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Protecting the Right to Life of the Internally Displaced: An Examination of Encampment and Its Effects on the Communities in Unyama and Koro Sub-Counties in Gulu District, Northern Uganda

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Protecting the Right to Life of the Internally Displaced: An Examination of Encampment and Its Effects on the Communities in Unyama and Koro Sub-Counties in Gulu District, Northern Uganda

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Spring 2016
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“When you are dependent, you can’t dream bigger than what they give you.”

—Akullu, Former IDP, April 18, 2016
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Abstract

This study examines the period of encampment in Northern Uganda, as related to the Lord’s Resistance Army conflict, and the effects that encampment has had on communities in Gulu District through present day. The objectives of this study include; to examine the process of displacement, to analyze whether displaced persons were accorded the right to security during the encampment period, to analyze the effects that encampment has had on communities during the return period, through present day, and to examine the ways in which various actors have attempted to address such effects. This analysis is conducted through a human rights lens, in which it is determined whether the right to life was upheld during the displacement and return periods. For the purpose of this research, the right to life is interpreted as both the right to be alive and the right to be able to live a dignified and meaningful life. The findings of this research also fit into the current international debate on whether displaced persons should be protected on a national or international level.

This research was conducted over a four week period in Gulu District, Northern Uganda. A case study design was employed to examine the impacts of encampment on two particular communities in Gulu District in Unyama and Koro Sub-Counties. A total of 74 respondents, including community members, non-governmental organization employees, government and military officials, and scholars, were interacted with for the purpose of data collection. The primary methods used for data collection included interview, group interview, focus group discussion, and observation. For ethical consideration, this research was approved by a local review board, as well as the Ugandan National Council for Science and Technology.

The findings of this research determined that the policy of displacement issued by the government of Uganda was not made in the interest of civilian protection, but was rather a strategic military strategy to defeat the rebel insurgents. Subsequently, during the encampment period, civilians were not accorded the right to physical, food, or educational security, as their right to life and right to live a dignified life were jeopardized due to the government’s unwillingness to prioritize civilian protection. Since civilian property and lives were not protected during encampment, it has created negative impacts on civilians from the return period, through present day. Such impacts include poverty, dependency, and unemployment due to the loss of educational opportunities for many during encampment. Although government and non-governmental organizations have attempted to address some of these negative impacts on
society, there continues to remain a significant amount of work to be done to ensure that civilians can engage in personal and economic development for the wellbeing of society as a whole. Indeed, the issues of poverty and high levels of unemployment in Gulu District today must be addressed by the Government of Uganda in the near future, as such issues, if they remain unaddressed, have the potential to cause instability in Northern Uganda, as well as the whole of Eastern Africa. The findings in this research indicate that, on an international scale, there continues to exist gaps in the international system regarding the protection of internally displaced persons. Although there exists a non-legally binding document regarding the protection of internally displaced persons, without being legally binding, it will likely not have much of an impact on coercing states to adequately uphold the rights of internally displaced persons as outlined in the Principles. Indeed, if this document had been legally binding during the Ugandan instance of displacement, it would have likely compelled the government to place more of a priority on civilian protection and the protection of their rights.
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<tr>
<td>ACORD</td>
<td>Agency for Cooperation and Research in Development</td>
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<td>AWDCA</td>
<td>Acholi War Debt Claimants Association</td>
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<td>FGD</td>
<td>Focus Group Discussion</td>
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<td>GoU</td>
<td>Government of Uganda</td>
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<td>GYDA</td>
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<td>IDP</td>
<td>Internally Displaced Person</td>
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<td>LC</td>
<td>Local Counselor</td>
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<td>LRA</td>
<td>Lord’s Resistance Army</td>
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<td>Non-Governmental Organization</td>
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<td>NRA</td>
<td>National Resistance Army</td>
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Key Terms

- **The Right to Life** - The Right to Life for the purpose of this research includes the right to be alive, as well as the right to live a meaningful and dignified life.

- **Forced Displacement** - The concept of ‘forced displacement’ is interpreted as being both forced by government forces, as well as by the situation, to leave one’s home. Since the government is tasked with upholding the rights and protections of Ugandan citizens, as prescribed by both the Ugandan Constitution and National IDP Policy, the fact that the government failed to adequately protect civilians from LRA attacks, which then compelled civilians to leave their homes, is also considered an instance of forced displacement.

- **Dependency Syndrome** - The concept by which displaced persons have feelings of inadequacy, entitlement, or an unwillingness to work or to seek work due to long dependence on external assistance.
Chapter 1: Introduction

1.1 Introduction

This study examines the encampment period and its effects on the right to life of civilians in the communities of Unyama and Koro Sub-Counties in Gulu District, Northern Uganda. For nearly 15 years from 1996 to 2010, communities in Gulu District were displaced as a result of the conflict between government forces and rebel insurgents. The encampment period was a difficult time for the communities in Gulu District, as it created dependency on relief aid, compelled a number of youth to drop out of school, and failed to adequately protect civilians from rebel insurgents. When civilians were finally allowed to return home after an end to hostilities agreement was signed in 2006, their lives did not become significantly easier, as many were now subjected to displacement-induced poverty, continued to suffer from the dependency syndrome, and struggled to cope with the loss of years of education. Subsequently, this research attempts to demonstrate that, when displacement is handled in an improper and insufficient manner, it can have severely negative consequences on the lives of displaced persons both during, and long after, the period of encampment.

1.2 Background

1.2.1 Understanding Internal Displacement

According to the Guiding Principles on Internal Displacement, an Internally Displaced Person (IDP) is defined as:

persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border (Principles, 1998).

Since IDPs remain within the border of their own state, the responsibility to provide security and support to these individuals lies solely in the hands of their home government. However, it is alleged that the very state that is suppose to provide support for IDPs is often “unwilling or unable to cope” with their situation, and may have even caused their initial displacement (Giustiniani, 2011). As a result, even though IDPs are supposed to be accorded the same rights as a normal state citizen, they are often placed in a position of vulnerability, which serves to deprive them of their basic human rights (Giustiniani, 2011).
The number of IDPs on a global scale has been on the rise in recent years. As of 2014, there were 38 million IDPs, compared to 19.5 million refugees, worldwide (Internal Displacement Monitoring Center, 2013). Despite the higher prevalence of IDPs in the world, IDPs are not managed by an international agency, such as how refugees are managed by the United Nations High Commissioner for Refugees, in order to respect state sovereignty.

A Comparison Between IDP and Refugee Numbers

![IDP and refugee numbers, 1989 to present](image)

(Internal Displacement Monitoring Center, 2013)

Internal displacement is not a new concept in Uganda. Since independence in 1962, an estimated seven million Ugandans have been impacted by internal conflict or natural disasters. For example, the conflict during the Idi Amin years, the brutal President of the Republic between 1971 and 1979, clashes in the Luwero Triangle, the war between the Lord’s Resistance Army (LRA) and the government, and natural disasters, such as the 2010 Bududa landslide, have all caused massive instances of displacement throughout the country (Refugee Law Project, 2012). Indeed, it is unlikely that future instances of displacement will not occur in Uganda, as the various land conflicts in the north, the pipeline development project, and the current conflict in the Rwenzori region, among unforeseen future natural disasters, all have the capability to cause instances of internal displacement.

1.2.2 Policies on Internal Displacement

The right to life is one of the most fundamental and basic human rights. The right to life has been chosen for examination in this research because it is the right from which all other
rights stem from. Further, a state cannot be a state without its citizens. As such, the right to life has been widely documented in both international and national declarations and constitutions. The most universal declaration regarding human rights is the Universal Declaration of Human Rights created by the United Nations in 1948. In particular to the right to life, Article 3 of this document states that “[E]veryone has the right to life, liberty, and security of person” (United Nations, 1948).

As of the 1990s, there was no documentation on the specific rights of internally displaced persons, although, legally, they are entitled to the same rights as ordinary citizens (Giustiniani, 2011). The lack of acknowledgement of IDPs was brought to the forefront of international policy agendas in 1992, when the United Nations entrusted Francis Deng, the Special Representative of the Secretary-General on IDPs, with the responsibility of creating a document regarding the rights of IDPs (Mooney, 2000). Prior to this, IDPs were not necessarily seen as an area for international concern, due to the fact that these individuals remain within the borders of their own state. In 1998, the Guiding Principles on Internal Displacement were released, which is a non-legally binding document that records the rights that IDPs are entitled to. In the Principles, Section III, Principle 10 documents the right to life, stating that “every human being has the inherent right to life” and cannot be arbitrarily deprived of that life, while Principle 11 documents the right to live a dignified life by stating that “every human being has the right to dignity and physical, mental, and moral integrity” (1998).

At the national level, the 1995 Ugandan Constitution and the 2004 National IDP Policy both document the rights of Ugandan citizens and IDPs, respectively. In Chapter 4, Article 22 of the Ugandan Constitution, the protection of the right to life is defined as such: “No person shall be deprived of life intentionally except in execution of a sentence passed in a fair trial by a court of competent jurisdiction in respect of a criminal offence under the laws of Uganda and the conviction and sentence have been confirmed by the highest appellate court” (1995). Whereas the Constitution upholds the rights of all Ugandans, the IDP policy specifically targets the displaced. The National IDP Policy was established as a result of the grave humanitarian situation in the northern region. The Office of the Prime Minister, Department of Disaster Preparedness and Refugees is empowered with the responsibility to manage and provide for IDPs (National Policy, 2004). While IDPs are supposed to be accorded the same rights as ordinary Ugandan citizens, their situation as displaced persons tend to make them more vulnerable. As
such, it is necessary to specifically state the rights that they are entitled to. Chapter 3 of the National Policy outlines the general provisions of rights for IDPs. Yet, the specific right to life is not mentioned in the National Policy. Article 1 in Chapter 3 is the closest provision to the right to life. It states that “[S]ecurity of person and property is one of the fundamental entitlements of internally displaced persons.” This right is to be protected by the Uganda People’s Defense Force (UPDF) and maintained through all phases of the displacement process (National Policy, 2004).

1.2.3 The Conflict in Northern Uganda

In January of 1986, Yoweri Museveni and his National Resistance Army (NRA) overthrew the government of Tito Okello and gained control of Kampala, the capital of Uganda (Dolan, 2005). As the NRA moved towards, and attempted to dominate, the northern region, government soldiers began to loot the livestock and crops of the Acholi people, one of the predominant ethnic groups in the region. As agriculture and animal rearing were the main sources of livelihood for the Acholi, this created animosity towards the southern dominated government and NRA soldiers (Finnström, 2008). As a result, within two years of Museveni taking control of Kampala, 27 rebel groups had formed in the north to oppose the new government, including the Uganda People’s Democratic Army, Alice Lakwena’s Holy Spirit Movement, and Joseph Kony’s Lord’s Resistance Army (LRA) (Finnström, 2008). The most violent and long lived rebel group was the LRA, which was known for its rampant abductions of children, massive looting of food, livestock, and other property, and the brutal manipulation of civilians, including the cutting off of limbs, ears, and lips (Finnström, 2008).

Due to the increasingly violent attacks against civilians in 1995 and early 1996, the Government of Uganda (GoU) initiated a new strategy in September 1996 to relocate the civilian population into “protected villages” in order to provide security against rebel attacks (Branch, 2011). At the height of the conflict, there were some 1.8 million IDPs in over 240 camps across the northern region (Redmond, 2007). However, these “protected villages,” or displacement camps, created even more challenges for civilians, as the camps remained inadequately protected from rebel attacks, food items were scarce as movement was highly restricted, and the sanitation conditions were unfavorable, causing many to die of cholera and other diseases (Branch, 2011). Indeed, in 2004, Jan Egeland, the United Nation’s Emergency Relief Coordinator, described the situation in Northern Uganda as “the most forgotten humanitarian crisis in the world” (Humanitarian Practice Network, 2007). Soon after, though, the conflict and suffering in the
north began to subside, when in August of 2006, the LRA and GoU came to agreement on the end to hostilities portion of the Juba Peace Talks. However, the final version was never signed (Finnström, 2008). Nevertheless, conditions in Northern Uganda since 2006 have generally been peaceful, which has allowed many of the IDPs to return back to their homes and begin to rebuild their lives.

1.3 Problem Statement

Many states have struggled to adequately handle a crisis of internal displacement on account that they lack the adequate resources or policies to deal with such a situation. With the Guiding Principles being non-legally binding, there is no legally binding international document that specifically addresses the rights of IDPs. Even though IDPs are supposed to be accorded the same rights as ordinary citizens in a state, their position as IDPs places them in a position of vulnerability, with the potential for greater exposure to harm. As a result, despite their being displaced due to conflict situations, development projects, or natural disasters, these individuals are not protected by the international community as much as refugees are. This research attempts to use a case study to demonstrate that, when IDPs are left primarily to the protection of an unresponsive home state, it can lead to a grave humanitarian situation. Thus, there is a need for more to be done on an international level to assure the protection of the rights of IDPs.

With the situation in Northern Uganda, the only document that served as a point of reference for the government in protecting the rights of IDPs in 1996 was the 1995 Constitution\(^1\). However, there is no reference to IDPs anywhere in the Constitution, which places these individuals in a precarious situation. And even though the GoU now has a National Policy on IDPs, which was established in 2004 and serves as a framework for government and humanitarian action, the GoU continues to struggle in terms of resources and policy implementation to adequately respond to instances of displacement.\(^2\) Thus, even though there are policies that address the rights of Ugandan citizens and IDPs, the government’s lack of

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1 According to Chapter 4, Article 20, Provision 2, the rights of individuals are to be “respected, upheld, and promoted by all organs and agencies of Government.” Chapter 4 of the Constitution outlines the general human rights and freedoms that individuals in the state are entitled to.

2 March 2010 saw an instance of a natural disaster induced displacement. Known as the Bududa landslide incident, some 5,000 Ugandans were displaced. It demonstrated that the GoU continued to remain ill-equipped to handle instances of displacement, as the District Disaster Management Committee present in the area remained understaffed and underfunded before and after the natural disaster (Refugee Law Project, 2012).
implementation of the provisions in these policies serves to jeopardize the welfare of these individuals.

This research is particularly relevant given the current situation in Uganda. At the moment, the conflict in the Rwenzori region has already driven 10,000 people from their homes as of April 2016 and has the potential to cause a serious displacement crisis (Minority Rights, 2016). Further, with the energy project in the north getting underway, there exists the potential for developmental displacement. As a result, it is vital to analyze the negative impacts that the LRA displacement has had on the lives of civilians through present day, such that the GoU may be coerced to act to prevent such effects on future displaced populations.

1.4 Objectives

The overall objective of this study is to analyze how encampment and its effects have impacted civilians’ right to life from the initial time of displacement in 1996, through present day. The specific objectives are:

1. To examine the process of displacement in Northern Uganda as related to the LRA conflict
2. To analyze whether IDPs were accorded the right to security during the encampment period
3. To analyze how the effects of encampment impacted civilians’ right to life from the return period through present day
4. To examine efforts towards addressing the negative impacts associated with encampment

1.5 Scope of the Study

i. Geographical: This research was conducted in Gulu District, Northern Uganda. Interviews were held at organizational offices within Gulu Town. Fieldwork was carried out in Ajuku Manyige village and Oding village in Unyama Sub-County and Abili village in Koro Sub-County. Both of these Sub-Counties were home to IDP camps during the conflict. Located just eight kilometers outside of Gulu town, Unyama IDP camp was established in 1996, and contained roughly 26,870 IDPs as of 2006 (Salborn, 2010). Koro Abili IDP camp, located nine kilometers south of Gulu Town, was established in 2003, and held around 30,000 IDPs (Moro, 2009).
ii. Content: The focus of this study was on encampment and its impacts on society. The research question was, how did encampment and its associated effects impact civilians’ right to life from 1996, through present day?

iii. Time: This research period extended from April 5 to May 3, which was a period of four weeks. The time period of focus for this study was from 1996 to present day.

1.6 Significance

This study will benefit former IDPs in Northern Uganda and future displaced persons on a global scale. This research attempts to highlight the ways in which states struggle to adequately protect the right to life of IDPs and how, when handled in an improper manner, encampment can negatively impact the displaced for years to come. For former IDPs in Uganda, issues such as displacement-induced poverty, dependency, and loss of educational opportunities are examined. As a result, this research hopes to bring these issues to the attention of the GoU and local and international NGOs, such that they can create programs or initiatives that serve to assist former IDPs in these areas. This may serve to provide former IDPs with property compensation, further opportunities for skill or vocational training, and the creation of employment opportunities.

The other beneficiaries of this research are future displaced populations. This research demonstrates how civilians’ lives are impacted by displacement and how displacement can lead to severely negative impacts on society if these areas are insufficiently planned for and addressed. It is an aim of the researcher that the findings in this study influence policy makers on how to adequately provide for the rights of the displaced population and carefully examine how displacement can impact civilians, before issuing a policy of displacement. As a result, future displaced populations may be spared from the suffering and hardship that can be associated with displacement. It should be noted, too, that this research does not just aim to address conflict-induced displacement, but can also be stretched to encompass development and natural disaster-induced displacement.

This research also aims to contribute to the existing body of knowledge on internal displacement by analyzing the long term negative effects that an improper and mismanaged displacement policy can have on the affected populations long after displacement has ended.
Chapter 2: Literature Review

This chapter examines the existing literature on the right to life, internal displacement and its impacts on civilians, and the issue of displacement as it relates to the situation in Northern Uganda. Additionally, analytical gaps that this research hopes to fill are identified and explained in each sub-section.

2.1 The Right to Life

The most fundamental and basic human right is the right to life. As “the right that interpellates the human subject,” Kathryn McNeily argues that the right to life should be interpreted as more than just being alive. Rather, encompassed in the right to life is the right to livability, which includes having the means to live a life that counts (2015). The concept of livability can be applied to Conrad Daly’s article entitled The Right to Life Versus the Right to Live, in which he questions the use of life saving medical treatment that may serve to prolong human suffering. Daly argues that, “there is no longer a value in living life, but in sustaining it” (2005). Existing scholarship has demonstrated that the right to life should not be defined merely as the right to be alive. Rather, the right to life should encompass an individual’s entitlement to obtaining both the means and the capacity to be able to live a dignified and meaningful life. While existing scholarship has applied the right to livability to medical treatment and the abortion debate, it has not been applied to individuals impacted by displacement. This research seeks to fill this gap by examining whether encampment conditions in Northern Uganda upheld the right to livability, and how the effects of encampment have infringed on the right to livability from the end of the encampment period through present day.

As a result, for the purpose of this research, the right to life will be interpreted through McNeily’s concept of the right to livability. Thus, the phrase the “right to life” will include both the right to be alive and the right to live a dignified and meaningful life.

2.2 Internal Displacement, Conflict, and the Associated Effects on Civilians

Existing scholarship has well documented that when internal displacement is insufficiently coordinated and implemented, it can have severe negative implications for the displaced population (Birkeland, 2009, Brun, 2003, Horst & Grabska, 2015). One study conducted by the Internal Displacement Monitoring Center determined that at the end of 2008, there were 26 million IDPs worldwide. The report determines that “the fact of having been displaced tends to further reduce IDPs’ access to physical security, the basic necessities of life,
and enjoyment of other rights,” which serves to increase their vulnerability and suffering (Birkeland, 2009). Cathrine Brun’s analysis of internal displacement in Sri Lanka comes to a similar conclusion, describing how displacement is seen as necessary in order to protect and secure the rights of civilians, but often leads to the unintended consequence of “restricting rather than securing their rights” (Brun, 2003).

The position of being displaced and impacted by conflict serves to impact civilians’ right to live a dignified life. One example is John Nigel, who documented the impacts that the 1983 Sri Lankan civil war had on the livelihoods of individuals living within the conflict area. Nigel argues that conflict can affect the livelihood of civilians in two ways: either directly by causing death and destruction of property, or by indirectly limiting their freedom of choice (2009). It was determined that civilians in Sri Lanka were both directly and indirectly impacted by the conflict, with the destruction of schools, health centers, and infrastructure, as well as restricted access to markets, farming, and fishing due to security concerns (Nigel, 2009).

