phone in this particular community. It was also found that there are variations in household wealth within the community, whereby some seem to be richer than their counterparts.

e. Distance to Services

The findings showed that, when it came to health facilities, 81% of the respondents represented the average distance it takes to access a health facility, which is approximately 1–5 km. In the case of schools, there was a similar scenario where the majority lived a distance of 1–5 km away, similar to the health facilities. The majority of respondents needed to travel further in the case of banks: 6km to 10km. Churches and mosques had the same average distance of 1–5km; however, the community gathering points were less than 1 km away, which meant that the gathering points are more accessible to the community members.

Community Members’ Testimonies

Two community members were selected to give their testimonies for purposes of validating the research findings.

Testimony 1: Ms. Omedo Opusiket

Ms. Omedo Opusiket, one of the victims of the previous and pending eviction, informed participants that she was happy to share her story. She mentioned that she was in the validation meeting to represent some of the women who suffered the violation of their rights during the
sudden eviction that happened in the year 2017. She mentioned that they, as a community, are used to living with army men, and they were the first people to camp at the island in Makusa. She said that Entebbe Municipality was fully aware of their existence on the island, since they would collect taxes from the residents. The community could vote and even the political leaders would approach them during elections to seek their votes.

On the fateful day of the previous eviction, army personnel raided the camp in Makusa and blamed the residents for poor fishing methods, claiming the community was using illegal fishing nets. She said the army told them that they had come to confiscate all the illegal fishing gear in the community. She said that the community complied with the directive of the army officers and handed over all their fishing gear, which was all burnt. This occurred despite the fact that they had moved to the island as women to seek better livelihoods and to provide for their families and children, since most had been abandoned by their husbands and also due to the hardships they faced while still living on the main land.

She cited herself as an example of one of the victims who was abandoned by her husband, leaving her with a lot of responsibilities, including looking after the children and other members of the extended family. So, she said she went to the island to try to fend for her family, but now the boats and the fishing nets were burnt by the army. After one week, the army men came back and burnt more boats and fishing nets, and gave the community one month to vacate the island. She mentioned that most of the community members were in complete confusion since they had nowhere to go. She herself had a big family to look after, including children and grandchildren, some of whom were still in school.

The army gave them a one-month deadline to move and threatened that whoever would be found after the deadline would not be allowed to salvage any of their property. Some of the community was told to relocate to Kigungu, others to Bugonga and others to Kavanyanja, as the recommended relocation sites. She mentioned that two days before the deadline women suffered more, especially the single women, and some even fainted. Others had succumbed to death, since they had no other housing alternative and there was not even boat transport arranged to help the community relocate to the designated sites.

Most of the women lost property in the process and, personally, she lost her land agreements in the water during the scuffle. To make matters worse, she said that, even in the designated places where they were to relocate, the residents would not allow them to dock their boats until some of the community members formed a committee and negotiated for a piece of land adjacent to Kigungu in Mayanzi that was still vacant. So the community had to enter into negotiations with the land owner in order to seek refuge. The land owner drafted an agreement that they signed and, with this, they were meant to pay UGX 30,000 per month, per household on a plot size of 10ft x 10ft for a period of two years, which was subject to renewal upon expiry.

They were then required to pay three months’ rent for the said plot before they could access it. They had no option but to pay the money. No government official came to their rescue apart from the Deputy Mayor of Entebbe Municipality Richard Sekyondo. Due to these sudden occurrences most of the women’s children dropped out of school, and some girls ended up meeting men and ending up pregnant while on the mainland, since all the men on the mainland were targeting the young girls from the island.

Upon acquiring land, the women put up the structures at Mayanzi on their own, without any help from anyone. Even when the three months of pre-paid rent elapsed, some people were still constructing. The place had no toilet facilities, which prompted the Local Council 1 (LC1) of the
area to demand that the community construct a toilet, meaning they also had to mobilize financial resources that saw the four stance toilets erected, with each member contributing UGX 26,000. After constructing the toilets, it was noticed that it had to be emptied after every week due to the high population. So, they had to contribute UGX 4,000 per week per household for this purpose.

Most women want to educate their children; however, they can no longer do this since their source of livelihoods was greatly affected by this eviction. Therefore, most of the children are school drop outs. Omedo emphasised that the expenses had increased, since on the islands, the community did not pay rent, but now they have to pay monthly rent and also pay for the toilet facilities.

