



Pastoralists Alliance
for Resilience and
Adaptation in Northern
Rangelands
*Building and strengthening resilient, transformational
partnerships and social movements*



ANALYSIS OF THE REGIONAL & SUB-REGIONAL POLICIES ON PASTORALISM & CONSERVATION

— A CASE FOR UGANDA

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EXECUTIVE SUMMARY

This report was undertaken with aim of establishing the relevant national policies on pastoralism and conservation in Uganda to identify gaps and opportunities for engagement. The analysis relies strongly on secondary data sources through extensive review of various scholarly texts, journal articles, government and Civil Society reports as well as blogs and websites. The report commences with a contextual analysis of pastoralism in Uganda which shows that the practice is deeply entrenched in Uganda with a huge cattle corridor hosting covering over 40% of the country's land mass in different ethnic groups. In the process, the report shows that pastoralism is a lifestyle and has enormous social and economic benefits in Uganda including as a source of food, income, social prestige, and as a coping mechanism for dealing with the effects of climate change. It then examines the policy and legal framework for pastoralism in the country which shows that on the face of it, Uganda has a fairly favourable normative environment for pastoralism. The Constitution provides legal safeguards related to cultural identity, affirmative action for historically disadvantaged groups, property ownership and secure (individual and communal) land rights. This is equally reflected in the Land Act which is arguably the primary legislation on (customary) land in Uganda. However, in spite decades of advocacy, the country still lacks an elaborate policy on rangelands management which stifles efforts at developing appropriate legislations and programmes to support pastoralism. The report highlights the colonial undertones that have shaped most of the laws with a bearing on pastoralism. The report further undertakes a stakeholder analysis and examines the powers, roles and interests of various stakeholders in the context of pastoralism. These include government Ministries, departments and Agencies in the areas of land, agriculture, conservation, security, and statistics. It also points to a plethora of non-state actors like Non-Governmental organisations (NGOs) both national and global working in the areas of pastoralism, conservation, and resilient livelihoods. The report then identifies influencing opportunities available at the national, regional and global levels for advancing Uganda's pastoralist agenda including Intergovernmental Authority on Development (IGAD), International Land Coalition, Pastoralists Hub, among other. Finally, the report wraps up six recommendations related to civic organizing to give pastoralists a solid voice to influence laws and policies affecting them. It calls for improvement of data collection to demonstrate the added value of pastoralism to the national economy as well as the passing of the draft Rangelands Management Policy. It further calls for legal reforms informed by the lived experiences of pastoralists instead of pre-conceived biases, and the need to balance development and conservation aspirations with pastoralism.

TRANSITION

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1.0. Introduction

Pastoral areas occupy about 44% (approx. 84,000 km²) of the total land mass in Uganda.

Ownership of cattle and other livestock was synonymous with wealth, respect and prestige and accordingly, pastoralism was a “predominant force” in East Africa.

As far as the 19th century, ownership of cattle and other livestock was synonymous with wealth, respect and prestige and accordingly, pastoralism was a “predominant force” in East Africa.¹ Uganda is no exception as several ethnic groups derived their political influence from cattle keeping. With a national land cover of 241,555 square miles of which 43% is categorized as bushland and another 21% is categorized as grassland², Uganda arguably has land which is adequate to support pastoralism as an economic and social activity. Studies project that pastoral areas occupy about 44% (approximately 84,000 km²) of the total land mass in Uganda and it is further estimated that about 10% of the country's population are pastoralists³. Another study estimates Uganda's rangelands – the cattle corridor -- to cover 42% of the country's total area⁴. Regardless of the slight variations, one can conclude that a 40+% is considerable for the economic activity.

The animals constituting livestock in Uganda include cattle, goats, sheep, and camels. While Uganda has not yet published its latest livestock figures and is undertaking a census⁵, the most recent available statistics indicate that Uganda boasts of a cattle population of 14.2 million of which 13.3 million can be found in the pastoral and agro-pastoral rangelands⁶. The country's cattle corridor stretches across the country, commencing from the country's southern “boarder with Tanzania through Ntungamo, Mbarara, parts of Rakai and Masaka Districts, parts of Kasese District, Kyaka County of Kabarole District; parts of Kibale and Mubende Districts, Ngoma Sub-county and Nakasongola County in Luwero District, Baale County in the northern part of Mukono District, the eastern parts of Masindi District, northern parts of Kamuli District in Busoga area to Lake Kyoga, and extending through parts of Apac and Lira Districts to Soroti, Kotido and Moroto Districts in north east of Uganda.”⁷ From this corridor, there are broadly six major pastoralist groups in Uganda. These are: the Bahima, Banyankole and Basongora (Western), the Karamojong (North East); Iteso (East); and the Baruli and Banyarwanda in central Uganda⁸. It is thus discernible that pastoralism in Uganda is a heterogeneous practice by various ethnic groups and in spite of several similarities, the strategies and cultural setups might vary.