Scholars, such as those mentioned above, have well documented how displacement and conflict can have grave impacts on the civilian population while they are displaced or living in conflict affected areas. However, few address how the effects of encampment can actually follow the displaced through the return period for several years, which then serves to impact the economic, livelihood, and educational choices of the formerly displaced. This research seeks to fill this gap by identifying prevalent social issues that are a direct result of the encampment period, and analyze how these issues have impacted civilians’ right to life in Northern Uganda.

2.3 Contextualizing Displacement in Northern Uganda

Several arguments have been put forward which attempt to comprehend the motive behind the Ugandan government’s decision to move civilians into displacement camps. The most common argument put forward is that displacement was necessary as a military strategy to deprive the LRA rebels of information, food, and other supplies that they were receiving from the civilian population, as well as to protect civilians from attack (Horn, 2009, Dolan, 2005, Salima, 2004). Christopher Dolan, the current director of the Refugee Law Project in Uganda, argued that the “juxtaposition of a concern with protecting people’s physical security and a suspicion that these very same people might be supporting the rebels – and therefore in need of containment – reflected fundamental ambiguities in the relationship between people in northern Uganda and the southern dominated government” (2005). While most scholarship tends to
follow these aforementioned paths, one scholar, Adam Branch, argues that the motive behind encampment was more politically charged. He argues that the “role of the security forces, once the camps were formed, was not to provide protection to the camps but to repress those in the camps who might organize to protest their internment or poor conditions” (Branch, 2011). Supporting this more extreme view that encampment was aimed at controlling, rather than protecting, the civilian population, is scholarship that has equated displacement to concentration camps set up to annihilate the Acholi people (Otunnu, 1998, Branch, 2008, Finnström, 2003).

An issue that has been documented, but not widely examined, is the impact that encampment had on the lives of individuals in Northern Uganda. One study conducted on the lack of occupational opportunities during the encampment period documented how lost occupations contributed to a “loss of meaning, purpose, identity, control, value, and potential,” as well as created coping mechanisms that the local culture considered “dysfunctional, morally inappropriate or dangerous” (McElroy, Muyinda, Atim, Spittal, & Backman, 2012).

Existing scholars have well documented the various arguments on why the GoU displaced the northern population and of the human rights abuses that occurred during encampment. However, there have been few studies that have examined how the right to live a dignified life was impacted by the encampment period in Northern Uganda. Further, a large gap exists in how the effects of encampment continue to impact civilians’ right to life through present day. For example, the study referenced above on Northern Uganda documented how negative coping strategies were adopted by civilians to handle their situation during displacement (McElroy, Muyinda, Atim, Spittal, & Backman, 2012). Yet, the authors do not go on to analyze how these coping strategies and other negative effects from encampment, impacted civilians’ lives when they left the camps. This study hopes to address both of these issues in examining how displacement infringed on the right to life both during and after the periods of encampment, and how the government and various organizations have attempted to deal with these effects.
Chapter 3: Research Methodology

3.1 Introduction

This chapter highlights the step-by-step process of data collection and research methodology. This research was conducted over a four week period in Gulu District, Northern Uganda. A total of 74 respondents, aged 18-85, were involved. All respondents were provided with an informed consent form prior to the start of an interaction, from which they indicated whether their name could or could not be used in this final report. As a result, all individuals whose names are revealed in this report have provided their consent to the researcher. There are times, though, in which the researcher has chosen to quote an individual anonymously or not use a full office title for the sake of protecting a respondent’s identity, even when permission to use that individual’s name was obtained. This research was reviewed and approved by a local review board, as well as by the National Institute for Science and Technology in Uganda (see appendix). The methods used for data collection, the study population, the limitations, and the ethical considerations of this research are some aspects that are identified and examined in this chapter.

3.2 Research Design

The design of this research, or the overall strategy of the approach, was a case study. This research focused on how encampment can impact civilians’ right to life both during and after the period of displacement and focuses on two communities in Northern Uganda to examine this theory. In an effort to avoid generalization, a case study was chosen to examine encampment’s impacts on two communities to illustrate these civilians’ particular experiences.

3.3 Area of Study

This research was conducted in Gulu District, Northern Uganda. Fieldwork was carried out in Ajuku Manyige village and Oding village in Unyama Sub-County and Abili village in Koro Sub-County. Interviews were also held at organizational offices within Gulu Town. Koro and Unyama Sub-Counties were selected due to the fact that two major IDP camps were located there during the conflict, as well as due to their proximity to Gulu Town, such that multiple interactions with community members were possible.

3.4 Study Population

The study population was a subset of the target population. It included:

3.4.1 Community Members
Community members from two former IDP camps, Unyama and Koro Abili, were selected for this research. All community members that were interviewed were former IDPs. The respondents included former camp commandants, the Local Counselors (LC), youth that had grown up during the encampment period, and community elders. As this research centered around the right to life of IDPs, input from community members was integral to this report in understanding how encampment and its effects have impacted their lives.

3.4.2 Non-Governmental Organization Employees

Organizations that worked with IDPs during the encampment period were identified for this research to understand what role they had in securing the rights of IDPs. Organizations that are active today in addressing some of the associated effects of encampment, such as poverty and gaps in education, were also interviewed to understand how these organizations are attempting to provide opportunities for individuals disadvantaged as a result of displacement.

3.4.3 Government and Army Officials

Members of the local government and the UPDF stationed in Gulu were interviewed. Part of this research sought to identify what role government officials and forces played in providing security for IDPs and in what ways they are working today to address the effects of encampment in the post-conflict environment. As a result, it was necessary to interview these individuals to obtain a first-hand account of government motives and reasoning for the courses of action that have been taken.

3.4.4 Academia

Four members of this field who had knowledge on displacement and prevalent social issues today were identified for this research. These individuals provided the research with a scholarly point of view and provided a more in-depth analysis of issues presented by community members.

3.5 Sampling Procedure

The methods used for selecting respondents included purposeful and snowball sampling. Purposeful sampling refers to the process of non-random sampling, where individuals were selected due to their knowledge on a topic. On the other hand, snowball sampling is defined as the process by which study respondents recruit future respondents among their acquaintances. Purposeful sampling was the primary method used in order to effectively utilize the four weeks allotted. Individuals that the researcher had met throughout the semester that had knowledge on
displacement and informants considered key by the research advisor, were the first to be interviewed. From there, snowball sampling was used, as key respondents were asked if they were aware of other individuals in Gulu that had knowledge on this research topic. This allowed the researcher to expand the scope of respondents and interact with as many key respondents as possible.

3.6 Sample Size

The sample size indicates the total number of respondents interacted with for research purposes. In this case, the sample size was 74. The breakdown is as followed: 47 community members, 19 Non-Governmental Organization (NGO) employees, 3 members of the local government, 1 UPDF Colonel, and 4 academics. Within the category of community members, 36 individuals were involved in focus group discussion, while the other 11 were involved in interview. The respondents from the NGO, government, UPDF, and academia categories were identified from previous interactions before the research period, recommendations from the research advisor, online research, and referrals from key respondents. For the community respondents, after the communities of interest were identified, a gate-keeper was utilized to mobilize respondents that were former IDPs and that had agreed to voluntarily participate.

Due to the limited time and geographical scope of this study, the findings presented in this report cannot be considered representative of the entire population. This report only represents a few personal accounts of encampment and its effects in two communities of one district that was affected by the conflict.

All categories of respondents, with the exception of community members, were personally called or visited by the researcher to request for an interview for the purpose of data collection. After that, an interview was set up at a suitable time for a one on one, or group, discussion with the respondent(s). For community members, information was obtained through the assistance of a translator to translate from Acholi to English, and vice versa. Obtaining information from these individuals also required a thorough explanation of what this research would be used for, their rights as the respondents, and who I was as the researcher.

3.7 Data Collection Methods

3.7.1 Interview

For this research, 38 total interviews were conducted, with one being informal and the rest being formal. Interviews were conducted with stakeholders from all categories: community
members, NGO employees, government officials, UPDF officers, and academics. The interview 
method was the primary method used for data collection, as it allowed for an extensive one on 
one discussion in which follow up questions could be asked for further examination or 
clarification. The interview method was also preferred in that a respondent would not be 
influenced by the perceptions or opinions of other respondents, as compared to what may happen 
in a FGD.

3.7.2 Group Interview

Three group interviews were conducted for this research. These occurred with either two 
or three respondents at NGOs. A group interview was preferred over an individual interview in 
the case that more than one individual at an organization had relevant information on the 
research topic, and the respondents felt that a group discussion would be more beneficial for the 
researcher.

3.7.3 Focus Group Discussion (FGD)

A total of four FGDs, ranging from six to twelve community respondents, were conducted 
for this research. Two FGDs were held in each Unyama and Koro Sub-Counties. Out of these 
two discussions, one was conducted with youth that grew up during encampment, while the other 
was held with older (35+) members of the community that were able to recall details from 
before, during, and after encampment. FGDs were used to gather information from a number of 
individuals at one time, allowing for a greater representation of community views. Respondents 
were able to communicate freely among each other, allowing for information to be clarified and 
recalled between respondents. FGDs also assisted the researcher in triangulation and 
understanding whether an issue was more common to the group, or just an individual view.

3.7.4 Observation

This research examined some of the social effects that displacement has had on society 
today. Observation was thus used to examine the impacts that government and NGO 
programming have had on the communities in Unyama and Koro Abili Sub-Counties. This 
allowed the researcher to examine what was suppose to be done in the community, and what was 
actually done.

3.7.5 Secondary Source Review
A multitude of secondary sources were reviewed before and during this research period to examine the existing arguments on displacement and to identify the current gaps in scholarship regarding displacement and its effects on civilians.

3.8 Data Analysis

This study collected qualitative data. Since a tape recorder was used in most of the interactions, the interviews were transcribed, or transferred from a notebook when a recorder was not used, onto a Microsoft Word document. From there, relevant information was transferred into an outline of the objectives for this research. Topic areas that required further investigation or clarification were highlighted while transcribing and transferring the data. For the findings section, data was then analyzed using interpretational and reflective analysis, in which the researcher examined the data to understand its meaning and its wider connection to the research question and global debates.

3.9 Limitations

3.9.1 Time

The extent of this research was limited by time, as only four weeks were available for the purpose of data collection. As a result, the time frame limited the amount of interviews that could be conducted and the number of former IDP camps that could be visited. However, before going out into the field, the objectives of this research were tailored as to make data collection manageable within this time period.

3.9.2 Language

Members of the community often times were unable to speak English. As a result, a translator was needed for interactions with these individuals. One issue that arose while conducting research was that the first identified translator could not speak English very well, which influenced data collection. After this interaction, a different and more effective translator was identified and utilized for the duration of the research period. However, due to the potential that inaccurate or incorrect information may have been collected through the use of the first translator, the data obtained from that discussion is not included within this report.

3.9.3 Research Fatigue

The conflict in Northern Uganda began in 1986, which means that for the last 30 years, researchers and international agencies have attempted to gather data from these communities. As
a result, the gate-keeper in the communities visited was informed to only include respondents that wanted to participate voluntarily, and were not being forced in any way.

3.9.4 Decline/Cancellation of Interview

The declination to participate in this research did occur. As a result, efforts were consistently made throughout the four weeks to have a surplus of potential respondents as to have individuals to fall back on in the event that a respondent declined. The cancellations of previously scheduled interviews also occurred during the research period. As a result, an attempt was made to either reschedule or find a respondent that could provide similar information.

3.9.5 The Closing of Offices

Unfortunately, many of the international NGOs that had been active during the conflict period have closed in Gulu today. As a result, even though some of these organizations, like the Norwegian Refugee Council, played an integral role during displacement, it was impossible to interview a representative from there. This meant that only organizations that were still active in Gulu were interviewed.

3.10 Ethical Considerations

3.10.1 Purpose

The purpose of this research as purely academic was disclosed to all respondents prior to the start of the interaction. This made them aware that the data collected would not be used for any political purposes.

3.10.2 Confidentiality

All participants were given an informed consent form in which they indicated whether or not they wanted their name associated with the information they released. If a respondent desired to remain anonymous, that wish has been upheld in this report. However, even if respondents released permission to the interviewer to use their name in the report, the researcher has chosen at times to quote respondents anonymously in order to protect their identities.

3.10.3 Consent for Recording

Consent for using a tape recorder was verbally requested prior to the start of interviews or FGDs. Participants were informed that recording would only be used for the purpose of transcribing. If a respondent was unsure of the recording device, a demonstration was shown on how the recorder worked. For individuals that declined the use of the recorder, note taking was utilized.
3.10.4 Compensation

For FGD, respondents were compensated with a small amount of cash and informed that the money should be used to buy a soda for giving up their time for this research. This issue was discussed with the community gate-keeper to understand what an acceptable form of compensation was before an interaction.

3.10.5 Bias

There existed the potential for bias in interactions with any respondents. As a result, triangulation and cross-referencing with other respondents and secondary sources was utilized to assist the researcher in identifying areas of bias.

3.10.6 Sensitivity of the Issue

The issue for this report may have evoked memories of the conflict period, with the potential to cause undue harm and stress. As a result, conditioning of questions was used to identify where a respondent may be less willing to answer and voluntarily opt out of the interview.
Chapter 4: Findings and Analysis

This section is composed of four main parts. The first section examines the process of displacement, the second analyzes the security provided to IDPs during displacement, and the third section looks at the return period and examines some of the unintended aftermaths of the encampment period. The final section analyzes the ways in which different actors have attempted to address the unintended consequences of the encampment period, in an attempt to assist people in living a dignified and meaningful life.3

4.1 The Process of Displacement

The findings of this research indicated that the process of displacement was mishandled and insufficiently resourced by the GoU, placing those affected by displacement in a precarious and vulnerable situation. Even when efforts were made by the GoU to address the humanitarian crisis in the north, these efforts were aimed more towards subduing international criticism than a desire to end the suffering of the Acholi people. This lack of preparation and willingness to consider the needs and rights of IDPs laid the foundation for some of the negative and unintended consequences that resulted from the encampment period and remain prominent in society today.

4.1.1 The Reasons for Displacement

In September of 1996, the GoU issued a policy that required civilians to move into designated “protected villages,” due to continual and increasingly violent attacks against civilians by LRA rebels (Branch, 2011). A number of respondents indicated that the reason they were given for displacement was to allow the government forces to adequately protect the civilian population (Personal Communication, 2016). However, there is little evidence that the government exhausted any other means to attempt to protect the civilian population before issuing displacement. According to Principle 7 of the Guiding Principles on Internal Displacement:

Prior to any decision requiring the displacement of persons, the authorities concerned shall ensure that all feasible alternatives are explored in order to avoid displacement altogether. Where no alternatives exist, all measures shall be taken to minimize displacement and its adverse effects. (1998)

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3 Recall that, for the purpose of this research, the right to life will be interpreted through McNeily’s concept of the right to livability. The phrase the “right to life” will include both the right to be alive and the right to live a dignified and meaningful life.
This Principle demonstrates that displacement should be considered a measure of last resort, and other steps should be taken by the state in question beforehand, to attempt to protect the lives and rights of civilians caught in the midst of armed conflict. Several respondents indicated, though, that encampment was by no means a measure of last resort, but was rather the first option explored for their “protection”iii (Personal Communication, 2016). This stance was confirmed by a member of the UPDF, who indicated that encampment was the “most logical way” to protect civilians (Personal Communication, April 13, 2016).

However, looking for alternative solutions before displacement is not merely a protocol of international standards, but rather a way to mitigate the impacts of conflict on the lives of civilians. As a result, if the interest of civilian protection was really at the forefront of the debate, then other means of protection should have at least been explored. Additionally, the finding that the GoU did not attempt to protect civilians in any other way besides displacement directly violates Principle 7 of the Guiding Principles on Internal Displacement. However, since the Principles are not legally binding, there is little that can be done to hold the GoU accountable for not following protocol. This is problematic in that, the process of displacement caused untold suffering on civilians in terms of depriving them of their property and means of livelihood, thus directly threatening their right to life. Subsequently, if the Principles were made binding, the document may serve as a deterrent for a government to issue a displacement policy at will, since the state in question could then be held accountable for deviations against policy provisions. This would decrease the likelihood for future suffering among civilian populations as a result of unnecessary instances of displacement. Indeed, the idea that the Guiding Principles should be transformed to encompass a more legally binding approach has been an issue of international debate since the Principles were released. Such an idea has been endorsed by Walter Kälin, the Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons, who writes that incorporating the Principles into customary international law would “strengthen the normative framework of the protection of the human rights of the displaced” (2006). Thus, although civilians in Northern Uganda suffered as a result of the government’s unwillingness to explore other options for protection, it would make it less likely for governments considering displacement to issue such a policy without ample thought in the future, as there could be international repercussions. Thus, this would assist in protecting the rights of those populations.
Another issue regarding the initial displacement in Uganda was that the war in the north had been raging for ten years when the government decided to relocate people into camps. During that time, though, little to nothing was done to ensure that civilians were protected from the LRA. For example, the 1995 Atiak massacre, in which the LRA quickly overpowered the local defense units that were attempting to protect civilians, left between 170 and 220 civilians dead within hours (Gersony, 1997). The experiences of one respondent are also indicative of the little security that was provided to civilians before encampment:

“We felt compelled to leave our homes because we were tired to sleeping in the bush. The rebels would pass through our compound and fire shots in our direction. We didn’t feel secure.”

(Anonymous Community Elder, Personal Communication, April 18, 2016)

This demonstrates that the UPDF did not seem to exhaust any resources to protect civilians when they were still living in their villages, prompting civilians to try to protect themselves from abduction by sleeping in the bush at night. This then begs the question, ‘why protection now in 1996, and not before?’ The fact that little protection was provided to civilians beforehand, coupled with the government resorting immediately to displacement, provides further evidence that the government was not concerned with civilian protection. Indeed, one scholar contends that encampment stemmed from the government being “boxed in a corner to respond to the crisis,” since the war was continuing to escalate, but little was being done to protect civilians (Anonymous Scholar, Personal Communication, April 21, 2016). Thus, the findings in this study indicate that encampment was not a measure to ensure protection, but rather a measure to avoid criticism from the international community.

Another issue that has arisen in the debate about displacement was that the GoU had ulterior political motives behind the policy. This has been affirmed through interactions during this research period and by existing scholarship. The most common reason, other than protection, provided for the rationale of displacement was that the GoU was attempting to “render the rebels incapable of carrying out their vicious and deplorable acts” (UPDF Official, Personal Communication, April 13, 2016). This was to be done by removing the source of power from the LRA, that source being the civilians. By removing civilians from their homes, this would deprive rebels of a continuous supply of food, an area to obtain information regarding UPDF movement, and hideout locations. As a result, once civilians were no longer residing at their homes, the UPDF purposefully employed a “conventional war style of scorching” to destroy anything in the
countryside that had the potential to support the rebels (E. Lagedo, Personal Communication, April 6, 2016). Yet, the reckless destruction of civilian property has been one of the key reasons why civilians have continuously struggled financially since their displacement in Gulu District. Indeed, according to Rosalba Oywa, a local community activist in Gulu Town, the GoU “purposefully destroyed all property, food, and homes during encampment. But they did not think of how this would impact people’s lives” in the future (Personal Communication, April 16, 2016).

These findings indicate that the GoU sought to “protect civilians” through displacement on behalf of its own interests for a military strategy, as well as out of international pressure. First off, the fact that the civilians were displaced for a strategic military purpose demonstrates a violation of international humanitarian law. As a result, this analysis serves to show that there has been a gap in the international system in terms of holding the GoU accountable for its action towards civilians. This may be problematic for future states and instances of displacement in that, if the GoU is not adequately held responsible for the suffering inflicted on civilian populations as a result of displacement, other states may see displacement, too, as an opportunity to remove civilians from their homes for personal interest. Second, these findings indicate that the government was also compelled to issue a policy of displacement as a result of international pressure. Thus, this means that international pressure has the ability to coerce states to act in manners that actually serve to increase, rather than mitigate, civilian suffering. Indeed, in the Bosnia and Herzegovina conflict, when civilians were displaced as a result of an attempted ‘ethnic cleansing,’ the international pressure placed on the state to respond properly to the conflict led to the creation of ‘safe zones’ for civilians. However, in one instance, this ‘safe zone’ allowed all the victims to be congregated into one area, in which perpetrators were able to more easily slaughter some 7,000 civilians (UNHCR, 2004). Thus, this analysis demonstrates that the power of coercion on behalf of the international community does not always serve the interest of civilians. Subsequently, the international community should do more to assist, rather than just condemn, states in protecting the right to life of their citizens.