Much of the research showed that three residents faced discrimination. However, the truth is the majority of the community faced discrimination from the host community, since they were being treated as a zoo. Whoever wanted to visit would come and go, but the local leaders would not even step in the community to visit and help find a solution.

The moderator interjected and asked Omedo who she felt should help the community. She replied that, to begin with the LC1s in the area needed to have visited the community to at least know who the new entrants in their jurisdiction are. She also stated that the Mayanzi residents also expected some of the area councillors to intervene or talk about their plight in council meetings although a few tried to intervene and help in vein.

When asked what help the community had so far received, she mentioned that the only help was from the municipal council, which provided water charges at UGX 100 instead of the previous UGX 600; the LC1 of Mayanzi, who has sensitized the community on cleanliness; and also SSA:UHSNET, which also recently came and carried out research to try and seek redress. She mentioned that, as for now, the community was left with only six months to vacate the current neighbourhood, yet they had nowhere to go.

**Testimony 2: Mr. Fred Muruli**

![Figure 9: Fred Muruli giving his testimony](image)

Mr. Fred Muruli testified that he was affected in the eviction together with the chairperson of the areas. He said he was going to talk about the eviction process, how they settled in Mayanzi and what how their living conditions are currently. He mentioned that both islands of Makusa and Lwamunyu had people settled on them for a very long time. He said the campaign to get rid of illegal fishing methods was welcomed by both communities, because they are law abiding citizens.

When all the illegal fishing gear was confiscated from the community, the UPDF came up with another reason to evict them: that the community was settled in a breeding ground for fish. However, it was discovered that there was an individual who was interested in investing in the
island and got help from the army to evict the community since it wasn’t even supplying him with fish.

He also mentioned that they were given a period of one month to vacate and yet they had just burnt all their property. The entire eviction process was just like the previous testimony explained. When they got to the mainland in Mayanzi they entered into an agreement with the land owner who made them pay UGX 30,000 per month and also gave them other conditions, including working together with the neighbours and paying taxes among others. This agreement was for a period of two years to be renewed to five years subject to how the community complied with the agreement.

Two months after settling on the mainland, people had started constructing their houses. The army men, led by a one Afande Nuwagaba, then came back and gave them two weeks to vacate the land in Mayanzi where they had set camp, despite pleas from several local leaders. He explained that they tried all avenues in vain until one person offered to help them develop a petition, which they did. The petition was taken to General Salim Saleh, who issued a directive to Afande Nuwagaba never to evict the people from Mayanzi, but to only concentrate on ridding them of illegal fishing gear. He said they had been suffering until SSA: UHSNET came to carry out the survey through which they hope to achieve a long-lasting solution.

He was asked what he wanted government to do for them, and he replied that they are so many people using only one toilet, so he requested for a bigger toilet for the community. He also mentioned that the municipal council is always sending its officials to collect taxes, but the services like garbage skips are not available in the community. He also said, if they could be relocated to a piece of land that they do not have to pay rent for, it would help them recover and improve their livelihoods. He also requested support from different partners with the required fishing gear, since it is very expensive to get the fishing gear required by government.

Summary and Reflections

Some reflection points from the study to further guide discussions of the participants included:

1. The violation is a result of the convergence of three key issues: urban development pressures; the need to safeguard community livelihoods; and security.
2. As competition for natural resources (e.g., fisheries) accelerates, more of these events will occur; there is need for special protection for fishing communities.
3. This portends serious challenges of competition between the public and private interest over fishery resources, also institutional fragmentation, dysfunction and discord at various levels.
4. Detailed enumeration and profiling is required for accurate data to aid development of effective interventions and strategies. No wonder the issue remains invisible.
5. Discrimination against the Mayanzi fishing community, especially by other resident communities is among the serious social problems faced.
6. Women, elderly and children within these communities are extremely disadvantaged due to entrenched patriarchy, leading to long-term emotional, psychological and physical health impacts, as well as offending dignity and impeding productivity.
7. An environment of uncertainty reinforces precariousness, apathy, helplessness and vulnerability of the Mayanzi fishing community in its current location.
8. The community is living in poor conditions with inadequate housing, inadequate access to services such as clean piped water, toilets and waste management.
9. Entebbe Municipal Council currently does not have a lakefront plan or clear strategy for overseeing the management of waterfront developments.

10. Many actors with different interests regarding the case are creating challenges around legitimacy, communication and policy implementation.