The most common characteristics of the practice that cut across the different pastoralist communities include: significant dependence of families on livestock for food (beef, milk, ghee, etc.) and income (through sale of milk, beef, ghee, hides and skins, manure, etc); rearing of indigenous breeds; communally practised; and reliance on rain-fed pastures⁹. It is also instructive to note that besides the economic benefits, pastoralism for all these communities has cultural identity and spiritual undertones that fortify

1 RMA van Zwanenberg and Anne King, 'Nomadic Pastoralism: The Process of Impoverishment', *An Economic History of Kenya and Uganda 1800-1970* (Palgrave Macmillan 1975).

2 Ugandas Bureau of Statistcs, 'National Land Cover Statistics' 1

3 CD Waiswa, 'Introduction to Pastoralism' in CD Waiswa and others (eds), *Pastoralism in Uganda: Theory, Practice, and Policy* (1st edn, Centre for Basic Research 2019).

4 IGAD Centre for Pastoral Areas and Livestock Development, 'Total Economic Valuation of Pastoralism in Uganda' (2020).

5 Chris N Mukiza, 'National Livestock Census, May 2021' (Uganda Bureau of Statistics, 2021) <<https://www.ubos.org/wp-content/uploads/2021/05/IMG-20210512-WA0005.jpg>> accessed 15 August 2022.

6 IGAD Centre for Pastoral Areas and Livestock Development (n 4).

7 Wilberforce Kisamba-Mugerwa, 'Rangeland Tenure and Resource Management: An Overview of Pastoralism in Uganda' (1992) 1.

8 JB Wanyama, 'Accounting for Pastoralists in Uganda' (2020).

9 Waiswa, 'Introduction to Pastoralism' (n 3).



it as a lifestyle¹⁰. Pastoralism is also generally practiced on communally managed resources like grazing lands and water points especially in the Karamoja and Teso sub-regions¹¹ while for some other areas, it is a “mix of common property and private regimes” like in Western Uganda¹². Across all pastoralist communities in Uganda, the three essential components that apply to them are: natural resources (pasture, water and minerals); the herd (livestock) and the family (for labour and governance).¹³

The distinctions among these groups generally rotate around the type and quantity of animals (cattle, goats, sheep, etc.) kept, the extent of mobility, the physical location, proximity to markets, among others¹⁴. For example, while they now cross-breed, the Bahima as a tradition only keep long-horned Ankole cattle¹⁵ while the Iteso and Karimojong generally keep the East African Shorthorn Zebu¹⁶.

While mobile pastoralists are part of those most at risk to climate change, it is ironic that they have the greatest potential to adapt and/or mitigate climate change¹⁷. In Uganda, just like in other parts of the world, pastoralism is adaptable to rainfall variability and the pastoralists have devised several ways to deal with uncertainties linked to climate change through among others, livestock mobility and switching the composition of herd species¹⁸.

10 Pius Loupa, 'Pastoralism and Culture in Karamoja Region' (ELLA Community Blog Series, 2021) <<http://ella.practicalaction.org/programme-news/ella-community-blog-series-pastoralism-and-culture-in-karamoja-region/>> accessed 15 August 2022.

11 Charles Emunyu Ocan, 'Pastoral Resources and Conflicts in North-Eastern Uganda: The Karimojong Case' (1994) 34 *Nomadic Peoples* 123.

12 Waiswa, 'Introduction to Pastoralism' (n 3).

13 CD Waiswa, 'Pastoralism as a System: The Three Pillars' in CD Waiswa and others (eds), *Pastoralism in Uganda: Theory, Practice, and Policy* (1st edn, 2019).

14 Waiswa, 'Introduction to Pastoralism' (n 3).

15 R Roschinsky and others, 'Pasture Use and Management Strategies in the Ankolepastoral System in Uganda' (2012) 67 *Grass and Forage Science* 199.