Despite the potential existence of ulterior political motives, it should not be concluded that encampment did not protect civilians in any way. Some respondents indicated that encampment was actually a result of civilians’ own attempt to protect themselves by fleeing towards army barracks (iii) (Personal Communication, 2016). For example, from 1987 to 2006, it
was estimated by Human Rights Watch that at least 20,000 children had been abducted by the LRA (2012). In addition to these abductions, the brutal manipulation, rape, and killing that tend to be associated with the LRA, surely impacted and motivated these civilians to attempt to find greater security elsewhere, as was the case for two respondents in Koro Abili.

However, at the same time, community members should not have felt that they had to move to displacement camps, because the UPDF had the primary responsibility to protect civilians from LRA violence. Indeed, the protection of the rights of Ugandan citizens is listed in Chapter Four, Article 20 of the 1995 Constitution as such:

(2) The Rights and freedoms of the individuals and groups enshrined in this Chapter shall be respected, upheld and promoted by all organs and agencies of Government and by all persons.

Since the right to life and the right to maintaining property are both listed in Chapter Four, these rights are to be upheld by the GoU and its actors. However, being compelled to abandon one’s property or flee one’s home out of fear of death, demonstrates that the government did not protect these rights of individuals before the encampment period. This, again, leads one to question why the government would suddenly desire to protect the civilian population in 1996. As a result, the GoU’s violation of provisions in the Constitution towards civilian protection demonstrates that the interest of civilian protection was not a priority. Further, although the rights of Ugandan citizens are specifically listed in the Ugandan Constitution, these findings indicate that the GoU failed to create the conditions in which enjoyment of these rights was possible. Subsequently, the international community should have intervened to assure that these rights could be enjoyed, rather than merely providing humanitarian assistance for sustaining lives, a concept that will be examined later. Indeed, in 2001, after the failure of the international community to protect the rights of civilians during the Balkan crisis and the Rwandan genocide, the “Responsibility to Protect” (R2P) was issued, which states that, when a state fails to protect its people, the responsibility then shifts to the broader international community (United Nations, 2016). Although R2P was active during the latter half of the displacement crisis in Uganda, it seems to not have had a tangible impact on civilian communities until recently. For example, R2P has allowed the international community to intervene to protect civilians in Libya in 2011, Syria in 2012, and the Central African Republic in 2013 (United Nations, 2016). Thus, the international community has advanced in its protection mechanisms to have the power to do more for the protection of the rights of civilians. Subsequently, R2P should be invoked in future
crises of displacement when state governments fail to protect the right to life of civilians.

4.1.2 Displacement in Action: From Villages to Camps

The manner in which displacement was enforced is an issue that remains contested to this day. When the government informed civilians of displacement, they were given 48 hours to leave their homes. While some respondents contested that civilians moved voluntarily to the camps, a number maintained that they were forcefully displaced (Personal Communication, 2016). Since Unyama and Koro Abili camps each contained between 25-30,000 civilians, it is likely that there existed a mix of both voluntary and forceful displacement (Salborn, 2010, Moro, 2009).

One of the key issues with forceful displacement, though, was the way in which the UPDF enforced the policy. Respondents in focus groups in both Unyama and Koro Abili, stated that they remained at their places of residence after the government’s 48 hour notice on account that they did not feel the government was serious about displacing people (Geoffrey, Personal Communication, April 15, 2016, FGD, Personal Communication, April 23, 2016). However, after the government showed up to bomb their villages and burn their huts, these civilians had no other choice but to move to the camps. The experiences of one Unyama civilian were described as such:

“The [UPDF] soldiers came here and they were chasing and intimidating us. We had to run from here to the trading center. We left all of our property behind” (FGD, Personal Communication, April 21, 2016).

This action violated the right to life of civilians in both sense of the term. First, since some individuals were compelled by military force to leave their homes, their right to life was directly threatened. Second, these civilians were deprived of their right to live a dignified life in that, at that moment, they were no longer in control of their own lives, but rather at the hands of government forces. Thus, they were prevented from remaining in their homes to continue on with their lives, homes which many never saw again.

Yet, some members of the current government continue to insist that 100% of civilians came voluntarily to the camps, as civilians ran from the “barbarism” of the rebels (UPDF official, Personal Communication, April 13, 2016). This stance is problematic in that it ignores

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4 It should be noted that, while Koro Abili camp was established much later than Unyama camp in 2003, individuals from Koro Sub-County were still forcefully displaced. Since civilians there were still relatively close to town and the UPDF detach, the government did not push them to move into camps until 2003, when LRA attacks dramatically increased after Operation Iron Fist in 2002.
the fact that the government illegally uprooted individuals from their homes, destroying their property and threatening their lives. Under international human rights law, it is possible to impose limitations on civilian rights, such as requiring civilians to move into a greater protected area during an armed conflict. This should only be carried out, though, if civilian lives cannot be protected in any other way or if the life of the nation is threatened (United Nations High Commissioner for Human Rights, 2011). However, this analysis has shown that the government did not attempt to protect civilians in any other way and the LRA conflict cannot be considered to have threatened the life of the nation, since a state of emergency was never issued, as will be examined in the next section. As a result, the GoU did not have the authority to legally displace civilians from their homes. Further, the International Covenant on Civil and Political Rights specifically states that, “no derogation may be made concerning the right to life” (Article 4, Provision 2). Yet, the action that the state of Uganda took during the initial process of displacement directly violates this provision in that, at times, the UPDF soldiers would force individuals at gun point to leave their homes (LC1-Unyama Sub-County, Personal Communication, April 19, 2016, R. Oywa, Personal Communication, April 16, 2016). Since their right to life was jeopardized in that instant, it demonstrates that the GoU did not uphold the Constitutional provision that civilians should not be arbitrarily deprived of their lives.

Thus, this provides another instance to which the GoU should be held accountable for its actions during the initial process of displacement. States should not, and do not legally, have the power to forcefully displace civilians at will. In order to prevent future instances of unnecessary forceful displacement, the government should be brought to accountability to serve as an example on the international stage that such behavior is unacceptable.

4.1.3 The Ugandan Constitution, the National IDP Policy, and the Rights of IDPs

The only policy document that served to guide the actions of the GoU during the initial process of displacement was the 1995 Constitution. Although displaced persons are not mentioned in the Constitution, they are to be granted the same rights as ordinary Ugandan citizens. Thus, the protection of the right to life (Article 22), the protection from the deprivation of property (Article 26), and the protection of human dignity (Article 24), were all rights that Ugandan civilians had both at the time of, and during, displacement\(^5\) (Republic of Uganda, 2011).

\(^5\) The right to physical security, food security, and educational security as defined by the Ugandan Constitution are addressed in the following section.
However, the findings in this study indicated that the government had failed to protect civilians’ rights in all three of these areas. This is confirmed by the experiences of individuals in one focus group held in Unyama:

“When we saw the army coming, we just had to go. They were beating and killing people. We were forced to leave without picking anything. Sometimes, people left their babies at the hut to go fetch water or go to the gardens. When the soldiers came, they just had to run and leave the babies behind.”

(FGD, Personal Communication, April 12, 2016)

This memory demonstrates that all three rights, the right to life, the right from deprivation of property, and the right to human dignity, were violated by the actions of the army of the GoU. The fact that the GoU violated provisions in the Constitution, as well as failed to acknowledge these violations through today, provides further evidence that the GoU did not have an interest in protecting the right to life of civilians during the process of displacement. This means that the state detracted from, what should be, its number one priority: protecting civilians. As a result, these findings are indicative that more must be done by the international community to ensure that states are upholding the human rights of their citizens. This could be done by monitoring the human rights situation on the ground in instances of internal displacement. However, in terms of accountability, for the GoU to be held responsible on the international stage, for example, at the International Criminal Court, for its actions before and during the process of displacement, the issue must be brought to the attention of the Court by the GoU or by the Security Council. However, since the conflict ended ten years ago and little has been done to address this issue, since the government will not indict itself, and the United States, a member of the Security Council, had served as an accomplice to the GoU during the LRA war, it is unlikely that the GoU will be held responsible for its actions by the Court (Kersten, 2015). As a result, this demonstrates that there continues to exist a gap in the international system for addressing states that partake in human rights abuses. Indeed, when the state commits such crimes, and the international community fails to recognize them, the individuals on the ground continue to suffer, both from the actual abuse and from the international communities’ inability to recognize the crimes of their abusers.

Oddly enough, despite the 20 years of war, 1.8 million IDPs, and the abduction of 20,000 children, the situation in Northern Uganda was never declared a state of emergency (Personal Communication, 2016). According to Chapter 7, The Executive, of the 1995 Ugandan
Constitution, the President may declare a state of emergency in Uganda under the circumstances in which “Uganda or part of it is threatened by war or external aggression” (Chapter 7, Article 110, Provision 1, Sub-Point a). Thus the following two actions, Provisions 6 and 7, must be taken under this state of emergency:

(6) During any period when a state of emergency declared under this article exists, the President shall submit to Parliament at such intervals as Parliament may prescribe, regular reports on actions taken by or on behalf of the President for the purposes of the emergency.

(7) Subject to the provisions of this Constitution, Parliament shall enact such laws as may be necessary for enabling effective measures to be taken for dealing with any state of emergency that may be declared under this article (Ugandan Constitution, 1995).

Had a state of emergency been declared for the LRA war and displacement period, the Constitution requires that both the President and Parliament take specific actions to ensure that the state of emergency is being mitigated and the suffering of those involved is decreasing.

Yet, it is unsurprising that the President did not declare a state of emergency so as to subject himself to a higher degree of responsibility and accountability to the people of the north. Further, declaring a state of emergency would have drawn more international attention to the situation in Northern Uganda, thus delegitimizing the GoU’s persistent stance that the LRA was “just a small faction of rebels” (P. Angwech, Personal Communication, April 8, 2016). At the same time, though, this increase in international attention could have brought more aid and support to the individuals suffering on the ground, but the Acholi people were denied this opportunity. The lack of concern that is manifested in the disregard for the serious state that the northern region was in, provides further confirmation that the protection the Acholi people was not among the priorities of the government. This means that, the enactment of a state of emergency in Uganda is problematic in itself, as the President and Parliament cannot be coerced on a national level to act unless a state of emergency is issued. Yet, the President is the one that is entitled to issue the state of emergency, so if the President refuses to address a humanitarian situation, such as the one in Northern Uganda, then there are no other national organs that can compel him to act. This again demonstrates that leaving the issue of IDPs to national governments is problematic in that the government can avoid acting and assisting the affected populations. Subsequently, this demonstrates another call for the Guiding Principles to become legally binding, such that there is a specific policy document to which unresponsive governments could be held accountable.
Then in August of 2004, the GoU published one of the first national IDP policies. The aim of the policy is to “serve as a guide… and specify the roles and responsibilities of Government institutions, humanitarian and development agencies in providing assistance and protection to Internally Displaced Persons in Uganda” (National Policy, 2004). Hailed by the international community and the United Nations as an “excellent national policy,” it appeared that the GoU was taking full responsibility to protect the human rights of individuals displaced by the northern conflict (Olupot, 2006).

However, to the IDPs and countless humanitarian workers on the ground, this new policy was merely “a booklet that was kept on a shelf” rather than a groundbreaking action plan for protecting IDPs (R. Oywa, Personal Communication, April 16, 2016). While the national policy did clearly stipulate who was considered an IDP, allowed for a clearer coordination of humanitarian relief efforts, and defined how the GoU should handle this humanitarian crisis, the policy did little to actually improve conditions for IDPs. At the same time, the policy was implemented in 2004, eight years after the communities in Unyama were displaced by the conflict. Had the policy come into play earlier, potentially around the year 2000, it may have had a more positive impact on the situation for IDPs (Anonymous Scholar, Personal Communication, April 21, 2016).

Further, the IDP Policy was effective when the camps were dismantled during the return and resettlement period. However, even the provisions under the return section in the policy were not effectively implemented during that time, as will be examined later. The large failure of the IDP Policy to impact the lives of civilians is a stance that has been confirmed by the Refugee Law Project. Indeed, in one working paper, researchers contend that the “government should decide if the Policy will reflect what it would like to do for its citizens, or what it will do for them” (2012). Thus, although the National Policy was comprised of good policies that would have assisted IDPs, they were next to useless as a result of not being implemented due to a lack of government willingness. The resettlement chapter of the National Policy could have, and should have, been the one area where the government was able to adequately provide for IDPs, since there was a framework in place that could be referred to. Yet, the lack of effort towards implementation demonstrates that the National Policy was ineffective in providing for the needs of the displaced communities. Thus, this provides evidence that the international community should look beyond just enforcing states to take issues of internal displacement purely into their
own hands. Further, though, the international community should aim to empower national organizations or organs with the responsibility to ensure that states are following the provisions in the national policy. In this instance, even though the GoU did create its own National Policy, it did not serve to impact the lives of IDPs due to the GoU reluctance towards policy implementation. The need for monitoring organizations regarding the implementation of national IDP policies is an argument that is confirmed by Elizabeth Ferris of the Brookings Institute. Ferris indicates that such organizations have a “crucial role” in ensuring that national policies actually serve to assist those individuals impacted by displacement (2008).

For sure, the idea for a national policy was not a national government initiative. The idea actually came from the bottom-up approach in government, originating in Gulu District during a District Disaster Community Meeting (Odong, Personal Communication, April 21, 2016). As a result, the National Policy was not so much a national initiative, but rather a grass-root approach to attempt to engage the national government on the issue of IDP protection. Further, while this debate was raging at the local and then national levels, members of the international community were constantly in the background pushing for the government to do more for IDP protection. This compelled the GoU to endorse the policy. Indeed, several respondents indicated that the creation of the policy was influenced by international pressure in one way or another (Personal Communication, 2016). Since the government was pressured to act on the situation of IDPs, rather than motivated by the will to end the suffering of the communities in the north, the National Policy served more as a “cover blanket to the mess on the ground,” than a foundation for the improvement of conditions and livelihoods of IDPs (Refugee Law Project Employee, Personal Communication, April 25, 2016). Thus, since the GoU did not even abide by the provisions of the 1995 Constitution, it would have been quite peculiar for the government to suddenly abide by the provisions of a national policy that was basically forced upon it from both local and international actors. Thus, not even a legally binding national policy served to protect the right to life of the IDPs in Uganda.

4.2 The Right to Security During Encampment

The civilians living in IDP camps during the conflict lived in complete and total uncertainty. Physical, food, and educational security were never guaranteed, and were often
influenced by a multitude of factors beyond civilian control. Set up for the protection of civilians, these camps did more to inflict suffering rather than to protect against it. Physical security was insufficient in terms of both human and capital resources, food security was almost completely dependent on humanitarian aid as civilian movement was highly restricted, and educational security was consistently fluctuating, which eventually led many children to drop out of school during encampment. As a result, this section demonstrates that the right to life was not secured in either sense of the term during encampment. An IDP could be deprived of his or her life anywhere at any time of the day. Further, encampment compelled individuals to engage in risky and immoral behavior out of precariousness and for the sake of survival. For many of the individuals affected by the conflict, the right to lead a dignified life did not exist during encampment.

4.2.1 Displacement and its Impacts on Physical Security

The primary reason the government provided for moving civilians into camps was to provide for their protection. As such, it seems that adequate physical protection for civilians would have been taken for granted. As mentioned previously, the legally binding document that served as a guide for governmental action during displacement was the Ugandan Constitution, which states that the right to life of Ugandan citizens shall be protected and that no Ugandan citizen shall be subjected to any form of torture or cruel or inhumane treatment (1995). Yet, in both Unyama and Koro Abili camps, physical protection was often described as wholly inadequate. Indeed, a number of respondents indicated that they had personally witnessed an LRA attack on their camp, or had known of the existence of an attack (Personal Communication, 2016). One of the main reasons for the continuous attacks on camps was an insufficient number of UPDF soldiers stationed at the camps. The fact that people were many, but soldiers were few, was a common thought expressed among respondents (O. Francis, Personal Communication, April 9, 2016, FGD, Personal Communication, April 21, 2016). In terms of human resources, the situation became so bad in the north that the phenomenon of

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6 The issues of physical, food, and educational security were chosen specifically for the following reasons: physical security due to the fact that displacement camps had the primary responsibility to protect individuals from physical conflict, food security for the fact that, in the right to life argument, a lack of food could lead to malnutrition and even death, as well as have negative implications on the right to live a dignified life, and then educational security due to the fact that a number of negative effects that are prevalent in Gulu today as a result of the encampment period, stem from the loss of educational opportunities during encampment.
“ghost soldiers” arose, where, on the payroll, there existed an adequate number of soldiers for civilian protection, but on the ground, very few of these soldiers were ever seen patrolling the camps (K. Komakech, Personal Communication, April 7, 2016, O. Francis, Personal Communication, April 9, 2016).

At Koro Abili, the number of soldiers stationed there was so inadequate that the UPDF would not even engage the LRA until reinforcement from town arrived some two hours later (FGD, Personal Communication, April 23, 2016). Since Koro Abili was relatively close to town, 9km south of Gulu Town to be exact, reinforcement was within reach and did assist in repelling LRA attacks. However, at the same time, the LC1 of Koro Abili estimated that there were only 30 UPDF soldiers permanently stationed at the camp, which protected some 30,000 people. He did also indicated that local civilians were recruited for the purpose of protection, but it seemed that the UPDF officers at Koro Abili were relying too heavily on enforcement from town at civilian expense (LC1-Koro Abili, Personal Communication, April 16, 2016). Although the number of UPDF soldiers stationed at Koro Abili was unable to be confirmed, the fact that the LC1 estimated that there were only 30 soldiers, whether there had actually been 10 or as many as 300, demonstrates the gravity of the situation in that such few soldiers could not possibly protect a camp of 30,000 people. Indeed, it is well known in existing scholarship that the presence of UPDF soldiers at IDP camps was wholly inadequate (Horn, 2009, Mukwana & Ridderbos, 2008).

Two main reasons concerning the inadequate level of security were discovered during this research. The first was that there existed an insufficient willingness on behalf of the GoU to protect the Acholi people. This was manifested in the continued attacks on the IDP camps and the fact that, once the camps were created, UPDF soldiers began to be relocated to fight in other countries, such as the Congo (O. Francis, Personal Communication, April 9, 2016). Indeed, one respondent indicated that the unwillingness of the government to protect IDPs was clear in their actions:

"We never had confidence in the government to protect us, we just lived at the mercy of God. In case of an LRA attack, they [UPDF] would not repulse them. It was just God’s mercy that we survived, but not because of the government, which they claim."

(FGD, Personal Communication, April 23, 2016).

For this respondent, the only reason that they were protected during encampment was by the will of God, but not as a result of the will and efforts by the Ugandan military.
The second reason as to why the level of protection was so low during the encampment period was that the government army was merely overstretched by the widespread conflict. The conflict was not just in the northern region, but also in the western and eastern regions of Uganda. As a result, the human and capital resources for the UPDF were stretched very thin across the country\(^x\) (Personal Communication, 2016). Although the government may never reveal the true reason as to why sufficient security forces were not provided for IDP camps, since that would reveal that the government and camps had failed to protect civilians, it was likely that the true reason for inadequate security lies between the spectrum of government unwillingness and the UPDF being overstretched. Indeed, the unwillingness to protect civilians and the severe limitations of the military have been documented in existing scholarship. One example is Christopher Dolan, who claims that, “both the policy of internal displacement into ‘protected villages’, and the manner in which it was implemented, had come to be seen as an unambiguous signal about how the Government felt towards them” (2005). Thus, the lack of protection was an indication to the Acholi people that their protection was not of government priority. On the other hand, in an examination of one researcher’s experiences in Gulu in 2002, a UPDF official is quoted to have said that the “soldiers in the region were in a state of deprivation and that the army was overstretched financially” (Kuper, 2004). As a result, as both of these ideas are presented in existing scholarship and were expressed by multiple respondents, it is indicative that both factors influenced the level of security provided to IDPs during encampment.

