

Technical Workshop on Women, Land and Housing Rights: Assessing the impacts of dispossession

7–9 August 2019

Esella Country Hotel • Kira, Wakiso, Uganda



Shelter and
Settlements
Alternatives •
Uganda Human
Settlements Networks



Housing and Land
Rights Network •
Habitat International
Coalition



Makusa-Mayanzi Intervention Strategic Plan



Evaluation & follow-up

Actions, interventions (who, what, when)?

Strategic planning

Duty holder(s)?

Losses, costs

**Persons violated,
vulnerable to violation**

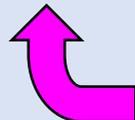
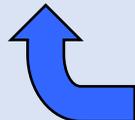
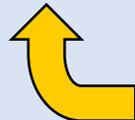
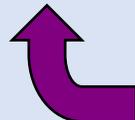
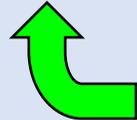
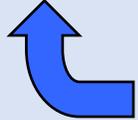
Threats, barriers, obstacles

Guarantees?

Over-riding principles?

Sources (legal/other)?

Concept, definition?



Selecting an action :

Specific



Measurable



Attainable



Reasonable / Resourced

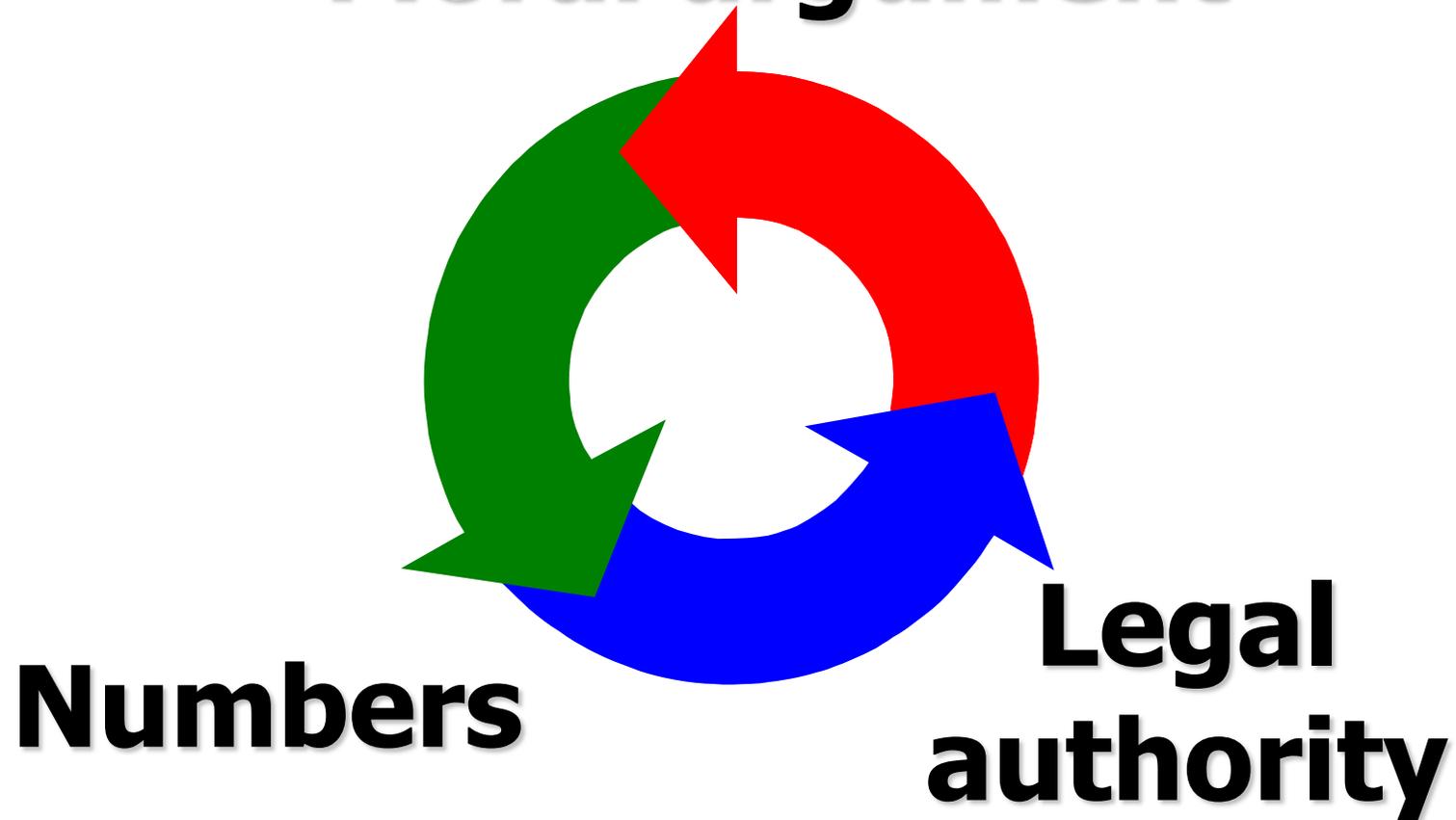


Time bound



Making your case

Moral argument



Levels of engagement



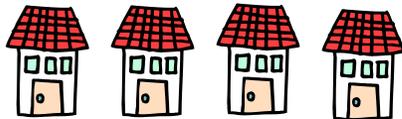
International



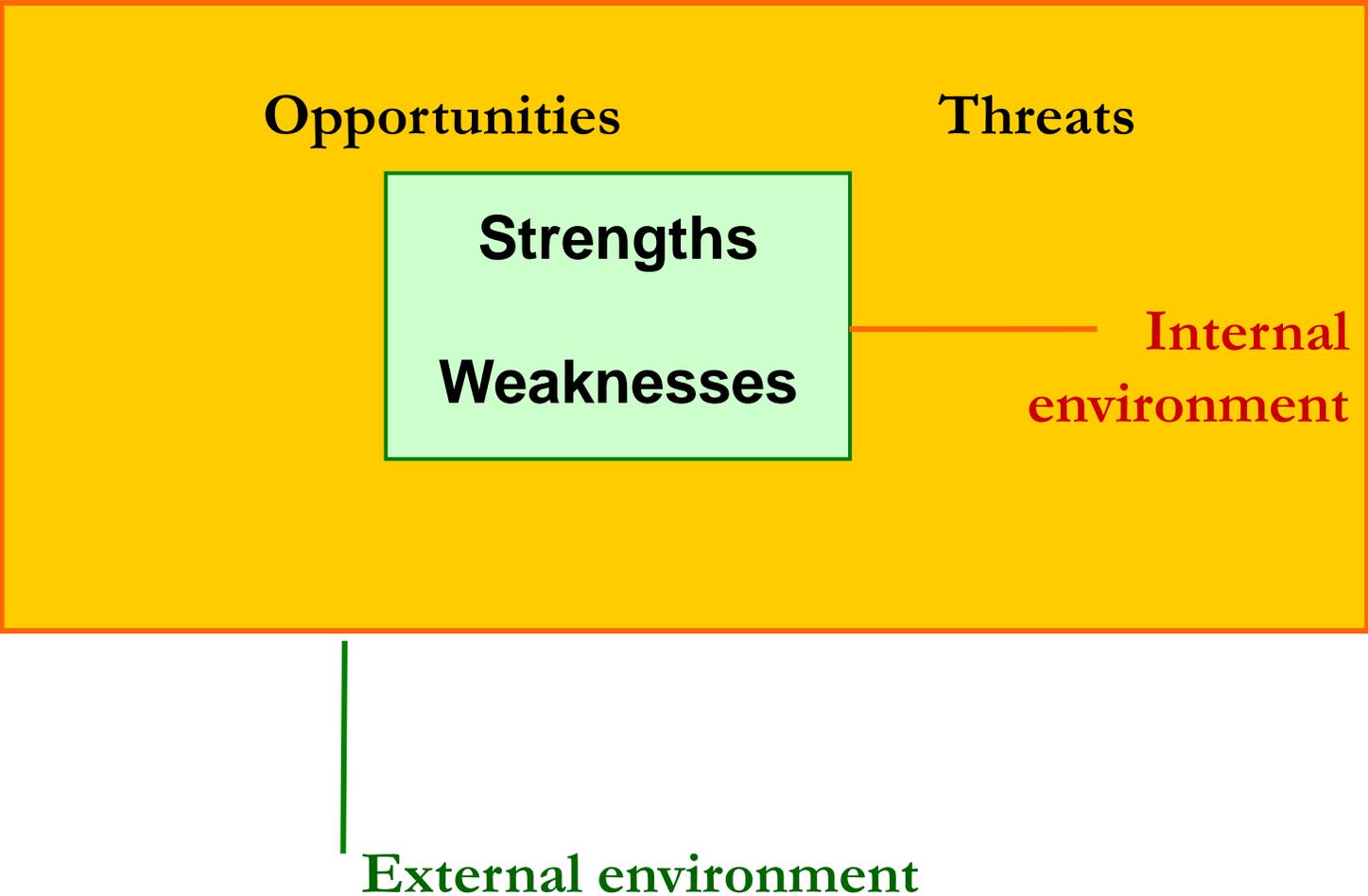
Regional



National



Local



Adopting a strategy

1. Determine:

A. Strengths

B. Weaknesses

C. Opportunities

D. Threats



2. Choose a strategy :

Rights-based and evidence-informed advocacy

Strengths

1. Plenty of capacity, will and cooperation among the team.
2. Legal basis in international human rights obligations of all organs of the State of Uganda.
3. Solid case of clear violation and/or potential violation with significant impacts on women.
4. Community—in particular, women—willing and able to express themselves.
5. Potential for human rights-based remedy (reparations) with policy relevance and implications.
6. Entebbe Municipality and mayor opposed to UPDF attempts to evict Muyanzi community.

Strengths