16 HE Mulindwa, GC Kifaro and E Ssewanyana, 'Comparative Pre-Weaning Growth of Zebu Cattle and Their Crosses with Sahiwal and Boran' (2012) 13 *Uganda Journal of Agricultural Sciences* 35.

17 Jonathan Davies and Michele Nori, 'Managing and Mitigating Climate Change through Pastoralism' [2008] *Policy Matters* 127.

18 CD Waiswa, 'Pillar One: The Environment and Natural Resources in Pastoral Areas', *Pastoralism in Uganda: Theory, Practice, and Policy* (1st edn, 2019).

From an economic lens, from as way back as 2001, a study showed that 85% of the beef and milk in Uganda's market is from local cows in the cattle corridor¹⁹. As recent as 2017/18, the Uganda Bureau of Statistics – the country's official statistical agency – estimated the contribution of pastoralism to Uganda's GDP at 4.3%²⁰. The same body reported that in 2019, while crop production was the predominant agricultural activity, an estimated 74% of agricultural households in Uganda raised livestock for sale and consumption²¹. Another report shows that the "livestock sector contributes 7.5% to the total gross domestic product (GDP) and 17% to agricultural GDP."²² It also provides several non-monetary benefits including being a source of savings, store of value and social capital as well as other indirect benefits like conservation of wildlife and biodiversity.²³ For example, mobility supports "stimulated pasture growth" as well helps in coping with "extreme uncertainty of resource availability".²⁴ Studies show that pastoralists are so dependent on and knowledgeable about the environment that it is in their interests to use rangelands sustainably.²⁵ It is acknowledged that livestock is a critical component of Uganda's food production and is responsible for "roughly one third of the total value of agricultural output."²⁶

Pastoralism happens within a communal setting and is usually organised along families. This inherently brings out gender dimensions in the allocation of roles to the different family members by virtue of their sex and age. As a productive activity, pastoralism entails herding, milking, and sale of animals and products like beef, milk, skins and hides, etc. and these "activities usually involve all members of the family, girls and boys, men and women."²⁷ However, it has been observed that over the last 50 years, pastoral gender relations have been reconfigured by several factors including armed conflicts, climate change and the push for alternative livelihoods, etc.²⁸ Women have become central in making decisions related to acquisition of weapons and the seeking alternative ways of survival like crop farming.²⁹ While men are mainly concerned with herding and overall management of the livestock, women in most "pastoral societies are generally responsible for small stock such as sheep and goats as well as processing and marketing of milk and milk products."³⁰ Overall, it is deducible gender relations are a key tenet of pastoralism. The decision-making powers therein define the power relations and show the complementary nature of these relations.

From the foregoing, one can conclude that pastoralism in Uganda demonstrably has strong economic and social benefits. It reeks in revenue for the government, provides social protection and is a sustainable livelihood for men and women from livestock-keeping communities. The practice also makes productive and sustainable use of the natural environment which is inherently erratic, unreliable and unpredictable. However, in spite of its centrality to Uganda's society and economy, pastoralism remains of the most neglected sectors. Its value is "commonly underestimated and misrepresented" to justify "underinvestment and poor policy outcomes."³¹ Pastoralism is increasingly under threat due to several factors including the rapidly growing population, shifting land use practices, climate change, insecurity, land conflicts and diseases.³² Negative government policy, informed by biases, which

19 W Kisamba-Mugerwa, 'Social Background' in JK Mukibi (ed), *Agriculture in Uganda (1 General, Fountain Publishers 2001)*.

20 Uganda Bureau of Statistics, 'Uganda National Household Survey (2016/17)'.

21 Uganda Bureau of Statistics, 'Annual Agricultural Survey Statistical Release' 1.

22 E Tebanyang, 'The Role of Pastoralism' in CD Waiswa and others (eds), *Pastoralism in Uganda: Theory, Practice, and Policy (1st edn, Tufts University 2019)*.

23 *ibid*.

24 An MO Notenbaert and others, 'Policies in Support of Pastoralism and Biodiversity in the Heterogeneous Drylands of East Africa' (2012) 2 *Pastoralism* 1.

25 D McGahey, J Davies and Barrow E, 'Pastoralism as Conservation in the Horn of Africa: Effective Policies for Conservation Outcomes in the Drylands of Eastern Africa' (2008) *Annals of* 353.