Regardless of the various issues of why security was so low, a stronger security presence should have been provided to the civilians, especially since they were told that they were in the camps for their own protection. The lack of a tangible security presence directly threatened the right to life of the IDPs. Yet, it is the primary responsibility of the government to provide adequate security of civilians during internal displacement. Indeed, in the Guiding Principles, Principle 3, Provision 1 states, “National authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction” (1998). Thus, since civilians faced continued LRA attacks while in the camps, the GoU should be held responsible for not protecting their citizens, even if the military was overstretched due to the wide scope of the conflict. However, this again remains contingent on making the Guiding Principles legally binding. Further, the government continued to deny international assistance in the first few years of the encampment period, claiming that they had
the capability to deal with the humanitarian crisis unfolding in the north (Anonymous Community Member, Personal Communication, April 13, 2016). This attempt to maintain an image that the government was above the rebel insurgency in the north jeopardized the lives of thousands of civilians for the sake of international image building. Subsequently, the right to life, in terms of being alive, was not guaranteed while in the camps and this constitutes a fundamental breach of the Guiding Principles on Internal Displacement, as well as the Covenant on Civil and Political Rights, since no derogation should be made regarding civilian right to life during emergency situations (1966). As a result, the government should have exhausted more resources and placed a greater emphasis on civilian security to at least make it known that they were trying to adequately protect their citizens.

Despite some of the prevalent issues with protection during encampment discussed above, it should be noted that both Unyama and Koro Abili were relatively safe camps as compared to some of the others in Gulu District. Indeed, a number of respondents indicated that they did feel a general sense of security while in the camps and felt more secure there than they did previously back in their villages (Personal Communication, 2016). Additionally, while respondents at Unyama were unable to give an exact estimate of the number of LRA attacks they suffered during the encampment period, they did indicate that attacks did not occur often (FGD, Personal Communication, April 15, 2016). Meanwhile, only two instances of LRA attacks occurred at Koro Abili camp (Personal Communication, 2016). This likely had something to do with the fact that both of these camps were located relatively close to Gulu Town, making rebels less likely to attack camps that were closer to highly populated areas, as well as the ability of the UPDF officials to call reinforcement from town when attacks did occur.

In addition to potentially being deprived of the constitutional right to be alive, the fact that the right to life of IDPs was threatened during encampment had severe psychological impacts that ultimately threatened IDPs’ right to live a dignified life. First of all, the thought that an attack could occur at any time of day, which could claim your life or your family’s lives, created total uncertainty among the civilian population. As documented in one study by Cindy Horst and Katarzyna Grabska, uncertainty often places the futures of IDPs and refugees “in the hands of authorities and bureaucracies that they do not understand,” thus creating extreme vulnerability among the affected populations (2015). However, in this case, uncertainty expanded beyond psychological stress. Rather, the very notion of being uncertain created
carelessness among IDPs for the sake of their lives. For example, unprotected sexual intercourse became common during encampment, as individuals did not see the need to protect themselves from contracting HIV/AIDS, since they could die the next day anyways. Further, youth began to drop out of school because they saw no need to secure their future. Subsequently, the lack of physical security went far beyond lives being threatened. It actually caused individuals to engage in risky activities that proved to be detrimental to their health and futures later on. Yet, at that time of encampment, there was no need to think about the future since your life could end at any moment. This represents a fundamental violation of the right to life in that individuals in the IDP camps in Unyama and Koro Abili gave up the notion of leading a dignified life when under the umbrella of constant stress, uncertainty, and death. The matter is, the aspect of physical security should have been the upmost priority of the government, since, if civilian lives were not protected, then all other rights become meaningless.

This case study demonstrates that the lives of IDPs were put in jeopardy as a result of the government being both unwilling and unable to physically protect civilians. Yet, due to the issue of sovereignty, the international community could not legally intervene to ensure greater protection of civilian rights. This demonstrates that, when civilian lives are at stake, sovereignty may serve as a deterrent to international action, rather than a protocol for the respect of state independence. Indeed, one of the clearest failures of the international community ‘respecting’ state sovereignty was exemplified in the 1994 Rwandan genocide. Although the situation “cried out for some response,” the international community stood by, seeming to demonstrate that definitional concepts were more important than human lives (Evans, 2007). This analysis shows that, although the rationale behind state sovereignty is logical and efficient in some cases, the concept may need to be rethought when it comes to protecting the rights of civilians whose lives are jeopardized under the very state warranted with their protection. However, since the Uganda displacement situation, R2P has been implemented and has become more effective in recent years, as was shown before. As a result, it is of utmost importance that the international community continue to enforce R2P to prevent mass human suffering in the future. Uganda, and Rwanda, should serve as examples of what could happen on the ground if the international community remains reluctant to override sovereignty.

4.2.2 Displacement and its Impacts on Food Security

When examining the right to life, food security combines both the aspects of being alive
and being able to live a dignified life. This examination will show that, during the encampment period, IDPs did not have adequate food to maintain their health, which left them susceptible to malnutrition and various diseases. Further, however, was the fact that IDPs risked their lives to leave the camp to procure food and engaged in harmful and risky activities, such as prostitution, for the sake of obtaining food.

One of the reasons that the government decided to move civilians into camps was to deprive the rebels of food supplies (Horn, 2009, Dolan, 2005). As a result, despite being surrounded by fertile agriculture land, IDPs were severely limited in their movement outside of the camps, making agricultural production difficult and dangerous (Commission on Human Rights, 2004). Agricultural production was specifically denied to IDPs not for a concern regarding their protection, but to ensure that there was nothing in rural areas that could provide fuel to the insurgents. This restriction was affirmed by a number of respondents in both Unyama and Koro Abili (Personal Communication, 2016). Nonetheless, in the National Objectives and Directive Principles of State Policy of the Ugandan Constitution, Article 22 addressed food security and nutrition. According to Provision a, The state shall- “take appropriate steps to encourage people to grow and store adequate food” (1995). However, the findings in this study indicate that the government directly failed to “encourage people to grow” food by specifically denying them the opportunity to go to their gardens. This demonstrates another instance where, despite the existence of a policy that identified the rights of civilians, and thus IDPs, the government failed at policy implementation to ensure that individuals would be able to enjoy this right.

This restriction in movement had multiple negative impacts on the lives of civilians. First of all, IDPs became dependent on the food rations distributed by international organizations such as World Food Program (WFP), since IDPs felt that there were few other options for the allocation of food. A typical distribution would consist of one bag of posho, 25 kilograms of beans, and one tin of cooking oil (P. Angwech, Personal Communication, April 8, 2016). Yet, food distribution was neither proportionate nor timely. Some respondents indicated that they would wait up to two months before receiving food, while others indicated that the little food they did receive would not last them for the entire month it was intended for (Personal Communication, 2016). One example of this was noted in a United Nations report conducted in August of 2004 when the WFP only distributed a 78% food ration that month, meaning that 22%
of the population was either not provided for, or given a very small portion of food to make up for the deficit (United Nations Office for the Coordination of Humanitarian Affairs, 2004). Further, if an IDP missed the distribution time or day, there was no way to obtain food from the WFP that month (P. Angwech, Personal Communication, April 8, 2016). The little food aid that was distributed, compounded with the inability to harvest crops outside the camps for many, caused starvation and ill health effects, which impacted civilians’ right to life.

Since the GoU did not want civilians going back to harvest their land, no security protection was offered to those IDPs that did attempt to go back for food items. When asked why IDPs were not provided with security to their gardens despite the existence of food shortages, one UPDF official responded that civilians were informed that the area was dominated by rebels. If they decided to return, it meant that they have offered themselves up to the risk of being harmed (UPDF Official, Personal Communication, April 13, 2016). Yet, when faced with starvation or potential abduction, several respondents indicated that they personally made an attempt to return to their gardens or knew of instances where people didxiv (Personal Communication, 2016). This placed IDPs in an extremely vulnerable position, as they were susceptible to attacks from both the UPDF and LRA, from the former for disobeying orders, and from the latter in the campaign of anticivilian violence. Indeed, individuals were often harmed when they tried to return home to harvest food. For example, in one focus group in Unyama, two respondents indicated that they had been physically harmed, including a broken collar bone and a slashed wrist, by LRA rebels while harvesting in their gardens (FGD, Personal Communication, April 21, 2016).

Out of the respondents interviewed, the most dire food situation seemed to fall on a few individuals that had resided in Unyama camp. Members in one focus group held in Unyama Sub-County indicated that they experienced a delay of some three to four years before they were able to benefit from NGO food distributions. One of the members even indicated that he never received any type of food assistance from WFP. These respondents stated that, because so many people had moved into Unyama camp sporadically, registration for WFP was delayed and mishandled by the local community leaders that were responsible for registering their community members for food (FGD, Personal Communication, April 21, 2016). This shows that, of the individuals that did experience this hardship of not receiving food items from WFP, it was not necessarily the fault of the organization, but rather community leaders that did not make it a
priority to ensure that members of their communities were adequately provided for. The position of these respondents was confirmed by the former camp commandant of Unyama, who indicated that a delay in food distribution to certain individuals did occur on account of a delay in their registration (Personal Communication, April 25, 2016). As a result, these individuals had to cope with their situation by constantly subjecting themselves to attack by making the trip to their gardens to secure food for their families.

While the above scenarios examine food security and the right to life in terms of being alive, food security also had a large impact on the right to live a dignified and humane life. Due to the lack of a stable food supply, some individuals resorted to stealing, prostitution, or forced marriage, just to obtain food for survival. One previous study done on the way individuals coped with their situation during the encampment period in Northern Uganda found that encampment caused some IDPs to engage in activities that the local culture considered “dysfunctional, morally inappropriate or dangerous” (McElroy, Muyinda, Atim, Spittal, & Backman, 2012). The idea of these “morally inappropriate” coping mechanisms can be applied to this study in the concept of food security. Individuals began to engage in reckless and inappropriate behavior because they had no other way to provide for themselves. It became common to see a string of young girls following mobile UPDF units around the camps. As a result of being driven from their homes because there were “too many mouths to feed,” these girls resorted to prostitution or forced marriage, either by family influence or from being compelled by the situation, with soldiers just because they needed money for food to survive (R. Oywa, Personal Communication, April 16, 2016, Former Camp Commandant of Koro Abili, Personal Communication, April 23, 2016).

However, having to resort to such activities that not only are psychologically straining, but physically dangerous, represents that these young girls were placed in a particularly vulnerable state in which they saw no better options for survival. The fact that encampment literally forced some girls into prostitution demonstrates that the camps in no way can be considered to have respected the right to live a dignified life. What dignity can a young girl have if she gives her body away merely for the sake of survival? Further, having to resort to such activities demonstrates that there existed a degree of hopelessness and self-worthlessness during the encampment period. The concept of hopelessness, then, goes beyond just an emotional state but, rather, coupled with all of the other hardships that encampment brought, served to decrease
the desire and motivation to live among IDPs in Unyama and Koro Abili camps.

This demonstrates that displacement was not only ineffective, but was also seriously dangerous to civilians’ right to life. This analysis demonstrates that the issue of displaced persons camps may need to be rethought for future protection policies, as individuals in this case resorted to activities such as prostitution merely for survival. Indeed, it was well known by international organizations, such as the WFP and the United Nations Human Rights Commission, that individuals were suffering and being deprived of their right to life during encampment. Yet, although some individuals may have personally questioned displacement, nothing was done in terms of policy implementation to rethink whether displacement was actually the correct solution, or even necessary, for Ugandan civilians. However, as Adam Branch has previously indicated, these organizations served more as accomplices to government human rights abuses than agents of protection for human rights (2008). Subsequently, it may be beneficial for future instances of displacement to require governments to submit, on a bi-annual basis, a report of civilian conditions in displacement camps. This would serve to protect the issue of state sovereignty, as well as allow the United Nations to monitor civilian conditions and ensure that their rights are being upheld. Although this would not solve all the issues regarding civilian protection during displacement, it would make it easier for the international community to identify areas of concern in civilian protection in instances of displacement.

The food insecurity that characterized the experiences of civilians in both Unyama and Koro Abili camps had a negative impact on both the right to be alive and the right to live a dignified life. As a result of the insufficient food distribution on behalf of donors and the restriction in movement preventing many from harvesting crops outside of the camps, malnutrition and starvation became common. This alone caused an increase in suffering and threatened civilians’ right to life because their deteriorating health conditions could have, and did in many cases, lead to death. Further, malnourishment made civilians more susceptible to diseases, which also lead to the high rate of death in the camps. Indeed, around 1,000 Northern Ugandans died each week in the camps from malnourishment and disease (Enough Project, 2007). The situation in the camps also compelled some individuals to engage in risky behavior, such as prostitution and stealing, just to secure access to food. This demonstrates that, since individuals had to resort to such behavior, they were no longer leading a dignified and meaningful life.
4.2.3 Displacement and its Impacts on Educational Security

During the encampment period, students were not assured educational security for a number of reasons. First of all, the condition of insecurity as a result of the conflict made physically accessing schools quite difficult. During the first few years of encampment, the youth from Unyama camp indicated that they had to commute to town to attend school (FGD, Personal Communication, April 15, 2016). Since these individuals were now outside the protected camp, they were made more susceptible to rebel abduction. Indeed, one scholar talked of how insecurity was the initial cause of students dropping out or leaving school, as parents preferred to keep their children at home rather than risk them being abducted (Anonymous Scholar, Personal Communication, April 21, 2016). The youth in Unyama expressed how commuting to school could be especially difficult when they would leave school in the early evening. If the sun set before they were able to leave town, they had to spend the night somewhere in town for fear that they would be abducted while walking home in the dark (FGD, Personal Communication, April 15, 2016). Despite the fact that insecurity made it difficult for children to enjoy their right to education, the GoU had a specific obligation to ensure that children were able to obtain an education, according to Chapter Four, Article 30, of the Ugandan Constitution. Yet, as was seen with the instances of physical and food security, the GoU failed to protect this right.

Displacement brought numerous communities together in a confined area, so when it came to schools relocating to the camps, the few teachers that remained behind found the number of students overwhelming. In Unyama camp, respondents reported that there were a total of three primary schools for some 25,000 IDPs (FGD, Personal Communication, April 21, 2016). Meanwhile, in Koro Abili camp, there were four primary schools for 30,000 IDPs (FGD, Personal Communication, April 30, 2016). Although these numbers are indicative of the total populations that were present in these two camps, the fact that thousands of children were depending on three or four schools demonstrates that the quality of education during the encampment period surely decreased. Akullu, a youth that grew up in Koro Abili camp, recalled that there were 250 students in her class one year (Personal Communication, April 16, 2016). However, the current LC1 of Koro Abili estimates that, in order to obtain quality educational standards, there should be roughly 45 students per one teacher (Personal Communication, April 16, 2016). During the encampment period, there was more than five times the number of students in one class, than should have been for effectiveness purposes. With such a large number of
students, teachers were not only unable to control all of these pupils, but the impact that they were having on the students was minimal, at best. A clear indicator of that today is how students in the north consistently struggle with national exams, while before encampment, students from the north were excelling, with some of the highest members of the government coming from the northern regions (Anonymous NGO Employee, Personal Communication, April 21, 2016, E. Odong, Personal Communication, April 21, 2016). This demonstrates that the encampment period was the factor that has contributed to a dramatic decrease in the quality of education in Gulu District today.

Out of 30 respondents that were asked in both Unyama and Koro Abili, 17 indicated that either they or their children had dropped out of school during the encampment period\textsuperscript{ xv} (Personal Communication, 2016). Although this sample cannot be representative of the entire population, it does provide insight on the gravity of the educational situation in the camps. Of the reasons sighted for drop out, two appeared most common among the different focus groups. The first was the problem of school fees. In 1997, the GoU implemented the Universal Primary Education Program (UPE). The main objectives of UPE were to: “provide the facilities and resources to enable every child to enter and remain in school until the primary cycle of education is complete; make education equitable in order to eliminate disparities and inequalities; and reduce poverty by equipping every individual with basic skills.” Under UPE, the GoU abolished “all tuition fees and Parents and Teachers Association charges for primary education” (Bategeka, L & Okurut, N., 2006). While enrollment in primary school increased by 73% in one year, from 3.1 to 5.3 million between 1996 and 1997, UPE was also associated with a sudden drop in education quality (Bategeka, L & Okurut, N., 2006).

Yet, instead of assisting the most vulnerable and poor members of society in accessing basic educational services, this research found that UPE did not significantly decrease the financial burden of education on many families affected by displacement in the north. Several respondents indicated that they were compelled to leave school during encampment because their parents were unable to provide the adequate fees necessary to send them to school\textsuperscript{ xvi} (Personal Communication, 2016). Despite the existence of UPE, parents continued to have to pay for school supplies, uniforms, building fees, and Parents and Teachers Association fees, a fact further confirmed by a previous study done in 2011 by the Internal Displacement Monitoring Center. Respondents indicated that the average amount they would pay per child, per term for
these additional charges ranged from 16,000 to 25,000, depending on the school and age of the child (Anonymous Community Elder, April 18, 2016, FGD, Personal Communication, April 21, 2016). This represented a significant financial burden for families that had few to no ways of finding economic opportunities during encampment, since their main livelihood of agricultural production was denied to them. As a result, with families unable to finance their education, many pupils had no choice but to drop out of school. Indeed, the study by Bategeka and Okurut on UPE indicates that despite the rise in initial enrollment in primary school in 1997, roughly 23% of the individuals actually reached primary seven in 2003 (2006). Although these statistics are for the country as a whole, the encampment period likely contributed to this great disparity between initial enrollment and final completion.

The second most common reason presented during interactions with the communities in Unyama and Koro-Abili was that children had to drop out of school in order to support their younger siblings. A number of these respondents indicated that this was a result of the death of their parents during the conflict (FGD, Personal Communication, April 30, 2016). With no one financially viable to support them or their siblings for education or general livelihood, these children were compelled to drop out of school and engage in the economic activities that they could find, such as petty trade or construction, to generate income for their families.

“When my parents died, I became a child parent. I was the eldest and had to support my siblings, so I dropped out of school and started to do petty trade to make some money.” (FGD, Personal Communication, April 30, 2016).

While most of these children’s suffering was a direct result of the conflict itself, rather than the encampment period, being in the camps further served to disadvantage them because they could not participate in growing agricultural products for sale, which would have assisted them greatly in generating income.

Although the lack of educational opportunity did not directly impact IDPs’ right to be alive, it had a severely negative impact on their right to live a dignified life. The conditions in the camp, in terms of insufficient finances, insecurity, and inadequate human and physical resources, compelled many students to drop out of school despite a desire to maintain their position as a student. This caused high levels of uncertainty and hopelessness for children made unsure of their future as a result of encampment. As will be examined in the next section, this lack of education laid the foundation for an unstable future that has largely been characterized by poverty in the north. Without the basis of primary and secondary education, individuals impacted
by encampment have been unable to pursue degrees in higher education that they may have previously desired and that could provide a stable financial future for them and their families. Indeed, being in the camps inhibited individuals from obtaining the financial capital, through activities such as agricultural production and sales, of which some 80% of the Ugandan people depend primarily on as their source of income, that was necessary to ensure their education (Gollin, D. & Rogerson, R., 2010). Subsequently, encampment failed in this aspect to preserve the right to life in that individuals were circumstantially deprived of the tools that they needed to be able to pursue a dignified life when the encampment period was over.

Although the right to education is secured in the Guiding Principles, this document, as indicated before, is not legally binding. Further, an issue indicated here was that some children needed to leave school to support their families, but Guiding Principle 11 protects children from being compelled to drop out of school for forced labor. However, even though these Principles can be referred to as protecting this right for IDPs, until the Principles become binding, then it will have a menial impact on influencing the actions of governments dealing with internal displacement. Since educational security was not assured in this situation, it has prevented many former IDPs from living a dignified life in that they were unable to obtain an education, which prevented them from securing a financially stable career. As a result, it is of upmost importance to address IDPs’ right to education during periods of displacement. Thousands of individuals in Northern Uganda were deprived of the opportunity to obtain an education, preventing them from personal advancement and contributing to societal advancement. On a global scale, then, if the right to education was not upheld in other instances of displacement, it has the potential to disadvantage thousands of other individuals. This represents another instance where the Guiding Principles should be made legally binding to hold states accountable for failing to provide for the rights of their citizens (Kälin, 2006). At the same time, though, in addition to being held accountable for actions that violate say, the right to education, states should then be obliged to create opportunities that serve to assist individuals that suffered as a result of being deprived of their rights. Not only would this take care of the legal accountability aspect, then, but it would also create a mechanism by which those affected individuals would have an opportunity for self advancement.