7. Entebbe Municipality already gazetted the Mayanzi landing area for fisher community residence, with commitments to provide corresponding services.
8. General political culture of nonpartisanship in Entebbe, enabling merit-based approach to issues.
9. Climate-change-induced disaster, Uganda trying to be champions of climate change mitigation, with measure to be taken by the Prime Minister's Office.
10. Ugandan judicial guidance aligned with CESCR's General Comment No. 7.

Strengths

10. Chief Justice's Operational Directive on eviction now adopted.
11. Timing is good, ahead of electoral processes.
12. Strategic importance of, and focus on the Entebbe region heightens visibility.
13. Media coverage so far.

Weaknesses

1. “Security” pretext allows little challenge, recourse or rebuttal.
2. Ambiguities about the reasons for initial removal (eviction or evacuation) from Makusa Island: security, climate change, sinking island, fish breeding-ground protection.
3. Absence of known policy or guidance in cases of “evacuation.”
4. Lack of information about the disposition and location of the other 2,800 Makusa residents who left before force evacuation/eviction. (Some estimated the number as more like 1,000.)

Weaknesses

5. No national eviction guidelines in place yet.
6. DEMA has conducted no socioeconomic impact assessment yet.
7. Uncertainty of the community's consensus about its objectives.
8. No census of the presumed 700 Mayanzi inhabitants.
9. Lack of some technical skills needed.

Opportunities

1. Focus on women enabled survey while men are out fishing on the lake, so as to minimize interruptions to livelihood activities.
2. Engagement of traditional leadership, including men, as sounding board for findings and champions of remedy.
3. Building Entebbe Municipality capacity in human rights education on local governments' human rights obligations as organs of the treaty-bound state.
4. Appeal to Uganda's positioning as a leader in climate-change mitigation.