**Plenary**

After the experience sharing and presentations, the participants went into plenary to give solutions and a way forward to the case.

One of the participants wanted to know the sample size and sample space used in the survey. They were informed that the sample space was based upon an enumeration exercise that had been carried out independently, and according to that exercise, over 700 adults were recorded, not including the children. The sample space used was 120, which was well over 10% of the sample and, therefore, acceptable for any survey. He went on to say that in the survey 100 questionnaires were administered but before the survey there was a pre-test of the tool where 20 questionnaires were administered. The data obtained from the pre-test and the full scale survey was the data that formed the findings.

Participants were interested in knowing more about the 700 individuals; i.e., whether they were spaced as representatives of different villages. Clarification was given that the research focused on one particular community at Mayanzi, meaning the survey was not for the whole Entebbe municipality, but only the community at Mayanzi that was under a threat of displacement.

Another participant inquired as to whether the sampling was random or stratified. The response was that 80% of the respondents were women and 20% men, meaning that the research was biased toward women. However, to understand the problems of the women, 20% men had to be interviewed.

Another participant asked if the respondents were married women, unmarried women, or widowed among others. He wanted to know if the researchers took marital status into consideration. In response, the project consultant mentioned that, originally, there was a framework of trying to look at them in the stratified format of the married, unmarried, single, widowed and the divorced. However, during the course of the exercise, it was identified that being married or not in a fishing community was very complex, so the research team decided to move beyond those stratified levels, since it was very sensitive to extract such information compared with the average ordinary communities.

Mr. Kajubi Ssenteza wanted to know from the municipal officials the required distance one is supposed to keep developments away from the lake shore. He noted that the affected community seems to be settled in part of the lake reserve, yet they continue to pay rent for residential plots there.

Another participant mentioned that the research was not comprehensive enough, because it left out a few key stakeholders mentioned by the community in their testimonies like the LCs, the municipal council, UPDF, RDCs in order to get the different sides of the story to avoid cases of the blame games we are facing.

Mr Henry Ndinaie mentioned that there has been a lot of misuse of power by our elected leaders in such a way that it seems like there is no system in government working but
individuals are the ones running the country. What we need to do is to decentralize power so that the lower level leaders also have influence.

Secondly he mentioned that in the current political dispensation the leaders pay attention to only those who they see as potential voters. He therefore urged the community to form and register a cooperative to enable them to save to improve their livelihoods and even make it easy to do resource mobilization so the community can buy land for construction. He emphasised that even the municipal council would recognize the group more as a cooperative and this will also attract other stakeholders to help. He pledged to help the group form a cooperative whenever he is approached.

Another participant mentioned that there have been a lot of disposessions in Uganda; however, we tend to react after the disposessions have happened. She asked members to look for early warning signs to avoid cases of intervening when the situation is already worse where people have incurred great losses.

There was also a concern raised on the issue of health for the people who live around the lake region, whereby many times the highest rates of the HIV/AIDS infected people come from the islands and from the people living around the lake region. She mentioned that as we fight HIV/AIDS, we need to also do a lot of sensitization campaigns to reduce the spread of the HIV/AIDS scourge in this community.

Another member mentioned that as citizens we need to have humanitarian hearts and help our neighbours in trouble instead of waiting for government to come in. She also urged the local leaders to always go back to help the people they got votes from when they get to office.

The moderator emphasized the point of intervening before it is too late and he posed a question to the different local leaders to explain what they did during the one month grace period that had been given to the community.

Mr Kamya Solomon shared experiences of what he learnt from other countries that he thinks should be adopted. One of the interventions mentioned included physical planning whereby the municipality should know the population they are planning for and their needs and thereby plan for adequate services such as public toilets. He also mentioned that there is need to engage the ministry in charge of disaster preparedness in order to get help since this ministry already has a budget for this purpose. The local leaders being blamed have no budgets for these activities.

When it came to the issue of sanitation, one of the participants contributed a ten-litre jerry can of liquid soap to the community to improve the cleanliness at the only available pit latrine in the community.

One of the councillors of the area pledged to go back to the Municipal Council to raise the issue of the public toilet and the garbage skip.

Another member suggested that an assessment of the community should be done to help those who are worse off, since not all of them are in bad shape.