4.3 The Impacts of Encampment on Former IDPs: Return through Present Day

This section of the paper analyzes the effects that encampment has had on the
communities in Unyama and Koro Abili Sub-Counties, some of which continue to this day. In 2006, the cessation of hostilities portion of the Juba Peace Agreement was signed between the rebels and government forces. Within the following three years, a majority of IDPs had returned to their homes, both voluntarily and forcefully. However, IDPs returned to find their homes and property in complete destruction, prompting them to rebuild from scratch. This was further compounded by the lack of compensation for the destruction of that property, which was supposed to be provided on behalf of the government and humanitarian agencies upon return. Issues such as the lack of property restitution, poverty, and dependency, all of which can be connected to displacement, have caused serious social issues in Gulu, which have compelled some individuals to adopt negative coping strategies that infringe on their right to life.

It should be noted that other effects of the encampment period are in existence in Gulu District today, such as land conflicts and moral degradation. However, such issues are out of the scope of this study, but are important to recognize. It is also important to acknowledge that the encampment period did have positive effects on the Acholi people. For instance, the camps did succeed in keeping a large number of Acholi people alive. Yet, since this research does look at what issues need to be addressed in society today, such aspects are, too, out of the scope of this study.

4.3.1 Return & Resettlement

When individuals in Unyama camp were allowed to return back to their homes at the end of 2006 and early 2007, it had been too long of a wait. Of the respondents spoken with in Unyama, all indicated that they had returned voluntarily. However, although life was no longer characterized by overcrowded conditions and humanitarian relief, return was not an easy period for these former IDPs (FGD, Personal Communication, April 12, 2016). When they returned to their land, they found that their homes and property had been completely destroyed. Further, the landscape was littered with land mines and skeletal remains. This same group indicated their fear over unexploded land mines, which, according to the National IDP Policy effective during the return period, was the responsibility of the government to survey the area for such devices and ensure that IDPs can return “in safety and dignity” (National Policy, 2004). Although one UPDF official did state that the army had “made the resettlement areas safe of any war materials or explosive matters,” civilians did not feel that this was the case (FGD, Personal Communication, April 15, 2016). Indeed, these same civilians indicated that they had been fearful to return
because the government had not surveyed their land for unexploded devices. In one instance, not in Gulu District, but in Pader, a landmine exploded in 2008, killing seven civilians. This demonstrates that areas were not made safe for civilians, and thus threatened their right to life and their right to return (Oketch, 2008). Further, when efforts were made to ensure that rural areas were safe from unexploded devices, respondents indicated that it was not the government that worked towards demining, but rather NGOs (E. Lagedo, Personal Communication, April 6, 2016, Anonymous Community Member, Personal Communication, April 13, 2016).

The return of civilians was both haphazard and militaristic. Noting Uganda’s military history, one respondent compared the return process with military training. “The military just dumped people there [rural areas] and said ‘look for your own house’” (K. Komakech, Personal Communication, April 7, 2016). Without any support from the government, former IDPs often struggled for the first few years just to provide food for their families because they had to start from nothing. Yet, in the National IDP Policy, IDPs were supposed to be provided with “resettlement inputs and tools…as well as tool kits to support construction and self-employment” (2004). Had this provision of the National Policy actually been implemented, it could have made a significant impact of the lives of former IDPs, as they could have become engaged in economic activities, rather than trying to find food and shelter just for survival. Yet, this provision was not implemented, as a number of respondents indicated that they received no resettlement packages from the government, and of those who did, the tools were inadequate and broke almost immediately xvii (Personal Communication, 2016). This laid the foundation for a future of hardship and poverty, consequences that are examined in more detail in the next sub-section.

International pressure was one of the cited reasons for this haphazard and poorly planned return process. Uganda was also being subjected to pressure on both the national and international levels to return people home. IDPs were pressuring the government to be able to leave the camps and return, while international observers criticized the government for forcing civilians to remain in the camps for so long (R. Oywa, Personal Communication, April 16, 2016). As a result, the government caved to pressure and told IDPs to return home without any form of resettlement plans. Further, in November 2007, Uganda was to hold the Commonwealth Heads of Government Meeting in Kampala, which brought together various heads of state. Preaching on the international stage that Uganda was a peaceful and democratic nation, it would have been a paradox for these leaders to enter the country and find millions displaced in squalid
IDP camps (O. Francis, Personal Communication, April 9, 2016). This may be a reason why the government did not ensure that areas were safe for civilian return, or why civilians were not given return packages to begin their lives anew. Rather, the government hoped to remove as many IDPs as it could from the camps before the arrival of these leaders. Conveniently, as of June 2007, some 539,500 IDPs had returned to their homes, with another 381,000 moving to satellite, or temporary, camps closer to their homes (Redmond, 2007). The pressure from the international community and the potential for criticism if heads of state arrived in Uganda to see such a grave humanitarian crisis, prompted the GoU to encourage the haphazard return of a majority of IDPs. This demonstrates that, once again, Uganda had put its image on the world stage ahead of the needs and protections of its own citizens.

The actions on behalf of the government demonstrate a violation of the right to life for multiple reasons in this case. First off, the fact that the government did not make an effort to firmly secure the civilian areas of explosive materials could have, and did in some cases, lead to the death of civilians. Secondly, not providing any materials for these individuals to restart their lives, considering that the government had systematically and purposefully destroyed their property to deprive the LRA, threatened both their right to life and right to livability. Placing these individuals in a vulnerable position where they had to fend for themselves in terms of food security, likely resulted in starvation in some instances. On the other hand, the government could not have expected civilians to be able to lead a dignified and meaningful life outside of the camps when civilians’ primary goal for the first few years after encampment was purely survival. Individuals had to work towards rebuilding their huts, harvesting crops, and just rebuilding their lives in general. The government should have done more to ensure that civilians had the adequate tools to rebuild their lives since the government was the actor that forced them from their homes and disrupted their lives in the first place. However, even though such provisions were in the National IDP Policy, the government failed to implement them, and with the GoU being both the actor that wrote the policy and the actor responsible for holding people or actors accountable for deviations in policy implementation, the GoU will likely not hold itself accountable for failing to abide by the policy. Thus, this represents another instance where the international community, not just NGOs but rather an international body such as the United Nations, should intervene to compel governments to act on such provisions and provide for the rights of their citizens.

This lack of effort and sincere care for civilians in the northern region demonstrates a
fundamental violation of the right to life, as well as further evidence to the idea that the government did not have an interest in protecting the rights of the Acholi. It also demonstrates that, since the return process of displacement was not appropriately prepared for and managed, former IDPs were placed in an inauspicious environment to enjoy their right to life. One instance of a crisis of internal displacement where resettlement was effectively carried out was in Sri Lanka after the civil war. Indeed, government led initiatives, known as the ‘Eastern Reawakening’ and the ‘Northern Spring’ served to assist individuals in regaining self-sufficiency and reviving the war ravaged economy to create employment opportunities for former IDPs, allowing individuals to engage in more productive personal and economic activities (Saparamadu & Lall, 2014). Thus, if one is to compare the situation after displacement in Uganda with Sri Lanka, individuals impacted by displacement in Sri Lanka were placed in position where they were able to engage in productive activities, instead of merely survival strategies. Through the Sri Lankan example, it represents an instance where return was handled properly, and thus is possible if governments are willing to provide for their citizens. These findings mean that, if resettlement is not adequately addressed when individuals leave displacement camps, those individuals, and society as a whole, may struggle to develop and recover after displacement, as was the case in Northern Uganda.

On the other hand, though, former IDPs did indicate that, despite the hardships they faced outside of the camps, they were relieved to be able to live independently in their villages again (FGD, Personal Communication, April 23, 2016). Thus, although the right to life of former IDPs was threatened during the return period, they also were able to attain some of their freedom and right to life back. They were now in control of their own situations, and no longer fully dependent on humanitarian agencies or the government for aid and protection. Being under constant control of UPDF authorities, restricted in movement and action, and in constant fear of attack, infringed on the right of IDPs to live a dignified life. However, during return, the peace of mind in knowing that they were able to live freely and under their own control, served to bolster their right to live a dignified life.

4.3.2 The Unintended Consequences

Encampment has had three main impacts on the communities in Unyama and Koro Abili Sub-Counties. The most prominent issue has been the high rate of displacement-induced poverty, followed by dependency, and finally the creation of a population that was unable to obtain an
education. For this study, dependency encompasses the notion of the dependency syndrome, in which “displaced persons have feelings of inadequacy, entitlement, or an unwillingness to work or to seek work due to long dependence on external assistance” (Powell, 2007). These three issues have had a severe negative impact on the lives of these individuals, particularly among the youth.

The most common cited negative effect of the encampment period was the poverty that it induced (Personal Communication, 2016). For the 2012-2013 fiscal year, the poverty level in the north was 43.7%, while the national average was 19.7% (Poverty Status Report, 2014). One of the main reasons why individuals have been plunged into poverty and remain there today, is a result of the lack of property restitution. Recall that it was a specific UPDF military strategy to destroy remaining property and infrastructure during the conflict to prevent their being used by the LRA. Yet, the government did little to provide compensation for the property destroyed during the conflict, let alone even recognize that the government army was largely responsible for a majority of the destruction. Prior to the war, the Acholi people kept their assets in the form of livestock, such as cattle. However, once the UPDF and LRA looted these animals, the Acholi people were left in complete poverty (Finnström, 2008). After the conflict, since the government did not adequately compensate individuals for the lost cattle, many former IDPs have become poverty stricken. Cattle were used for all sorts of economic exchange, including for educational purposes like school fees (Community Elder, Personal Communication, April 16, 2016). But now, without compensation, individuals have struggled with regaining forms of livelihood in order to be able to support themselves and their families.

On the topic of educational security, the encampment period saw high drop out rates for school children due to factors such as a lack of finances and poor quality education. The loss of years of education during displacement has had a negative impact on those individuals during the return period, as well as up to present day. Without a proper education, these individuals do not have the necessary skills to pursue viable employment opportunities, and thus have had to resort to engagement in petty trade or casual labor (V. Olyel-Otim, Personal Communication, April 17, 2016). Further, a former IDP that is now 30 years old, can no longer reenroll in primary school. As a result, these individuals have become highly disadvantaged, as there are few opportunities for them to uplift themselves out of this situation of poverty.

The poverty that is a direct result of the encampment period, in terms of a lack of
property restitution and the loss of years of education for many, is now causing second generational impacts. Former IDPs affected by poverty-induced displacement cannot support their children through school. Indeed, a number of respondents indicated that their main financial concern today is being unable to afford school fees, again, despite the existence of UPE\textsuperscript{xix} (Personal Communication, 2016). This shows that the negative impacts of encampment are now impacting a second, or even third, generation of Ugandans, as many of these children are then compelled to drop out of school due to their families’ lack of financial resources. Indeed, one study conducted by United Nations Children’s Emergency Fund showed the severe educational gaps that exist in Uganda and the most common reasons for this. These included that school fees were too expensive (17%) and that children needed to leave school to assist the family financially (8%) (Situation Analysis, UNICEF, 2015). Although there has been NGO and some governmental support for these individuals, there continue to remain large gaps in adequately addressing the issues of poverty and the loss of education. Thus, a sort of “catch-22”, or a dilemma with no escape, has developed among employment opportunities today. Without money, one cannot progress. In order to progress, one needs basic education, but basic education requires money (Anonymous Scholar, Personal Communication, April 21, 2016). As one can see, the lack of advancement and opportunities today consistently come back to a lack of financial capital for individuals to invest in their personal development. Subsequently, there is little these individuals can do on their own to break from the cycle of poverty, and thus, the cycle continues to impact subsequent generations.

With the issue mentioned before on how those in the south are now placed in a better position when in comes to national examination scores, there is evidence that state governments actually capitalize on conflict situations by not ensuring the right to education of those impacted by conflict. As was the case in Northern Uganda, former IDPs that were unable to attend school have found themselves in a cycle of poverty. One author indicates that the unequal access to education that is common among conflict affected populations and non-conflict affected populations present in the same state, “is one of the ways that dominant groups maintain unequal access to power and wealth” (Smith, 2012). As individuals in the south are now excelling in terms of education, employment opportunities, and positions in the national government, while a majority of former IDPs in the north continue to struggle on behalf of the marginalization they experienced during the period of encampment, the “dominant group” of southerners, advantaged
by President Museveni, have capitalized on the sources of power and wealth within Uganda. Indeed, the debate regarding the disadvantaged and advantaged between the northerners and southerners in Uganda has been raging since independence in 1962. Thus, these findings, coupled with the history of the GoU, indicate that placing IDPs in a more vulnerable economic and educational position may have been on the mind of the government at the time of displacement. Indeed, this analysis represents another instance where the Guiding Principles must be made binding, such that governments are legally obligated to provide educational rights to IDPs. Since their position as an IDP already places them in a position of vulnerability, it is essential that their rights are solidified in an international document to prevent them from being further marginalized or disadvantaged by their home government. Further, those governments that do deviate from such an international document, then, can be held accountable for their actions.

A key issue that tends to be synonymous with encampment is dependency, or the feeling of inadequacy or unwillingness to partake in work after being support by relief agencies. The humanitarian aid organizations unfortunately created an unintended negative impact on the lives of IDPs as a result of providing free food and supply items without requiring any form of engagement. As a result of interventions on behalf of the government and NGOs, people were provided with handouts for nearly 20 years. This has created a population that is unmotivated to pursue employment or agricultural opportunities (Esuruku, 2011). Several respondents indicated that dependency is particularly affecting the youth, as they grew up during encampment and free handouts were all they came to know (Personal Communication, 2016). Indeed, one respondent indicated,

“Children that were born in that scenario, they fail to recognize that if you want beans, you have to go and grow them. They only saw beans coming from a lorry, so they never learned the skills of agriculture. They became so use to handouts and the easy life” (R. Oywa, Personal Communication, April 16, 2016)

The loss of the value of hard work was not really the fault of IDPs, either. Parents were unable to take their children to the gardens to teach them agricultural skills for fear of abduction. As a result, in Unyama for some 13 years and Koro Abili for some 6 years, children did not understand the value of hard work and what was required of them to live without dependency outside of the camps. These youth left the camps continuing to think that life was to be lived how it was in the camps, where muzungus come and deliver food to you without doing anything to
actually earn the food (LC1-Koro Abili, Personal Communication, April 18, 2016). Again, this was not their fault, or even the fault of the humanitarian agencies, as both IDPs and aid workers were attempting to handle the situation with what they were given, as the government severely restricted individuals from leaving the camps that would have reduced some of this dependency from the start. This prevented the Acholi people from instilling values of hard work into their children as they became older. Subsequently, thousands of individuals left the camps only knowing the “easy life” and without having any foundational knowledge on how to even grow crops for their own subsistence. Further, the loss of the value of hard work has compelled youth to settle for menial labor, such as petty trade, instead of engaging in agricultural production because that would require hard work.

These issues remain prevalent in Ugandan society today as a result of their being unaddressed by the government. Indeed, the government’s policy of restricted movement served to create the dependency syndrome in the first place, as individuals were unable to access their gardens to produce food for themselves. As such, it is logical to conclude that the government should be the actor to address the issue of dependency. Governments, such as that of Uganda, that do not attempt to address issues of dependency, see their citizens significantly struggle more than those citizens of governments that do attempt to address dependency. Take, for example, the situation in Cambodia. There, individuals were slowly transferred from humanitarian aid to government led programs aimed at reducing dependency and regaining work ethic (Harvey & Lind, 2005). Thus, while former IDPs in Uganda were left to struggle with the situation on their own, those in Cambodia received greater assistance during the return period to address some of the negative impacts of displacement, including the dependency syndrome. As a result, in order to assist communities in regaining independence, their work ethic, and their right to live a dignified life, it is imperative that governments address issues such as dependency to assist in the rebuilding of both personal lives and society as a whole.

The issues of poverty, an uneducated generation, and dependency have all negatively impacted former IDPs’ right to life. Individuals have been plunged into poverty as a result of factors beyond their control and have little opportunity to uplift themselves out of this poverty. Subsequently, these people are compelled to engage in activities such as petty trade or risky coping activities, as will be shown in the following section, that infringe on their right to live a dignified life. Without control of their future, these individuals do not have a choice on how to
live their lives. Rather, they continue to live off the margin, causing many to have to withdraw their children from school because of financial restraints. The encampment period has had a severely negative impact on the right to live a dignified life because the issues of poverty and dependency were not adequately addressed upon return. As a result, a large portion of the populations in Unyama and Koro Abili, unable to finance themselves through school or find employment opportunities because of their lack of skill, have resorted to petty trade or selling the little agricultural surplus that they are able to produce. One cannot speak of a dignified life when poverty has already chosen your path in life. Especially for the youth, hopelessness has set in as a result of their acknowledgement that they do not have the means to secure a bright future for themselves. Due to these aforementioned issues, society as a whole has been unable to advance and move forward from the conflict period due to the effects from encampment that continue to infringe on people’s right to life.

4.3.3 Negative & Unproductive Coping Strategies

As a result of poverty, dependency, and a lack of education, youth in Unyama and Koro Sub-Counties have resorted to several negative and unproductive coping strategies in order to earn money, which are dangerous both to their health and the development of society. These coping strategies include engagement in prostitution and sports betting, and involvement in unproductive employment sectors such as petty trade or driving boda-bodas. Youth have been compelled by the circumstances, as a result of encampment, to engage in such activities, as few viable alternatives exist for them to engage in more productive and profitable activities.

One of the coping strategies cited by multiple respondents that young girls have engaged in is prostitution (FGD, Personal Communication, April 15, 2016). It was also noted that prostitution itself originated during the encampment period, as young girls began to engage in this activity to secure food items or personal security. Further, after the death of parents during the conflict, the eldest girl was then responsible for her younger siblings. Lacking education or skills, these girls decided to sell themselves in order to make a living and provide for their siblings. Some of these women have continued with the business today, while others have recently been compelled to engage in it as a result of their present circumstances. Poverty, the lack of motivation to engage in hard work, such as agricultural production, and the lack of educational or vocational skills, were cited as the most common reasons as to why an individual would engage in prostitution todayxxi (Personal Communication, 2016). This is further
compounded by the fact that these individuals often see no other viable alternative to this industry, as they lack both the capital and skills necessary to pursue further educational or employment opportunities. Prostitution is not just an urban phenomenon, either. One respondent in Unyama indicated that mobile discos have come to the villages and have caused an increase in the number of young girls engaged in such business (Community Elder, Personal Communication, April 16, 2016).

Prostitution threatens the youths’ right to life in both sense of the term. The contraction of deadly diseases such as HIV/AIDS could cause the loss of life. Meanwhile, having to resort to such an activity already indicates the hopelessness and desperation that must be present within an individual. Further, engagement in prostitution can have severe psychological consequences for youth later in life (Rössler, Koch, Lauber, Hass, Altwegg, Ajdacic-Gross, & Landolt, 2010). This demonstrates that one cannot talk about living a dignified life if an individual is compelled to engage in prostitution just for the means of survival. In one study conducted in four districts in the northern region of Uganda, some 7,000 to 12,000 youth were estimated to be engaged in commercial sex (United Nations Common Country Assessment, 2004). New Vision has also reported on the prominence of prostitution in Northern Uganda. One article published in 2007 indicated that eight girls, aged 11-15, had been arrested on charges of prostitution. In a statement made by one of these girls, she indicated that “in order to make ends meet, they chose to drop out [of school] to pursue a living” through prostitution (Oloya & Businge, 2007). This provides further evidence that the prevalence of prostitution in society is not necessarily a result of individualist choice, but rather a desire to make ends meet and find some source of livelihood for survival.