26 IGAD Centre for Pastoral Areas and Livestock Development (n 4).

27 RS Kalyango, 'Pillar Three: Social and Cultural Institutions in Pastoral Societies' in CD Waiswa and others (eds), *Pastoralism in Uganda: Theory, Practice, and Policy (1st edn, Tufts University 2019)*.

28 Kennedy Mkutu Agade, 'Uganda: Pastoral Conflict & Gender Relations' (2008) 35 *Review of African Political Economy* 237.

29 *ibid*.

30 Kalyango (n 27).

31 Tebanyang (n 22).

32 V Lomuria, 'Challenges and Prospects of Pastoralism' in CD Waiswa and others (eds), *Pastoralism in Uganda: Theory, Practice, and Policy (1st edn, 2019)*.

Muhoozi Kainerugaba  @mkainerugaba

I promised the people of Uganda that the UPDF would defeat the cattle rustlers in Karamoja. Our soldiers are doing a great job! We arrested those thieves the other day. Every day in Karamoja is getting worse for the criminals! Godbless UPDF!!



Muhoozi Kainerugaba  @mkainerugaba

2 days ago we burnt 378 rifles captured from cattle rustlers in Karamoja in the last 6 months. I thank 3 Division under Brigadier General Balikkudembe for great work in pacifying Karamoja. Karamoja will be of cattle rustling!



Tweets by the then Commander of Land Forces, Gen Muhoozi Kainerugaba on the insecurity in Karamoja in May 2022

favours crop production and sedentary practices has also been cited as one of the biggest impediments to pastoralism in Uganda.³³ This normative biases are largely shaped by the country's colonial past which, like elsewhere in the world, prioritised the exploitation of Uganda's natural resources at the expense of local communities like pastoralists.³⁴ These notions can be discerned from most "contemporary conservation strategies" in Africa.³⁵ Pastoralists in Uganda are gradually being alienated from their land in favour of large scale agriculture and industrialisation, as well as mining which further exacerbates their problems. Because of these, cases of land grabbing leading to loss of grazing lands and water points have been reported in some pastoral areas like Karamoja.³⁶ Generally, the Government and development partners consider pastoral lands as "empty" and "idle" which require investment and conversion.³⁷ This notion can be attributed to the free-market capitalist ideology which generally prioritises profits over social and environmental considerations. In the process, this reinforces inequalities and puts pastoralists further in the fringes of policy making. Lastly, pastoral areas in Uganda are generally synonymous with insecurity. This is very common especially in the Karamoja sub-region which is characterised by cattle rustling between clans (Jie, Bokora, Matheniko, Dodoth, Pokot, etc), or with neighbouring tribes (Iteso, Acholi and Lango) as well as across the border to the Turkana and Masai in Kenya. Media reports on clashes between pastoralists (or cattle rustlers) and the national army, Uganda Peoples' Defence Forces (UPDF) have been common for decades now.

³³ V Lomuria, 'Challenges and Prospects of Pastoralism' in CD Waiswa and others (eds), *Pastoralism in Uganda: Theory, Practice, and Policy* (1st edn, 2019).

³⁴ Lara Domínguez and Colin Luoma, 'Decolonising Conservation Policy: How Colonial Land and Conservation Ideologies Persist and Perpetuate Indigenous Injustices at the Expense of the Environment' (2020) 9 *Land* 11.

³⁵ *ibid.*

³⁶ Diana Taremwa Karakire, 'Mining Rush Threatens Indigenous Peoples in Karamoja, Uganda' *Ubuntu Times* (1 September 2021).

³⁷ SJ Opolot, I Akidi and J Opoka, 'Pastoralism and Policy Directives' in CD Waiswa and others (eds), *Pastoralism in Uganda: Theory, Practice, and Policy* (1st edn, Tufts University 2019).

2.0. Legislative, Policy and Institutional frameworks

“Legislative instruments have been used by most independent African states to legitimise alienation of pastoral land.”

Like any other activity in society, pastoralism occurs within a certain policy and legal environment. In its basic form, the law connotes a system of rules which a particular community recognizes for managing its affairs. Policies and laws are core instruments for regulating all matters related to pastoralism and they demonstrate how the practice is perceived in the country. Uganda’s legal system is premised on the Constitution, Acts of Parliament, precedents, English common law

and African customs. It also includes binding treaties, conventions and other soft international law instruments. The judicial set up is hierarchical with Magistrate Courts at the bottom, followed by High Court, Court of Appeal and finally the Supreme Court at the helm. Several laws and policies with a bearing on pastoralism have been enacted over the years and they include the following highlighted below.