Another participant requested the municipality give more support in fighting HIV/AIDS and TB in the municipality.
The Physical Planner of Entebbe Municipality responded to some of the issues raised by the community. In her response, she said that:

- The lady who lost her documents needed to approach her office for all the necessary assistance.
- For Makusa, she said she needed some background information, because, according to her, whenever there is an eviction, there should be a resettlement plan and the victims have to be prepared psychologically and environmentally. She pledged to follow up on the issue.
- She also mentioned that, as Entebbe Municipal Council, they needed to know the land owner and work together to put up affordable houses for the community that are well planned and serviced.
- She mentioned, however, that there is a challenge with developers who have titles to this land who need to be brought on board.
- She also emphasised that the distance from the water to the next development is 200 meters, but the law allows some activities to be done in this space, which should be regulated by the National Environment Management Authority (NEMA). She also mentioned that, although NEMA gives authorization for developers, the Physical Planning Committee makes the final decision on the development.
- She also mentioned that the government has the right to take over any land in the interest of public health, public safety, security and morality, whereby more information needed to come out clearly.

Just like the Physical Planner, the environment officer mentioned that the National Environment Act is clear on the distance one is to leave from the lake shores, which is 200 meters. She mentioned, however, that this law is not realistic for areas like Entebbe Municipality, which is on the lake shore. She also said that, for one to settle on this buffer zone, they are meant to acquire a NEMA permit, but they are not supposed to mistreat the other members of the community.

She also requested the Mayanzi inhabitants to visit her office for further consultation, especially since, to carry out an eviction, the resettlement plans have to be in place in advance. There is need for interventions like municipal solid waste management and tree planting, among others. However, she noted that this can only happen when the community is resettled.

Buganda Kingdom also mentioned that they tried to have interventions and have discussions with the land owners who requested some time to discuss with the clan. The Kingdom is also planning to create a village with leadership, so that they can be assisted with financial interventions like Project to Empower Women through Savings and Loan (PEWOSA) to be able to borrow money to improve their livelihoods.
The Mayor of Entebbe Municipality, His Worship Kayanja Vincent De Paul started by thanking the team from SSA: UHSNET for having been at the forefront to see that something is done to address the issues faced by the people of Mayanzi. He recognized that it is important to conduct research for purposes of designing solutions from an informed point of view. He, therefore, welcomed the scientific approach to seeking a remedy based on facts on ground. He mentioned that a concern was raised in the council that he chaired that both islands of Makusa and Lwamunyu had no toilet facilities. Council had to work hand in hand with the residents of the two islands, and toilets were constructed. He also mentioned that the Municipal Council, upon realizing the challenge of transportation, especially for the school-going children, bought a boat and even provided funding for an engine, which was misappropriated. He mentioned that during the campaign of fighting illegal fishing, the army took advantage of the situation by evicting the people, despite the resistance from the community leaders. He said that, having failed to stop the army, his office was instrumental in negotiating with the landlord to be able to host these people. He observed the need for togetherness and working together as a team. He also said it is important for the community to know what their rights and entitlements are to be able to know where to start in seeking redress before waiting for external partners.

The mayor also mentioned that there has been increased population growth on the small piece of land, which requires adherence to spatial-planning criteria. He also mentioned that some people are holding on to land without developing it, while other people do not have anywhere to go, hence stunting development. He, therefore, called upon for the review of the land laws to fight speculation.

He mentioned that there was a lot of resistance for the host community to the displaced persons settling in the Mayanzi area, because the Kigungu girls school did not want fishermen close to the school. Council insisted that this was a landing site and the fishermen had a right to settle there, and also requested the school to put up a fence to ensure the students’ security. He also urged the community to look for its own solutions to get out of the problem rather than look for solutions from outside partners. He urged SSA: UHSNET to change people’s mind-sets, especially to do with cleanliness and savings.
On the issue of toilets, he urged the community to work together with their leaders to develop a budget and present it to Council, rather than waiting for the leaders to think for them and continuously blaming government. They urged the community not to add other inhabitants by creating bylaws within the community. He pledged to support the community in forming these bylaws. He requested SSA: UHSNET to come up with alternative livelihoods in the fishing industry as value added to the community and to improve their livelihoods through cooperatives and not individual efforts.

The meeting was then closed by the SSA: UHSNET Executive Director Dorothy Baziwe, who expressed appreciation to the mayor and the technical team for their input, thanked the community and urged them to follow up on the various pledges and recommendations, and also seek support from other organizations and partners, in order to see that something changes for the better in the community.