Thus, without an education or skills training, these individuals see very few alternatives for employment, and thus take the ‘easy way out’ by selling their bodies to make a living. As a result, this type of behavior should serve as a red flag to the international community in that the GoU has failed to protect the rights of its citizens. These individuals have been compelled into such an industry as a result of the government’s unwillingness to invest in greater educational or employment opportunities to assist those individuals impacted by displacement. Such an industry threatens the right to be alive, in terms of contracting diseases, as well as the right to live a dignified life. In an attempt to prevent individuals from being compelled to engage in such activities in future instances of displacement, it is imperative that the Guiding Principles be made
binding. Indeed, had the right to education been secured, as outlined in the Principles, during the encampment period, some of these women would have likely obtained an education that would have promised them a career that is both more financially secure and productive. As a result, this analysis demonstrates that, had the Guiding Principles been binding, the GoU would have been more likely to abide by the provisions within, which would have served to decrease the negative impacts on society today, thus decreasing the number of women that have been compelled to engage in prostitution. All of these negative impacts that are affecting society today stem from the rights of IDPs not being secured during the encampment period on the basis that these individuals were left to the protection of their own state, which largely failed to provide for them.

Another coping strategy that is not necessarily harmful, but highly unproductive, is sports betting. Walking around Gulu Town, there are as many as five or six betting shops on one street and at times, the place is so crowded that youth have gathered in a crowd outside to try to see what is happening in a sporting event. Sports betting is the process by which an individual purchases a card, for between 500-1000 shillings, and then bets on the team that s/he thinks will win. Yet, rarely do individuals purchase just one card when they partake in betting. Rather, they end up purchasing three or four cards, which may cost 4000 shillings. Then, even if the person is to win, say 10,000 shillings, that is only a gain of 6,000, and that 6,000 does not do much when that is the only income one has generated for the entire day (Anonymous Scholar, Personal Communication, April 21, 2016). And in addition to wasting financial resources, individuals are wasting their time and energy on this unproductive activity, and as they say ‘time is money.’ Indeed, one respondent questioned the mentality of the youth engaged in betting by saying, “I cannot fool myself that an Indian came all the way from India just to give me money” (R. Komakech, Personal Communication, April 26, 2016).

Sports betting also encompasses those individuals that are part of the “lost generation,” which lost out on education during the encampment period. As a result, these individuals are often too old to go back to primary and secondary school, so they have begun to play cards or sports bet to earn some money. For example, one individual that had grown up in Unyama camp indicated that unable to afford school fees after the death of his parents during the conflict, he dropped out of school at the age of 19 and started to engage in betting. Finding that he was “always lucky,” he continues the habit today. Additionally, he now is the father of two children, and with both him and his wife unemployed, the only income generating activity that he engages
in, is sports betting. With the little money that he is able to obtain through sports betting everyday, he is unable to adequately support his family and indicated that, unless conditions change, he would have to pull his children out of secondary school and try to enroll them in vocational training (Charles, Personal Communication, April 20, 2016). This example demonstrates that the effects of encampment, in terms of a major loss of education and the inability to regain that education, has led this man to engage in the unproductive coping mechanism of sports betting. This does not allow him to generate enough income to support his family and as a result, affects the livelihood of his children in that they may have to drop out of school. Indeed, in a statement of personal reflection, this individual stated,

“I think if there was not war, I could have gone to school. That would have helped me to get a white collared job. I was interested in engineering and the construction industry. I struggled to make ends meet, and this is why you see me the way I am today” (Charles, Personal Communication, April 20, 2016)

As demonstrated here, the string of effects that encampment caused is still very much impacting people today and unless adequately addressed, will continue to effect the right to life of second and third generations of former IDPs.

Although betting as in the industry may not be a result of encampment, the encampment period created the circumstances, such as dependency and lack of motivation for hard work, which now compels the youth to engage in betting. As a result, due to the loss of education during encampment, the inability to pay additional school fees, and the high rates of unemployment, youth feel that they can make a living out of sports betting. Indeed, the Daily Monitor confirms that “youth in Uganda are getting desperate due to high unemployment and consider gambling as a ‘tentative’ solution to the problem” (Ladu, 2016). Yet, betting is a highly unproductive activity that actually leaves the youth more impoverished than they were when they initially started betting. In terms of the right to lead a dignified life, sports betting can become an addictive activity, in which youth can lose the very money that they need to boost their personal development (Reith, 2006). Further, sports betting can impact the right to life in terms of being alive. The Youth Representative for Gulu District recalled his encounter with one youth that had engaged in sports betting:

“In 2013, a student came to me and said ‘sir, I want to commit suicide.’ He told me that he betted all his money for school fees away and now wanted to commit suicide because his parents didn’t know. But he knew very well that that money was supposed to be used for school fees.”
Thus, this demonstrates that sports betting can indirectly impact the right to life of a student. For a family that lives just off the margin and works hard to send their child to school, engagement in betting and losing that money intended for school fees can cause severely negative impacts for the student and the family. Not only can betting cause a financial burden, it also has the potential for suicidal tendencies or result in an individual dropping out of school, leading to poverty and engagement in petty economic activities. Indeed, the *Daily Monitor* has confirmed that “betting widens inequality” and has negative social impacts such as “addiction, depression, poverty and even suicide” (Ladu, 2016). Thus, engagement in sports betting does not allow an individual to realize their full potential as a person, thus depriving them of the right to life. Ironically enough, though, the slogan of one of the sports betting centers in town is ‘*discover your potential.*’

The youth in Gulu District today have become engaged in activities such as sports betting because, like young girls in prostitution, they have become hopeless, being unable to support themselves through employment opportunities as a result of their lack of education and/or the desire to engage in hard work due to the dependency syndrome. These individuals could be going to school and obtaining an education that would assist in contributing to the development of Gulu District. However, since they have been deprived of this right, a whole generation of youth is engaged in activities that do not have any positive developmental impact on the district. Indeed, keeping youth in a position of poverty can be detrimental to the whole of society. One of the well-known causes of the outbreak of violence within countries is the issue of poverty (Justino, 2010). As a result, the poverty that has resulted from the encampment period and remains unaddressed to this day, has the potential to create tension in society, which could lead to another instance of civil war in a country that has already seen so much bloodshed since independence. This is exactly what happened during the 2011 Arab Spring, when civilians protested and overthrew governments in the Middle East and North Africa over issues of poverty, unemployment, and marginalization (Özekin & Akkas, 2014). Further, regional spillovers of conflict and violence are quite common in East Africa. As a result, the recurrence of conflict in Northern Uganda could threaten the stability of neighboring states, such as South Sudan and the Congo (Bosker & Ree, 2009). This research does not conclude that it is likely that poverty and unemployment could lead to an overthrow in government, but rather, and more realistically, has the potential to cause instability in Northern Uganda. Thus, in terms of the
‘post-conflict’ debate, the issues of poverty and the lack of viable economic opportunities to bring oneself out of poverty, is an area that needs to be addressed by the GoU. This will help ensure that the northern region does not slip back into a period of conflict.

4.4 Ways in which Various Actors have Addressed the Effects of Encampment

Multiple actors, such as the government and NGOs, have attempted to address the negative effects of the encampment period, such as the lack of compensation for destroyed property, the displacement-induced poverty, and the high level of uneducated individuals, through different programs and initiatives in Unyama and Koro Sub-Counties. This has included programs targeted towards restocking lost livestock, engaging the youth in skill training, and breaking the cycle of prostitution and betting common among youth in Gulu today. However, while positive impacts can be seen in the communities, there still remains a significant amount of work to be done to ensure the stability of communities in Unyama and Koro.

4.4.1 Efforts made by the Government

The government has made some attempts to address the negative effects of encampment in Gulu District in the return period and through today. This includes a restocking program aimed at compensating individuals, the introduction of the Peace, Recovery & Development Program (PRDP) aimed at eradicating poverty and improving welfare among the populations of the north, and programs targeted at assisting youth in educational and employment opportunities. Yet, despite the number of programs that seem to be available, government initiatives to address the impacts of encampment have had very few tangible effects on the communities in Unyama and Koro, as will be shown below.

4.4.1.1 Restocking & Compensation

Unfortunately, all but one respondent had a negative view of the government’s efforts towards restocking and compensation. The only individual that contested that the government had adequately compensated individuals was the UPDF official. In his view, “the government had taken it upon itself to provide compensation for those whose rights had been trampled upon” (UPDF Official, Personal Communication, April 13, 2016). In reality, though, 60% of respondents indicated that they received no form of resettlement packages or compensation from the government, while the other 40% revealed that they did receive resettlement packages, but everything included was next to useless (Personal Communication, 2016).

However, it is not uncommon for the government and government officials to put
forward this unrealistic public representation. It is not that government officials do not know the reality on the ground in that people have not been compensated for lost property, but rather pretending that compensation was provided is a specific attempt to both make it look like the government did as it was supposed, as well as to avoid actually having to pay out the billions of shillings they owe to the people in the north. Indeed, after protests in the north over the lack of compensation, the government came out with a restocking program in which individuals would place their names in a box, and then two names would be selected. After that, the village would vote for one of those individuals to receive a cow (FGD, Personal Communication, April 21, 2016, Rwot Jeremiah, Personal Communication, April 22, 2016). Yet, this program was more of a publicity stunt than a sincere effort towards compensating individuals. The fact that only one individual would receive one cow, while a majority of the community members in that village that lost their, say 10 or 20, cows during displacement, received no assistance or compensation, demonstrates that this was more of a publicity stunt than an effort to get the northern communities back on their feet. Further, this restocking program provided the government with a secure backing to say that compensation was given in the north in order to avoid criticism and further protests.

There also seems to be an overall lack of will to provide compensation for individuals that lost their property during the war and encampment. It has been ten years since the signing of the end to hostilities agreement, yet very little has been done to assist individuals impacted by the conflict. However, if the government truly wanted to compensate individuals, it would likely have already done so. Indeed, the government has come out with multiple excuses as to why compensation has not occurred, such as a lack of funding or that a massive pay out would eat into the budget (Anonymous Scholar, Personal Communication, April 21, 2016). At the same time, though, the government is the actor responsible for the suffering of these individuals, in terms of both physical property destruction and for the failure of protecting these individuals and their property from the LRA. Thus, it should be a governmental priority to assist those individuals that have already been through so much hardship already. Yet, specifically avoiding the issue of compensation may be the intention of the government in that it would be to their advantage to keep individuals in a state of desire and dependency. This view was expressed by one respondent:

“I think it is deliberate that the government has not compensated. Why do you compensate
people that you don’t trust? It is easier to deal with the poor. Their hands are always open, waiting to receive. They will respond to what you tell them to do because they want to receive.” (Rwot Jeremiah, Personal Communication, April 22, 2016).

As a result, it seems as if not compensating individuals is a plan by the GoU to consistently keep the people in the north in a state of dependency. This then makes it easier to string them along on a line of consistent false promises in order to get these individuals to continue to support the National Resistance Movement (NRM) government in the case that one day, the government will actually come through on their promises. Indeed, it seems as if the only time the government brings up the issue of compensation is during election time. Multiple respondents indicated that this was the only time they were confronted regarding the issue of compensation (Personal Communication, 2016). This demonstrates that the government manipulated individuals to vote for the existing regime on empty promises that compensation would be given. One respondent even indicated that he voted for Museveni in the most recent election as a result of compensation rhetoric (Community Elder, Personal Communication, April 16, 2016). This demonstrates how much emphasis individuals have placed on any promise for compensation. The government continues to string the most desperate and vulnerable individuals along a line of false promises for the sake of a political campaign. Thus, it is clear that the government has not made it a priority to protect the rights of individuals in the northern region.

Further, the few initiatives that the government has put into place severely disadvantage the most vulnerable and poor members of society that need the assistance the most. Take the most recent restocking policy, for example. Meant to enrich recovery by providing livestock and giving people “something to lean on,” the policy actually requires individuals to have a significant amount of financial capital to be able to provide veterinary care for the livestock that would be provided (Anonymous Local Governmental Official, Personal Communication, April 27, 2016). However, according to a Private Agricultural Extension Practitioner, a local cow requires veterinary care every three months at a cost around 30,000 shillings per visit, for a total of 120,000 shillings per year (Anonymous, Personal Communication, April 27, 2016). At the same time, though, these animals are supposed to be provided to the individuals that lost nearly everything during the conflict and are thus highly impoverished. A majority of these individuals are likely unable to even afford a one time veterinary payment, let alone over 100,000 shillings per year. As such, this program is not oriented towards assisting individuals in need, but rather a specific public relations stunt to again make it seem like something is actually being done to
benefit these former IDPs. Additionally, by requiring individuals to have a minimum amount of capital to be eligible for the program, it disadvantages the majority of the individuals that need the assistance, as well as the greater population in the northern regions. Thus, it represents another example of the government creating policies that allow itself to pay as little in reparation to the people of the north that it can.

As analyzed before, the lack of compensation for destroyed property created higher levels of poverty, and poverty can lead to violence (Justino, 2010). Specifically creating plans that serve to marginalize and perpetuate the situation of poverty among former IDPs may not serve the government’s interests as originally intended. The regional grievances between the southern dominated government and the marginalized northerners have the potential to cause an increase in tensions, which could ultimately lead to the outbreak of another war. As a result, for the maintenance of peace and security in the northern region, it is vital that the government act on its promises of compensation and property restitution.

The avoidance of compensation represents a fundamental violation of the right to life. Restocking and compensation would have been an opportunity for these former IDPs to regain their right to life by providing them with the tools they need to move away from poverty, send their children to school, and have the capital to engage in economic activities that benefit their personal development, as well as the development of society as a whole. Yet, the government has consistently marginalized these individuals and kept them within a state of constant poverty and dependency. Thus, the actions of the government during the encampment period in the destruction of property, and the inaction of the government in the return period to compensate individuals, demonstrates the lack of respect for civilians’ right to live a dignified life, as well as their indifference towards the general wellbeing of the individuals in the northern region.

4.4.1.2 Peace, Recovery & Development Plan, Phase I – The “Shady Business”

Launched by the GoU on January 1, 2008, PRDP was a three-year plan that aimed to stabilize the northern region, consolidate peace, and decrease poverty through development opportunities (Esuruku, 2011). Through these provisions, PRDP was meant to create an environment where sustainable economic and human development were possible. PRDP was under the jurisdiction of the Office of the Prime Minister, and the GoU planned to provide 30% of the funding for PRDP, while the other 70% was to be provided by donors (Esuruku, 2011). One of four of PRDP’s objectives was revitalizing the economy, which included production and
marketing enhancement, infrastructure rehabilitation and urban improvement, and land, environment, and natural resource management.

PRDP has done a great deal in terms of structural development in the conflict affected regions. Several key respondents indicated that PRDP has succeeded in improving the “hardware” in society, but has largely failed to address the improvement of the “software” (Personal Communication, 2016). The hardware refers to the physical construction of roads, school buildings, and health centers. Yet, although the physical structures are there, the software, or qualified staff and sufficient physical resources such as medicine or textbooks, is often lacking. As a result, even though PRDP has contributed to an increase in the number of structures in Gulu District, it has not necessarily addressed the quality, or quantity for that matter, of these services. Even if the school building is there, are there enough teachers to obtain quality educational standards? Are the teachers actually qualified to teach students properly? These are questions that have not been addressed by PRDP, but in order to be fully effective, must be properly investigated to have a tangible impact on the communities in Koro Abili and Unyama. Indeed, one report completed by Refugee Law Project determined that “unless a community is helped with proper preparation of the mindset, then no amount of material support can change their life” (2013). Subsequently, the gap in PRDP in addressing the more miniscule and individualistic aspects of development has been identified as an area of concern by a number of respondents and preexisting literature. As a result, this should be a target area to be improved upon in future governmental projects.

At the same time, though, despite the structural impacts, 85% of community respondents indicated that they did not even know what PRDP was. The remaining individuals that were aware of what PRDP was suppose to do in their communities had once or currently held a leadership role in society, such as both the former camp commandants in Koro Abili and Unyama, and the current LC-1 in Koro Abili. The lack of awareness of PRDP in northern communities demonstrates that the government had both failed at outreach efforts and communicating with locals to understand their needs. One of the members of the board in charge of reviewing PRDP initiatives in Gulu noted that her team members “could see lots of gaps in the document” and that PRDP could “never benefit the ordinary Ugandan” (R. Oywa, Personal Communication, Mar. 25). Subsequently, since most respondents did not even know what PRDP was, it speaks words to the level of impact that PRDP has had on these communities.
Additionally, many of the discussions for the program took place nationally in Kampala. Local governments were merely provided with implementation orders, offering local politicians little space to address the specific needs of their community (Adong, 2011). Subsequently, the central government began funding projects that individuals in the communities may not have desired or even needed. Indeed, several respondents indicated that communities were never consulted to find out what projects would most benefit them (Rwot Jeremiah, Personal Communication, April 22, 2016, Refugee Law Project Employee, Personal Communication, April 25, 2016). For example, even if a pit latrine was not needed in a community, the government would say “here, you take this pit latrine,” just to show that PRDP was having an impact on the ground to ensure further donor funding (Refugee Law Project Employee, Personal Communication, April 25, 2016). Thus, although the funding was there, the government did not exert the additional effort necessary to actually engage in community outreach to understand where former IDPs needed the most assistance. This shows that, even though the plan for PRDP may have looked beneficial on paper, it had little to no impact on the ability of former IDPs to engage in their right to live a dignified life.

Similar to the problems with compensation, the GoU has dealt with issues of corruption in PRDP as well. Indeed, one respondent called PRDP a “shady business” for its illogical policy objectives, such as the lack of communication with community members, and as a result of the high degree of corruption apparent in PRDP (Anonymous Scholar, Personal Communication, April 25, 2016). First off, PRDP was tainted from the start in that the government had attempted to obtain money from donors, and then make it seem that the projects that the money was to go to, were already implemented, thus giving way for the government to use the money at will. Later, for the sake of transparency, donors began to monitor the way in which their funding was utilized before agreeing to donate more money to PRDP (O. Francis, Personal Communication, April 9, 2016). Although this is logical from a donor’s standpoint, it demonstrates that the improvement of livelihood conditions for millions of northerners lies in the hands of the government, and if the government partakes in irresponsible and corrupt spending, the individuals, not the government, are the ones to suffer. Indeed, the most widely criticized and well-known instance of corruption in Uganda was the Prime Minister scandal in which billions of Ugandan Shillings, meant for the post-war recovery efforts in Northern Uganda, were transferred to unauthorized accounts. It was later determined that the money was spent on
unexplained trips by Mrs. Museveni and a new Mercedes Benz for the Prime Minister, Amama Mbabazi (Kakaire, 2012). This clearly demonstrates not only the corruption in Uganda with PRDP, but also the lack of will to ensure that the money is adequately used for the benefit of individuals impacted by war.

While PRDP was suppose to largely improve the livelihoods of former war affected individuals, it was unable to make a tangible difference in their lives as a result of corruption, a lack of will, and a lack of communication between beneficiaries and the central government. As a result, individuals were not provided with the tools that they should have been provided with through PRDP, to engage in the activities that would have assisted them in living more dignified lives. For example, the revitalizing the economy component had a minimal impact on the actual lives of individuals, which ultimately did not aid in their personal development. This view is affirmed by the Justice and Reconciliation Project, which has said that PRDP did not “specifically redress the harm suffered by individual victims, but instead tried to alleviate the development needs of society” (2015). The sub-objectives of re-activating productive sectors and rehabilitating critical infrastructure did not address the skill training that was necessary to ensure adequate individual development for former IDPs in the northern region. Thus, these findings demonstrate that, for the purpose of post-conflict program planning, it is vital that governments address the individual needs of former IDPs such that they will have the necessary tools to assist in their personal growth and development. This will serve to make government program planning more effective in addressing the grievances among the affected populations. Such programs need to be aimed at individual development, rather than just addressing the general needs of society, so that communities are aware that the government is attempting to assist and support them, which will serve to create a more peaceful atmosphere in the post-conflict environment.