5. Drawing on Sendai Framework commitments in the absence of a known national disaster-management and displacement policy.
6. Join forces with local authorities (e.g., Entebbe Municipality).

Opportunities

7. Applying the lessons and experience to other cases (including others selected from the Workshop 1 Uganda Typology).
8. Reparations argument with quantification data could deter future such evictions and displacements.
9. Developing the present case write-ups to influence the full normative framework and other missing elements to create advocacy instruments.
10. Some press outlets already following the case (e.g., Eve Maganga and al-Mahdi Ssenkibirwa @ Daily Monitor, Diana Kibuka, Buganda-region FM radio).
11. Success of intervention could inhibit/deter other evictions.

Opportunities

12. No other socioeconomic impact assessment conducted yet (DEMA).
13. The project could be a vehicle for the community to express their collective objectives.
14. Verify the composition/census of the current Mayanzi residents.
15. Mount a petition for the **local MP** and/or Speaker of Parliament to put the issue on the Order Paper.
16. Raise a case of Public Interest Litigation (under Article 50).
17. Hold press conference(s) with community members.
18. Hold neighborhood meetings with the surrounding residents.
19. Mount a test case invoking the current Chief Justice's Directive and/or eventual national guidelines on evictions.

Threats

1. State wants to use the entire peninsula for military purposes, Chinese investors have purchased lots of lake waters under pretext of bilateral military cooperation.
2. Militarization and potential violence.
3. Noncooperation of community leaders.
4. Local Mayanzi resident opposition to the presence of fisher community.
5. Local MP might be nepotistically biased in favour of military.
6. Fake news (i.e., relying on unverified media reports).
7. Incitement of opportunistic/ghost claimants.