Policy

A policy is simply a set of aspirations, guiding principles, and strategies set out by government for addressing a specific issue.

Whereas policies outline government’s planned actions and the required guidelines to achieve them, policies are not laws much as they can shape the law.

i. Uganda National Land Policy

Gazetted in February 2013, the Uganda NLP envisions a “a transformed Ugandan society through optimal use and management of land resources for a prosperous and industrialized economy with a developed services sector”. Its goal is to “ensure efficient, equitable and optimal utilization and management of Uganda’s land resources for poverty reduction, wealth creation and overall socio-economic development.” One of the eight objectives of the NLP is to redress historical injustices occasioned against certain marginalized groups in Uganda like pastoralists. The Policy acknowledges the disparities in the enjoyment of land rights especially by marginalized groups arising out of the drive for industrialization and high population growth which threaten communal lands. It recognizes the loss of grazing lands of pastoral communities and ethnic minorities to conservation efforts by government which has depleted rangelands. The Policy further notes that the privatization of some grazing lands is causing some pastoralists to encroach on protected areas or private land so as to sustain their herds. NLP asserts that the land rights of pastoralists have been unfairly exploited especially in places like Karamoja where chunks of pastoral lands were reserved for conservation purposes. It decries the fact that the land rights of ethnic minorities are not acknowledged as custodians and owners yet their survival is closely tied to the land. Section 4.9 provides for the land rights of pastoral communities. It recognizes the harsh climatic and ecological conditions that pastoralists operate under and the stiff competition over land they face with neighboring communities. This has constrained pastoral mobility yet this is key for pastoralism. It notes that access to pastoral land has since reduced as various government agencies alienate grazing lands for the establishment of game parks and reserves. It reiterates the need to protect pastoral land rights “but not at the expense of non-pastoral communities”.



To this end, Policy Statement 60 guarantees the protection of pastoralist land rights by the State through a host of measures. These are laid down in Strategy 62:

1. Ensure that pastoral lands are held, owned and controlled by designated pastoral communities as common property under customary tenure;
2. Develop particular projects for adaptation and reclamation of pastoral lands for sustainable productivity and improved livelihood of communities;
3. Ensure that pastoral lands are held, owned and controlled by designated pastoral communities as common property under customary tenure;
4. Develop particular projects for adaptation and reclamation of pastoral lands for sustainable productivity and improved livelihood of communities;
5. Ensure that pastoral lands are held, owned and controlled by designated pastoral communities as common property under customary tenure;
6. Develop particular projects for adaptation and reclamation of pastoral lands for sustainable productivity and improved livelihood of communities;

Additionally, to support the development of pastoralism, government undertakes to:

1. Prescribe clear principles for the ownership, control and management of pastoral lands in a policy by the Ministry responsible for livestock;
2. Prescribe clear principles for voluntary resettlement of pastoral communities with approval of local governments in a resettlement policy;
3. Ensure that pastoral lands are held, owned and controlled by designated pastoral communities as common property under customary tenure;
4. Develop particular projects for adaptation and reclamation of pastoral lands for sustainable productivity and improved livelihood of communities;

It is note-worthy that in Uganda, the NLP (2013) was passed 15 years after the Land Act was already enacted. The implication of this is that while the Policy has more up to date proposals, they are not reflected in the Land Act which is legally binding. This has to some extent posed implementation challenges as the two documents are sometimes contradictory. This means that the Policy needs to be reduced to law for it to be legally-binding on the State and other stakeholders. From the law, appropriate Regulations and later strategies and projects are rolled out for implementation.