4.4.1.3 Addressing the Youth

Due to the high unemployment rate in Gulu District today, the government has attempted to target the youth through financing initiatives aimed at assisting them in starting business ventures. For context, on a national level, of the unemployed population in Uganda, 64% of individuals in this category were youth, aged 18 to 30 (Ahailbwe & Mbowa, 2014). In 2011, the government created a program called the Youth Venture Capital Fund (R. Komakech, Personal Communication, April 26, 2016). Youth were encouraged to form groups, write up a business proposal, and submit it to the local government for approval to attempt to have their projects
funded. However, this initiative largely failed to impact the lives of the most disadvantaged youth in society on account that the conditions of eligibility were just “stupid,” in the words of one respondent (Refugee Law Project Employee, Personal Communication, April 25, 2016). In order to qualify, youth needed to have obtained a minimum of Senior 4 certificate. At the same time, though, the individuals that were most in need of this assistance were the ones that were unable to finish their education as a result of the encampment period. Thus, it was a “double jeopardy” for these individuals because the government did not protect their right to education during encampment, and now they were unable to qualify for an assistance program on account that they were uneducated (R. Komakech, Personal Communication, April 26, 2016). This initiative too, just like the livelihood compensation program, seemed to conveniently disadvantage the population that was in need in order to prevent a majority of individuals from qualifying. Thus, this would decrease the amount of money the government would have to pay out to this program. Yet, these individuals remained in positions of poverty and dependency on account that they had few means to improve their situation. Continuing with such programs demonstrates that the issues impacting the youth are not being addressed, and could serve to cause issues in society, such as future conflict, if they remain unaddressed. As a result, this program had a minimal to null impact on the livelihoods of the youth in Unyama and Koro Sub-Counties.

After some backlash from Youth Representatives across the northern region, the program was scrapped for a more inclusive one that is currently in operation called the Youth Livelihood Program. Similar to the previous program, youth form a group and submit a proposal for a project of their choice. However, this program has had a much more tangible impact on the lives of the youth since the minimum Senior 4 certificate requirement was scrapped. In one year alone, 56 youth groups were provided with funding in Gulu District, out of some 600 groups that applied (R. Komakech, Personal Communication, April 26, 2016). Although a very small number of youth have benefitted, it does demonstrate that the government has made youth livelihood programs in the north more of a priority recently. Yet, it is indicative of government motivation that it required backlash and protest from local leaders to actually implement a program that would serve to benefit the youth. Further, President Museveni has made statements that indicate he does not feel the government is responsible for providing opportunities to the youth, which may have been representative in the large failure of the Youth Venture Capital
Fund. One respondent indicated that Museveni had previously stated that youth “should go to university, not to become a job seeker, but a job creator” (Refugee Law Project Employee, Personal Communication, April 26, 2016). Not only does this demonstrate his lack of willingness to deal with youth unemployment, but it also symbolizes the danger that society could face in the future on account that the President is so out of touch with community problems. There is such a high rate of unemployment in Gulu District today as a result of the government failing to invest in productive industries in the region, leaving the area lacking in employment opportunities. Telling individuals to “create their own opportunities” without any support or assistance, shows his unwillingness to deal with the situation in the north, which will prove detrimental for the wellbeing and development of society as a whole in the future.

In terms of addressing some of the negative coping strategies that youth have adopted, including prostitution and gambling, the GoU has been highly reluctant to intervene in either of these two arenas. Take, for example, the issue of sports betting. Although grass-root attempts have been made to regulate the sports betting industry in order to decrease the number of youth engaged in that activity, all the attempts have been blocked by the local and national governments. Indeed, when the Minister of Finance came to Gulu in 2014, the Youth Representative attempted to discuss the regulation of the sports betting industry. Yet, this discussion ended abruptly when the Minister of Finance declared that no effort would be made to shut down sports betting shops on account that they were generating profit for the country (R. Komakech, Personal Communication, April 26, 2016). No clearer indicator is needed to identify the priorities of the government. Despite the fact that sports betting has the potential to destroy the future of a youth, in terms of addiction and subsequent poverty or even suicide, the government has made no attempts, and even has made it clear that it will block attempts, to regulate the sports betting industry. As a result, the right to life of youth is currently being manipulated by factors that are beyond the control of the youth. Greater attempts should be made to protect youth for such harmful activities out of a lack of concern for the wellbeing of citizens in your country. Indeed, this view that more needs to be done by the government has been confirmed by the Daily Monitor, which states “[i]t is becoming increasingly evident that gambling, if not swiftly and tightly regulated, could be a recipe for both social and economic disaster as more youth take to the game of chances, particularly sports betting, on the grounds that it is a source of livelihood” (Ladu, 2016). Yet, youths continue to throw their money away
on gambling activities as a result of their desire for quick money as a result of the encampment period, which ultimately threatens their right to live a dignified life. As a result, the Youth Representative questioned, “There is money and human life. Which one is more important?” (Personal Communication, April 26, 2016).

4.4.2 Efforts made by International & National Organizations

“This was an NGO country, not the country of Uganda”
(O. Francis, Personal Communication, April 9, 2016)

Local and international organizations have attempted to fill in the gaps, left behind by the government, in addressing the negative impacts of the encampment period on society today. Organizations such as the Acholi War Debt Claimants Association (AWDCA), TechnoServe, and World Vision, among others, have attempted to assist former IDPs in property compensation, skills training, and livelihood programs. Although these organizations have certainly had a positive impact on the lives of individuals in Unyama and Koro Abili, the impacts are beginning to dwindle today, as more organizations are pulling out of Gulu District and the funding for the remaining organizations is on the decrease because of a change in mandates or donor interest. As a result, individuals in need of assistance are left behind in a state of vulnerability with few options for advancement in their own personal development. This, again, could be a recipe for disaster if more youth become impoverished and unemployed.

4.4.2.1 Towards Compensation

One of the main complaints in the Acholi sub-region since the end of encampment has been the lack of restitution and compensation for the property of former IDPs that was destroyed by both the LRA and UPDF during the conflict. Seeing that individual attempts were having a menial impact on compelling the government to provide adequate compensation, a group of Acholi individuals came together in 2006 to form the Acholi War Debt Claimants Association (AWDCA), an association that sought to challenge the government through court, rather than through warfare, to regain the “economic backbone,” or livestock, for the Acholi people (AWDCA Employees, Personal Communication, April 19, 2016). In 2008, AWDCA and the GoU went to court over the issue, and an out of court settlement was agreed upon, with the government willing to pay 2.1 billion Ugandan Shillings out of the 37 trillion Ugandan Shillings total that the Association was demanding (Justice and Reconciliation Project, 2012).

The efforts on behalf of AWDCA show that a grass root movement has taken initiative to
confront the government over property compensation to protect the right to life of those that have already been through so much suffering as a result of encampment and the conflict. It was verified through field work that the AWDCA have made significant attempts aimed at outreach for the affected communities, as several respondents indicated that the Association had at some time reached out to them regarding form completion, but that they have still not seen any compensation up to today, which is understandable considering the long winded bureaucratic process that the government is subjecting these individuals to (FGD, Personal Communication, April 21, 2016). At the same time, though, it demonstrates the apparent lack of willingness on behalf of the government to compensate these individuals. The fact that an organization with some 30,000 individuals had to be formed just to make the attempt to obtain compensation demonstrates that the government needed to be compelled to act, because the willingness on its own seems to have been nonexistent. Indeed, the quantity alone of individuals in this organization demonstrates the gravity of this situation.

However, all these individuals are actually requesting is a way to break from the cycle of poverty and hopelessness that they have been emerged in ever since the end of the conflict. Indeed, one AWDCA employee stated that, “[i]f the gov’t pays off the people, then whatever happened in the Acholi Sub-Region will be a matter of the past” (Personal Communication, April 19, 2016). Compensation would allow the great majority of individuals in the Acholi Sub-Region to move on from the past, break the cycle of poverty, send their children to school, and finally be able to focus on a bright future instead of living off the margin and merely thinking of survival. President Museveni should not consider property restitution as a donation, but rather as a key obligation on behalf of the government for providing for the reinstatement of the livelihoods of individuals that have been destroyed for the last 30 years. Yet, since the government has indicated that they prefer to continue to negotiate over bureaucratic processes at the expense of individual livelihoods, the right for these individuals to live a dignified life may not be obtained in the near future.

### 4.4.2.2 Towards Education & Skills Training

One of the ways in which NGOs have attempted to combat both the loss of schooling as a result of encampment and the high rate of youth unemployment is through skill and vocational training. From local organizations, such as the Gulu Youth Development Association (GYDA), to international organizations, like TechnoServe, these organizations have attempted to provide
youth with the necessary tools to lift themselves out of both poverty and the cycle of unemployment. While some organizations work primarily with vocational skill training, others attempt to provide youth with entrepreneurship capabilities. One of the organizations that works primarily with vocational training is GYDA. GYDA targets youth that are uneducated and thus more vulnerable to engage in negative and harmful activities (R. Kilama, Personal Communication, April 27, 2016). The positive effects of GYDA, and other similar organizations, in addressing skill and vocational training, have been felt by the communities in Unyama and Koro Abili. Respondents in both of these communities indicated that they personally benefitted or knew of someone that did benefit from a skills training program. Indeed, in one focus group with youth in Koro Abili, 6 out of the 12 youth indicated that they had undergone some form of skill training. Further, 5 out of 6 of the youth that had undergone skill training, are now employed (FGD, Personal Communication, April 30, 2016). Similarly, the respondents in Unyama indicated that those individuals that underwent skill training are still employed today in bricklaying and concrete practice (FGD, Personal Communication, April 21, 2016).

Although skill training has not been able to impact the lives of every youth in Gulu District, it has made a significant impact on the lives of the individuals that have undergone training. A majority of these individuals, from the research interactions, have been employed and remain so up to this day. This allows them to support their families and retain a degree of dignity in their lives, as they no longer have to live off the margin. Further, the youth in Koro Abili also indicated that they can now support their children through school. This is one of the biggest impacts that skill training can have on a family. The purpose of programs such as these are to allow individuals to break the cycle of poverty, as well as break from the effects of the encampment period, a view that has been affirmed by one study conducted by Bidwell et al on the topic of vocational training in Northern Uganda (2008). By being economically empowered and able to support their children, these individuals are preventing the negative impacts associated with encampment from passing down to their children and subsequent generations. Indeed, for the general wellbeing of society as a whole, as well as for the assurance of future peace, it is vital that efforts are made towards addressing these unemployed youth. One respondent indicated that he sees a “very dark future for Northern Uganda” if the issues of poverty and unemployment continue unaddressed (Refugee Law Project Employee, Personal Communication, April 25, 2016). This view is affirmed by previous scholars as well, some who
claim that “large populations of unemployed youth can contribute to continued instability and threaten the peace process,” (Bidwell et al, 2008). Thus, both respondents in this research and existing scholars have agreed upon the importance of vocational training to ensure employment opportunities for youth, and overall peace, in Northern Uganda.

Both TechnoServe and the Agency for Cooperation and Research in Development (ACORD) also aim to assist the livelihood development of youth in Gulu District. From 2009 to 2013, ACORD, an international NGO, had a livelihood program that sought to target the most disadvantaged in society, including child-headed households or those that missed out on educational opportunities due to encampment. Through a training program and by assisting youth in learning about government programs targeted towards them, ACORD empowered over 600 households through this livelihood program (Anonymous, Personal Communication, April 21, 2016). At the same time, TechnoServe, another international NGO in Gulu, has worked to empower youth economically by training them in entrepreneurship skills. From 2011 to present, TechnoServe has been running an outreach program that targets youth in rural communities. At the end of the program, youth write a simple, but bankable business plan, from which individuals are selected to compete at the district level to have their business plan funded by TechnoServe. Yet, in any given year, TechnoServe typically has some 1140 individuals enrolled in its program, but only 120 of these individuals are chosen to be funded by TechnoServe, due to the financial constraints on the organization (K. Keneth, Personal Communication, April 26, 2016).

Despite the positive impacts that such organizations have had on the communities in Unyama and Koro Abili since the end of encampment, the number one issue as to why the positive effects are not more widely spread among community members is a lack of donor funding. Further, many NGOs that were active during and right after the conflict period have left Gulu today. Indeed, one respondent indicated that there use to be over 200 NGOs in Gulu District, yet there are less than 30 today (E. Odong, Personal Communication, April 21, 2016). Of the organizations that continue to remain active, their budgets have significantly decreased, meaning that they cannot impact the lives of as many individuals as they use to be able to. Since the humanitarian crisis now seems to be over in Northern Uganda, donor attention has shifted away to other crises in the world. As an example, respondents at both TechnoServe and World Vision indicated that their programs are both set to expire in the year 2019, meaning that, unless donors agree to renew funding towards these programs, then two more organizations will
become inactive or move towards other projects that donors have agreed to fund (K. Keneth, Personal Communication, April 26, 2016, David, Personal Communication, April 27, 2016).

For the sake of post-conflict recovery, NGOs that work during humanitarian crises need to ensure that they empower communities to engage in sustainable and developmental activities for long after the NGOs disengage from a region. One of the reasons why so many people in Gulu District today continue to suffer is that NGOs pulled out of the region too quickly and abruptly. It is estimated that most NGOs can successfully disengage from a conflict region 15-27 years after the conflict has ended, which would provide time for development initiatives (Yagub & Mtshali, 2015). However, it has only been ten years since the end of the Ugandan conflict, and almost all international NGOs have left the region. This demonstrates that these organizations failed to adequately prepare communities for the transition to take over development initiatives on their own. Indeed, in the absence of government programming largely due to unwillingness, NGOs serve to fill the gap by providing essential skills training and livelihood programming for former IDPs. Yet, the findings in this study determined that the manner in which NGOs left did not ensure the sustainability of their initiatives, thus jeopardizing personal and societal development in Gulu. The idea that humanitarian organizations leave conflict areas too early, thus jeopardizing sustainable development, is a concept that has been affirmed by existing scholars and international organizations (Yagub & Mtshali, 2015, UNICEF, 2007). The presence of NGOs is necessary at time during conflict situations. At the same time, though, NGOs should work towards ensuring that an environment of sustainability is achieved before leaving the communities. This will allow individuals to engage in personal and societal development after the departure of NGOs, instead of falling back into a position of vulnerability and dependency.

However, there is still a significant amount of work to be done in terms of skills training, economic empowerment, and just generally addressing the negative impacts of encampment. When these remaining organizations leave, it could have a detrimental impact on these communities in that they will be further disadvantaged because even less opportunities would exist for them to seek help. As a result, although these organizations are having positive impacts on the communities today, as they provide youth with the necessary tools to seek further employment or educational opportunities and thus, have the ability to live a dignified life, it is vital to recognize that the situation among youth in Unyama and Koro Abili could become worse in the next few years. Indeed, while conducting research at TechnoServe, a young boy, probably
around 14 or 15, walked into the office to ask the youth director if there was anything the
director could do to assist him. He indicated that he was the son of a single parent, with three
other siblings, and that the family was severely struggling financially. What dignity is left in a
person when poverty compels you to spend the day begging for help at different organizational
offices? This demonstrates the desperation that this young boy was feeling, and is a direct
indication that there are still a significant number of people in Gulu District that are struggling
with poverty and a lack of opportunities.

Another urgent issue was encountered during the interaction with the Director of GYDA. He indicated that, since the informal approach of skills training was supposed to target those
individuals that had been deprived of educational opportunities during encampment, it is now
time to begin to switch to a more formalized approach (R. Kilama, Personal Communication,
April 27, 2016). That transition may happen as early as the end of this year, meaning that any
individuals that have a desire to pursue vocational skills would have to look elsewhere towards
the shrinking opportunities for training in that sector. Although the Director indicated that it
would be “misleading” to continue to train youth in this non-formal approach, this is the sector
that most youth in Unyama and Koro Abili Sub-Counties indicated that they were engaged in.
Further, with continual high rates of poverty in Gulu, at 43.7%, many individuals indicated that
the youth are going into vocational training now since there is a greater opportunity for
employment than if they were to go to university (R. Komakech, Personal Communication, April
26, 2016). As a result, youth do not want to spend money on university tuition if they continue to
see that many of the youth that did go to university, are currently unemployed.

If GYDA, and subsequently other training centers like it, do decide to transition to a more
formal approach, it would serve to highly disadvantage those individuals that could benefit from
skill training in the future. Indeed, it is likely that poverty levels will increase if vocational
training is ceased in Gulu altogether, since the youth have been so actively engaged in that
sector. Unless more is done to invest in this region to allow for more jobs to be created for
university graduates, then the informal sector will still be necessary in Gulu District to at least
provide some sort of training and employment opportunity to the youth. Without such training,
many youth may not be able to enjoy their right to life. In deciding between a hefty university
tuition price with no employment guarantee, and the potential to win 50,000 Shillings at one time
in sports betting, youth are likely to become more engaged in these negative activities.
Vocational training is the medium through which those who do not have the financial means to go to university, are at least able to engage themselves in a productive activity to prevent themselves from falling into the cycle of gambling addiction and poverty.

4.4.2.3 Towards Negative Coping Strategies

Although several organizations indicated that their efforts hope to prevent the youth from engaging in negative coping strategies such as betting or prostitution, there is a gap in programming in addressing those youth that are already engaged in such activities. Several NGO respondents indicated that their only way in addressing such issues is to engage the youth in cultural or economic activities to try to prevent youth from resorting to gambling or prostitution (Rwot Jeremiah, Personal Communication, April 22, 2016, Anonymous NGO Employee, Personal Communication, April 21, 2016). Specifically in relation to betting, most organizations seemed to indicate that this problem was beyond their mandate or the responsibility of the government to address (Anonymous NGO Employee, Personal Communication, April 21, 2016, Local Human Rights Employee, Personal Communication, April 22, 2016).

Yet, sports betting was one of the most common issues that community members cited for propelling youth into poverty or motivating them to drop out of school. As a result, sports betting has the potential to become a serious social problem if it is left unaddressed and with the way organizations seem to be avoiding the issue now, hundreds, if not thousands, of more youth may become addicted and throw their right to live a dignified life down the drain. On the other hand, though, the Uganda Women’s Action Program (UWAP), one local NGO, has done impressive work in addressing commercial sex workers and empowering them to leave the industry to pursue more viable and healthy employment opportunities. Nevertheless, the organization has only been able to assist 90 women since 2014, due to being a small, locally based organization (UWAP Employees, Personal Communication, April 22, 2016). Thus, although there is a program targeting commercial sex workers, it has a minimal impact on addressing the larger social problem of prostitution. As a result, there is a need for more organizations to expand their mandate to address these negative issues, or for more organizations to come into being to rehabilitate individuals engaged in these coping strategies. Indeed, the individuals engaged in betting and prostitution will continue to suffer if they are not provided with the necessary tools to disengage from these activities, and subsequently, the wellbeing and development of society will continue to suffer as a whole.
Chapter 5: Conclusions

5.1 Conclusion

In the debate regarding the protection of internally displaced persons, this analysis has demonstrated that there continues to exist gaps in the international system on ensuring that such individuals are able to enjoy their right to life. With the situation in Northern Uganda, individuals were subjected to displacement without the government conducting a thorough analysis on how displacement could impact civilian lives. While the 1995 Constitution and eventual 2004 National IDP Policy could have served to protect the rights of IDPs, the lack of implementation of behalf of the GoU virtually made such documents useless. This caused untold suffering on the civilian population, as physical, food, and educational security were never guaranteed during the period of encampment. Indeed, the right to life, in terms of being alive, as well as being able to live a dignified life, were severely threatened during the encampment period. While the right to be alive was threatened due to the lack of physical security and food items, which ultimately caused malnutrition and an increase in susceptibility to diseases, the right to be able to live a dignified life was also jeopardized, as individuals began to engage in risky and immoral practices for the sake of survival. A number of individuals were also coerced to drop out of school due to circumstances beyond their control, including the lack of financial capital as a result of being deprived of economic activities during encampment.

In terms of the effects that encampment has had on the right to life of civilians today, the issues of displacement-induced poverty, dependency, and the loss of years of education continue to impact a large number of individuals in Gulu District. Indeed, without adequate property compensation and with the loss of educational opportunities during encampment, many individuals have found themselves unable to break from the cycle of poverty. This has caused the negative impacts of the encampment period to begin to impact second and third generations of Ugandans, such that families are so impoverished from displacement that they cannot afford school fees for their children, thus circumstantially depriving them of the opportunity for personal advancement. Subsequently, some of these youth have begun to engage in negative coping strategies, such as sports betting and prostitution, in an attempt to make a livelihood because they see no other way for personal development. Although this does have a negative impact on the right of these individuals to live a dignified life, it also has broader implications for the whole of society. With issues of poverty, the lack of education, and unemployment, the
whole of Gulu District has struggled in terms of economic and societal development. Further, there exists the potential that such youth may become frustrated with their present circumstances as to cause instability in Northern Uganda. This, then, has wider implications for the Republic of Uganda, as well as the greater East African region. If Uganda is to see another period of uprising and rebellion, regional spillovers could then threaten the stability of the entire region. As a result, it is imperative that the GoU address these issues in society to ensure that sustainable peace is possible. If these issues remain unaddressed, then the ‘post’ in post-conflict, may not be a guarantee.