Threats

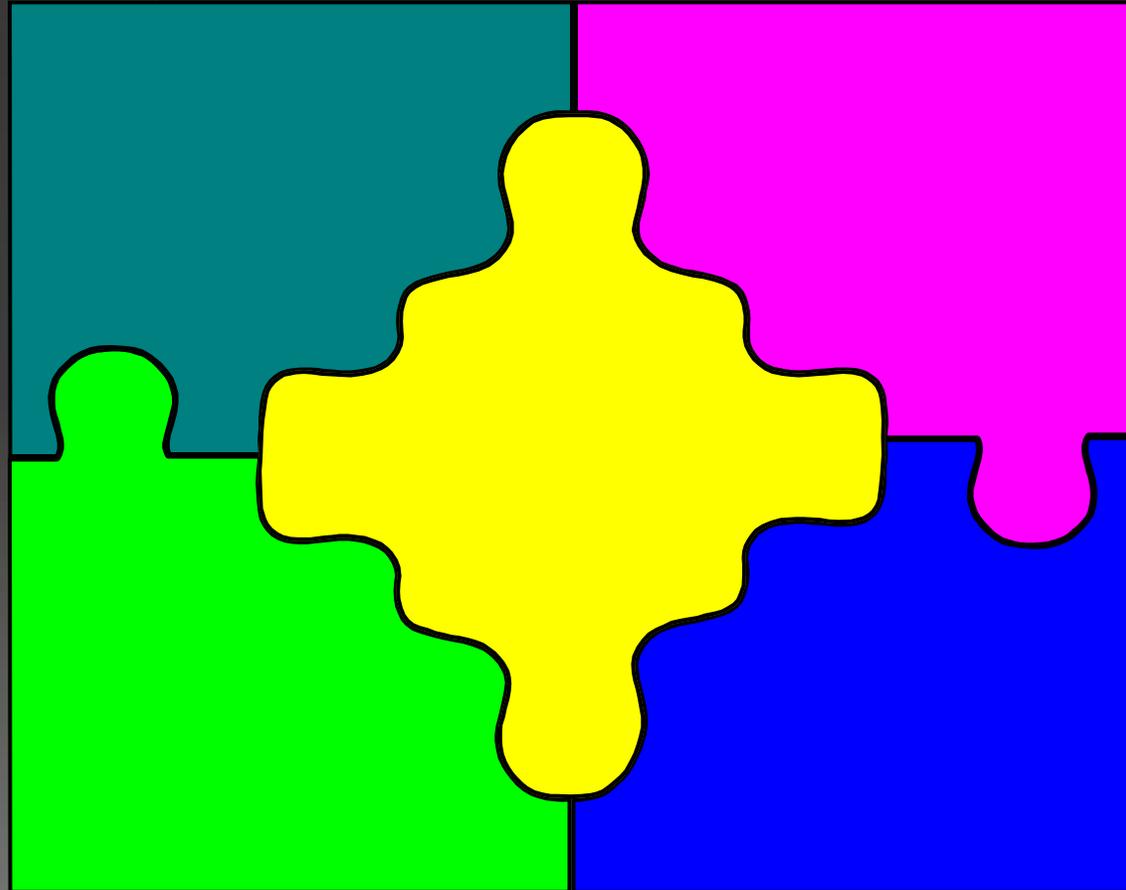
8. Either success or failure of intervention could encourage authorities to evict and resettle other fisher communities.
9. Developments in multilateral Nile Basin riparian agreements that impose further restrictions on human settlements on and in Lake Victoria.
10. Fluid and speculative land-market, pressuring current residents to move out.
11. Conflicts between and among spheres of government, local authorities and respective jurisdictions.
12. Shifting goals of the Mayanzi community.
13. Alternative resettlement could lead to less-favourable well-being, livelihood/wealth and habitat conditions for the community.

Threats

14. Urban planners, metropolitan plans or mega projects could preempt desired solution and absorb community's habitat.
15. Interested parties offering incentives to Mayanzi residents to break community solidarity and accept individual solutions that undermine the collective demands.
16. PIL conditions now require individual plaintiffs to identify themselves publicly, exposing them to further risk of reprisal.

Division of labor

basket of complementary skills



Division of Tasks/Functions

- ▲ Coordinator
- ▲ Enumerators in the field
- ▲ Writer
- ▲ Editor
- ▲ Liaison with stakeholders and duty holders
- ▲ Communications and public information

Plan of Action

| Goal, Desired outcome | Activity | Timing | Responsible party | Task | Resources needed (human, material, etc.) |
|--------------------------------------|-----------------|---------------|------------------------------|-------------|---|
| 1. | | | | | |
| 2. | | | | | |
| 3. | | | | | |
| 4. | | | | | |