Additionally, connecting back to international issues, the Guiding Principles on Internal Displacement cannot serve an effective purpose if they are to remain non-legally binding. These Principles need to become a legally binding document, such that they serve as a point of coercion for governments to adequately protect the human rights of their citizens during instances of displacement. Although initiatives can be made on the national level, such as the Ugandan National IDP Policy, until governments can be held responsible by the international community for failing to protect the rights of IDPs, then little tangible impacts will be seen on actual civilian lives. As displaced persons, these individuals have already been subjected to hardship and suffering by being forced to abandon their homes, and are placed in a position of extreme vulnerability. As a result, their rights must be solidified to ensure their protection on both the national and international levels.
## 5.2 Recommendations

| For the International Community | • The Guiding Principles on Internal Displacement should be made legally binding as to serve as a point of coercion for states to act to protect the rights of IDPs. This would further uphold the issue of sovereignty, but allow the rights of IDPs to be recognized on a more international level.  
• A greater emphasis should be placed on monitoring the conditions of civilians in displacement camps. This will ensure that the rights of civilians are being upheld by their home governments, and provides the international community with a basis to identify when outside intervention is necessary. |
| For National Governments | • In issues of internal displacement, whether it be from conflict, natural disasters, or development, the rights of individuals affected should be upheld fully and completely. When outside intervention or assistance is necessary, that request should be made as soon as possible to mitigate the negative impacts that can be associated with displacement, on civilians. |
| For the Government of Uganda | • Publicly acknowledge that displacement caused untold suffering on the lives of Ugandans and was incorrectly handled by the GoU and UPDF.  
• Complete and adequate property restitution must be delivered to war and encampment victims.  
• Investment in the northern region must become a priority. This would assist in job creation to decrease the issues of poverty and unemployment so common in the north.  
• The government should ensure that the agencies and organs of the GoU have the necessary resources and are trained to adequately handle future instances of displacement. Stronger adherence to and implementation of the National Policy is necessary to prevent the suffering of future displaced populations. |
| For International & National NGOs | • Continue to engage the youth in skill training through vocational institutions to assist in youth employment.  
• In instances of humanitarian crises, organizations should endeavor to not blindly provide support, but rather create conditions that assist civilians in enjoying their rights.  
• Assure that post-conflict communities are stabilized and engaging in development prior to leaving the affected area after a humanitarian intervention. |
| For Future Research | • Examine the ways in which international actors view instances of internal displacement to analyze what factors stand as barriers to assuring greater protection of IDPs. |
References


Smith, A. (2012). “Conflicts are one of the Biggest Barriers to Educaiton for All.” *Global Education Monitoring Report.*


Chapter 6: Appendices

These endnotes correspond to an area where (Personal Communication, 2016) was indicated. These are the exact respondents, with protected identities, that indicated the information noted with the endnote.


ii (UPDF Official, Personal Communication, April 13, 2016, Akullu, Personal Communication, April 18, 2016, LC1- Koro Sub-County, Personal Communication, April 18, 2016)

iii (UPDF Official, Personal Communication, April 13, 2016, Akullu, Personal Communication, April 18, 2016, Anonymous Elder, Personal Communication, April 18, 2016, LC1-Koro Sub-County, Personal Communication, April 18, 2016)


v (K. Komakech, Personal Communication, April 7, 2016, P. Angwech, Personal Communication, April 8, 2016, O. Francis Personal Communication, April 9, 2016)


xi (Anonymous Community Elder, Personal Communication, April 18, 2016, Anonymous Community Elder, Personal Communication, April 18, 2016, LC1-Koro Abili, Personal Communication, April 18, 2016)


xv (FGD, Personal Communication, April 15, 2016, FGD, Personal Communication, April 23, 2016, FGD, Personal Communication, April 30, 2016)
xvi (FGD, Personal Communication, April 15, 2016, Akullu, Personal Communication, April 18, 2016, LC1-Koro Abili, Personal Communication, April 18, 2016, LC1-Unyama, Personal Communication, April 19, 2016, FGD, Personal Communication, April 30, 2016)
xii (Uganda Women’s Action Program Employee, Personal Communication, April 22, 2016, Anonymous Local Human Rights Employee, Personal Communication, April 22, 2016, Rwot Jeremiah, Personal Communication, April 22, 2016)
xiv (K. Komakech, Personal Communication, April 7, 2016, Community Elder, Personal Communication, April 16, 2016, FGD, Personal Communication, April 23, 2016)
Our Ref: SS 4064 27th April 2016

Charlotte Mafumo
School for International Training
Kampala

Re: Research Approval: Uganda’s Development and Post Conflict Transformation in Select Areas: Innovations for Development the Place of the Sustainable Development Goals

I am pleased to inform you that on 11/04/2016, the Uganda National Council for Science and Technology (UNCST) approved the above referenced research project. The Approval of the research project is for the period 11/04/2016 to 11/04/2017.

Your research registration number with the UNCST is SS 4064. Please, cite this number in all your future correspondences with UNCST in respect of the above research project.

As Principal Investigator of the research project, you are responsible for fulfilling the following requirements of approval:

1. All co-investigators must be kept informed of the status of the research.
2. Changes, amendments, and addenda to the research protocol or the consent form (where applicable) must be submitted to the designated Research Ethics Committee (REC) or Lead Agency for re-review and approval prior to the activation of the changes. UNCST must be notified of the approved changes within five working days.
3. For clinical trials, all serious adverse events must be reported promptly to the designated local REC for review with copies to the National Drug Authority.
4. Unexpected events involving risks to research subjects/participants must be reported promptly to the UNCST. New information that becomes available which alters the risk/benefit ratio must be submitted promptly for UNCST review.
5. Only approved study procedures are to be implemented. The UNCST may conduct impromptu audits of all study records.
6. A progress report must be submitted electronically to UNCST within four weeks after every 12 months. Failure to do so may result in termination of the research project.

Below is a list of documents approved with this application:

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<th>Document Title</th>
<th>Language</th>
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<th>Version Date</th>
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<tr>
<td>1. Research proposals</td>
<td>English</td>
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Yours sincerely,

Hellen N. Opolot
for Executive Secretary
UGANDA NATIONAL COUNCIL FOR SCIENCE AND TECHNOLOGY
1. These Guiding Principles address the specific needs of internally displaced persons worldwide. They identify rights and guarantees relevant to the protection of persons from forced displacement and to their protection and assistance during displacement as well as during return or resettlement and reintegration.

2. For the purposes of these Principles, internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border.

3. These Principles reflect and are consistent with international human rights law and international humanitarian law. They provide guidance to:
   
   (a) The Representative of the Secretary-General on internally displaced persons in carrying out his mandate;
   
   (b) States when faced with the phenomenon of internal displacement;
   
   (c) All other authorities, groups and persons in their relations with internally displaced persons; and
   
   (d) Intergovernmental and non-governmental organizations when addressing internal displacement.

4. These Guiding Principles should be disseminated and applied as widely as possible.

SECTION I - GENERAL PRINCIPLES

Principle 1

1. Internally displaced persons shall enjoy, in full equality, the same rights and freedoms under international and domestic law as do other persons in their country. They shall not be discriminated against in the enjoyment of any rights and freedoms on the ground that they are internally displaced.

2. These Principles are without prejudice to individual criminal responsibility under international law, in particular relating to genocide, crimes against humanity and war crimes.

Principle 2

1. These Principles shall be observed by all authorities, groups and persons irrespective of their legal status and applied without any adverse distinction. The observance of these Principles shall not affect the legal status of any authorities, groups or persons involved.

2. These Principles shall not be interpreted as restricting, modifying or impairing the provisions of any international human rights or international humanitarian law instrument or rights granted to persons under domestic law. In particular, these Principles are without prejudice to the right to seek and enjoy asylum in other countries.

Principle 3

1. National authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction.
2. Internally displaced persons have the right to request and to receive protection and humanitarian assistance from these authorities. They shall not be persecuted or punished for making such a request.

**Principle 4**

1. These Principles shall be applied without discrimination of any kind, such as race, color, sex, language, religion or belief, political or other opinion, national, ethnic or social origin, legal or social status, age, disability, property, birth, or on any other similar criteria.

2. Certain internally displaced persons, such as children, especially unaccompanied minors, expectant mothers, mothers with young children, female heads of household, persons with disabilities and elderly persons, shall be entitled to protection and assistance required by their condition and to treatment which takes into account their special needs.

**SECTION II - PRINCIPLES RELATING TO PROTECTION FROM DISPLACEMENT**

**Principle 5**

All authorities and international actors shall respect and ensure respect for their obligations under international law, including human rights and humanitarian law, in all circumstances, so as to prevent and avoid conditions that might lead to displacement of persons.

**Principle 6**

1. Every human being shall have the right to be protected against being arbitrarily displaced from his or her home or place of habitual residence.

2. The prohibition of arbitrary displacement includes displacement:
   1. (a) When it is based on policies of apartheid, Aethic cleansing or similar practices aimed at/or resulting in altering the ethnic, religious or racial composition of the affected population;
   2. (b) In situations of armed conflict, unless the security of the civilians involved or imperative military reasons so demand;
   3. (c) In cases of large-scale development projects, which are not justified by compelling and overriding public interests;
   4. (d) In cases of disasters, unless the safety and health of those affected requires their evacuation; and
   5. (e) When it is used as a collective punishment.

3. Displacement shall last no longer than required by the circumstances.

**Principle 7**

1. Prior to any decision requiring the displacement of persons, the authorities concerned shall ensure that all feasible alternatives are explored in order to avoid displacement altogether. Where no alternatives exist, all measures shall be taken to minimise displacement and its adverse effects.

2. The authorities undertaking such displacement shall ensure, to the greatest practicable extent, that proper accommodation is provided to the displaced persons,

that such displacements are effected in satisfactory conditions of safety, nutrition, health and hygiene, and that members of the same family are not separated.
3. If displacement occurs in situations other than during the emergency stages of armed conflicts and disasters, the following guarantees shall be complied with:

1. (a) A specific decision shall be taken by a State authority empowered by law to order such measures;
2. (b) Adequate measures shall be taken to guarantee to those to be displaced full information on the reasons and procedures for their displacement and, where applicable, on compensation and relocation;
3. (c) The free and informed consent of those to be displaced shall be sought;
4. (d) The authorities concerned shall endeavor to involve those affected, particularly women, in the planning and management of their relocation;
5. (e) Law enforcement measures, where required, shall be carried out by competent legal authorities; and
6. (f) The right to an effective remedy, including the review of such decisions by appropriate judicial authorities, shall be respected.

**Principle 8**

Displacement shall not be carried out in a manner that violates the rights to life, dignity, liberty and security of those affected.

**Principle 9**

States are under a particular obligation to protect against the displacement of indigenous peoples, minorities, peasants, pastoralists and other groups with a special dependency on and attachment to their lands.

**SECTION III - PRINCIPLES RELATING TO PROTECTION DURING DISPLACEMENT**

**Principle 10**

1. Every human being has the inherent right to life which shall be protected by law. No one shall be arbitrarily deprived of his or her life. Internally displaced persons shall be protected in particular against:

   (a) Genocide;
   
   (b) Murder;
   
   (c) Summary or arbitrary executions; and

   (d) Enforced disappearances, including abduction or unacknowledged detention, threatening or resulting in death.

   Threats and incitement to commit any of the foregoing acts shall be prohibited.

2. Attacks or other acts of violence against internally displaced persons who do not or no longer participate in hostilities are prohibited in all circumstances. Internally displaced persons shall be protected, in particular, against:

   1. (a) Direct or indiscriminate attacks or other acts of violence, including the creation of areas wherein attacks on civilians are permitted;
   
   2. (b) Starvation as a method of combat;
   
   3. (c) Their use to shield military objectives from attack or to shield, favor or impede military operations;
   
   4. (d) Attacks against their camps or settlements; and
   
   5. (e) The use of anti-personnel landmines.

**Principle 11**
1. Every human being has the right to dignity and physical, mental and moral integrity.

2. Internally displaced persons, whether or not their liberty has been restricted, shall be protected in particular against:

   1. (a) Rape, mutilation, torture, cruel, inhuman or degrading treatment or punishment, and other outrages upon personal dignity, such as acts of gender-specific violence, forced prostitution and any form of indecent assault;
   2. (b) Slavery or any contemporary form of slavery, such as sale into marriage, sexual exploitation, or forced labor of children; and
   3. (c) Acts of violence intended to spread terror among internally displaced persons.

   Threats and incitement to commit any of the foregoing acts shall be prohibited.

Principle 12

1. Every human being has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention.

2. To give effect to this right for internally displaced persons, they shall not be interned in or confined to a camp. If in exceptional circumstances such internment or confinement is absolutely necessary, it shall not last longer than required by the circumstances.

3. Internally displaced persons shall be protected from discriminatory arrest and detention as a result of their displacement.

4. In no case shall internally displaced persons be taken hostage.

Principle 13

1. In no circumstances shall displaced children be recruited nor be required or permitted to take part in hostilities.

2. Internally displaced persons shall be protected against discriminatory practices of recruitment into any armed forces or groups as a result of their displacement. In particular any cruel, inhuman or degrading practices that compel compliance or punish non-compliance with recruitment are prohibited in all circumstances.

Principle 14

1. Every internally displaced person has the right to liberty of movement and freedom to choose his or her residence.

2. In particular, internally displaced persons have the right to move freely in and out of camps or other settlements.

Principle 15

Internally displaced persons have:

1. (a) The right to seek safety in another part of the country;
2. (b) The right to leave their country;
3. (c) The right to seek asylum in another country; and
4. (d) The right to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk.
Principle 16

1. All internally displaced persons have the right to know the fate and whereabouts of missing relatives.

2. The authorities concerned shall endeavor to establish the fate and whereabouts of internally displaced persons reported missing, and cooperate with relevant international organizations engaged in this task. They shall inform the next of kin on the progress of the investigation and notify them of any result.

3. The authorities concerned shall endeavor to collect and identify the mortal remains of those deceased, prevent their despoliation or mutilation, and facilitate the return of those remains to the next of kin or dispose of them respectfully.

4. Grave sites of internally displaced persons should be protected and respected in all circumstances. Internally displaced persons should have the right of access to the grave sites of their deceased relatives.

Principle 17

1. Every human being has the right to respect of his or her family life.

2. To give effect to this right for internally displaced persons, family members who wish to remain together shall be allowed to do so.

3. Families which are separated by displacement should be reunited as quickly as possible. All appropriate steps shall be taken to expedite the reunion of such families, particularly when children are involved. The responsible authorities shall facilitate inquiries made by family members and encourage and cooperate with the work of humanitarian organizations engaged in the task of family reunification.

4. Members of internally displaced families whose personal liberty has been restricted by internment or confinement in camps shall have the right to remain together.

Principle 18

1. All internally displaced persons have the right to an adequate standard of living.

2. At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to:

   1. (a) Essential food and potable water;
   2. (b) Basic shelter and housing;
   3. (c) Appropriate clothing; and
   4. (d) Essential medical services and sanitation.

3. Special efforts should be made to ensure the full participation of women in the planning and distribution of these basic supplies.

Principle 19

1. All wounded and sick internally displaced persons as well as those with disabilities shall receive to the fullest extent practicable and with the least possible delay, the medical care and attention they require, without distinction on any grounds other than medical ones. When necessary, internally displaced persons shall have access to psychological and social services.
2. Special attention should be paid to the health needs of women, including access to female health care providers and services, such as reproductive health care, as well as appropriate counseling for victims of sexual and other abuses.

3. Special attention should also be given to the prevention of contagious and infectious diseases, including AIDS, among internally displaced persons.

**Principle 20**

1. Every human being has the right to recognition everywhere as a person before the law.

2. To give effect to this right for internally displaced persons, the authorities concerned shall issue to them all documents necessary for the enjoyment and exercise of their legal rights, such as passports, personal identification documents, birth certificates and marriage certificates. In particular, the authorities shall facilitate the issuance of new documents or the replacement of documents lost in the course of displacement, without imposing unreasonable conditions, such as requiring the return to one’s area of habitual residence in order to obtain these or other required documents.

3. Women and men shall have equal rights to obtain such necessary documents and shall have the right to have such documentation issued in their own names.

**Principle 21**

1. No one shall be arbitrarily deprived of property and possessions.

2. The property and possessions of internally displaced persons shall in all circumstances be protected, in particular, against the following acts:

   1. (a) Pillage;
   2. (b) Direct or indiscriminate attacks or other acts of violence;
   3. (c) Being used to shield military operations or objectives;
   4. (d) Being made the object of reprisal; and
   5. (e) Being destroyed or appropriated as a form of collective punishment.

3. Property and possessions left behind by internally displaced persons should be protected against destruction and arbitrary and illegal appropriation, occupation or use.

**Principle 22**

1. Internally displaced persons, whether or not they are living in camps, shall not be discriminated against as a result of their displacement in the enjoyment of the following rights:

   1. (a) The rights to freedom of thought, conscience, religion or belief, opinion and expression;
   2. (b) The right to seek freely opportunities for employment and to participate in economic activities;
   3. (c) The right to associate freely and participate equally in community affairs;
   4. (d) The right to vote and to participate in governmental and public affairs, including the right to have access to the means necessary to exercise this right; and
   5. (e) The right to communicate in a language they understand.

**Principle 23**
1. Every human being has the right to education.
2. To give effect to this right for internally displaced persons, the authorities concerned shall ensure that such persons, in particular displaced children, receive education which shall be free and compulsory at the primary level. Education should respect their cultural identity, language and religion.

3. Special efforts should be made to ensure the full and equal participation of women and girls in educational programmes.
4. Education and training facilities shall be made available to internally displaced persons, in particular adolescents and women, whether or not living in camps, as soon as conditions permit.

**SECTION IV - PRINCIPLES RELATING TO HUMANITARIAN ASSISTANCE**

**Principle 24**

1. All humanitarian assistance shall be carried out in accordance with the principles of humanity and impartiality and without discrimination.

2. Humanitarian assistance to internally displaced persons shall not be diverted, in particular for political or military reasons.

**Principle 25**

1. The primary duty and responsibility for providing humanitarian assistance to internally displaced persons lies with national authorities.

2. International humanitarian organizations and other appropriate actors have the right to offer their services in support of the internally displaced. Such an offer shall not be regarded as an unfriendly act or an interference in a State’s internal affairs and shall be considered in good faith. Consent thereto shall not be arbitrarily withheld, particularly when authorities concerned are unable or unwilling to provide the required humanitarian assistance.

3. All authorities concerned shall grant and facilitate the free passage of humanitarian assistance and grant persons engaged in the provision of such assistance rapid and unimpeded access to the internally displaced.

**Principle 26**

Persons engaged in humanitarian assistance, their transports and supplies shall be respected and protected. They shall not be the object of attack or other acts of violence.

**Principle 27**

1. International humanitarian organizations and other appropriate actors when providing assistance should give due regard to the protection needs and human rights of internally displaced persons and take appropriate measures in this regard. In so doing, these organizations and actors should respect relevant international standards and codes of conduct.

2. The preceding paragraph is without prejudice to the protection responsibilities of international organizations mandated for this purpose, whose services may be offered or requested by States.

**SECTION V - PRINCIPLES RELATING TO RETURN, RESETTLEMENT AND REINTEGRATION**
Principle 28

1. Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavor to facilitate the reintegration of returned or resettled internally displaced persons.

2. Special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration.

Principle 29

1. Internally displaced persons who have returned to their homes or places of habitual residence or who have resettled in another part of the country shall not be discriminated against as a result of their having been displaced. They shall have the right to participate fully and equally in public affairs at all levels and have equal access to public services.

2. Competent authorities have the duty and responsibility to assist returned and/or resettled internally displaced persons to recover, to the extent possible, their property and possessions which they left behind or were dispossessed of upon their displacement. When recovery of such property and possessions is not possible, competent authorities shall provide or assist these persons in obtaining appropriate compensation or another form of just reparation.

Principle 30

All authorities concerned shall grant and facilitate for international humanitarian organizations and other appropriate actors, in the exercise of their respective mandates, rapid and unimpeded access to internally displaced persons to assist in their return or resettlement and reintegration.