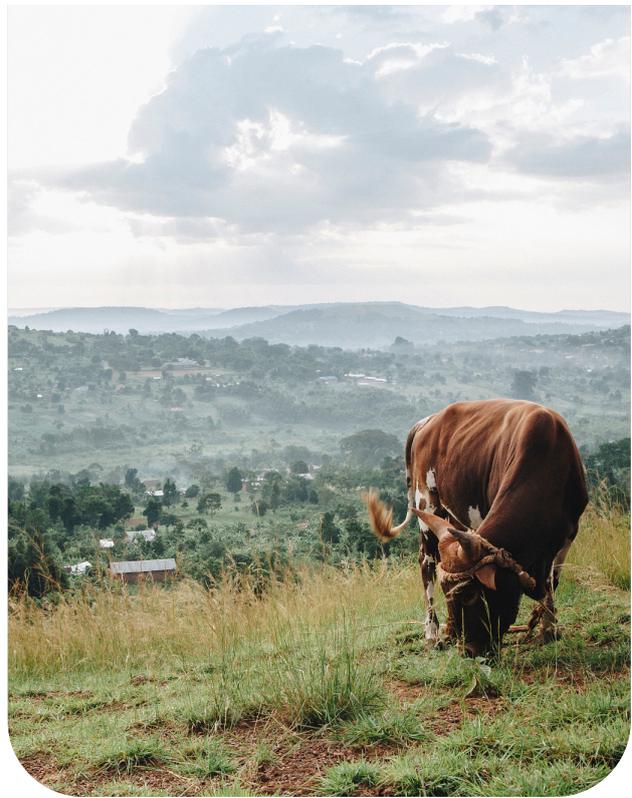
ii. The National Land Use Policy

Nullam non mattis nisl dui blandit ut suscipit tristique vestibulum ante.

NLUP was passed in 2006 and it seeks to among others “promote land use activities that ensure sustainable utilization and management of environmental, natural and cultural resources for national socio-economic development”. One of its guiding principles speaks to land being a “basic resource for many uses including production of crops, livestock, fisheries, timber, fuel wood, construction materials, minerals, and for nature conservation.” The Policy broadly classifies land use into three forms of which agriculture (crops and livestock) is one of them. Of the seven land use types, livestock and cultivation are top on the list as well as conservation. The policy highlights several land use problems and key among them is land degradation arising from overgrazing when “livestock populations per unit area of land exceed the safe stocking rate at that time.” It further postulates that “concentration of livestock near watering points, supplementary feeding places and composites also destroy vegetation cover and cause further soil degradation through severe trampling”. It also cites encroachment by pastoralists on protected areas in the search for pasture and water as another key land use issue.

On the issue of degradation of wetlands, Policy Statement 8 seeks to “discourage socio-cultural, economic and other practices that degrade the quality of rangelands in Uganda”. The strategies proposed are:

“...It seeks to among others to promote land use activities that ensure sustainable utilization and management of environmental, natural and cultural resources for national socio-economic development.”



The strategies proposed are:

1. Study and update the carrying capacity of rangelands.
2. Establish mechanisms for enforcing adherence to the optimum stocking rates for each area.
3. Establish a framework for livestock management in rangelands including provision of water, pasture and fodder development.
4. Discourage open access to grazing land among the pastoralists by promoting development of Communal Land Associations and use of communal land management schemes.
5. Create awareness for resource users and owners on the value of appropriate stocking levels.
6. Revive, enforce and implement existing byelaws and ordinances to control bush burning.
7. Encourage farmers to diversify their farming activities.
8. To promote the use of energy saving alternatives.

It is evident from these strategies that biases against pastoralism characterize the proposals. For example, bush burning by pastoralists is often times done to destroy ticks but this view is often ignored by policy makers.

iii. Draft Rangelands Management Policy

This proposed policy has been in draft form for decades now and advocacy for its expedited passing have not yielded fruit. This means advocacy on pastoralism remains hanging in space as there is not elaborate document to guide it.

iv. National Climate Change Policy

Enacted in April 2015, this Policy recognizes the impact of climate change on the “variability of rainfall” and heightening of temperatures. It predicts “increases in aridity” which will lead to droughts and in effect “influence agricultural production.” The Policy promotes “highly adaptive and productive livestock breeds.” It also advocates for “sustainable management of rangelands and pastures through integrated rangeland management to avoid land degradation and deforestation.”

Laws

A myriad of laws exist in Uganda that touch on pastoralism in the country. They are discussed below:

i. Constitution

The Constitution is the supreme law of Uganda and it has several provisions with regard to pastoralism. As a cultural activity, pastoralism is reflected in Objective XXIV which recognizes cultural and customary values which enhance the dignity and welfare of Ugandans. Objective XIII provides for protection of natural resources like land, water, wetlands etc. which are closely linked to pastoralism. Additionally, Objective XXVII focuses on the need to promote sustainable development and pursuance of policies that balance the needs of development and conservation. Article 26 recognizes the right to own property which can include land and livestock. Article 29 guarantees the freedom of movement which permits one to move from one place to another. Article 32 provides

for affirmative action in favour of groups marginalized by history, tradition or custom etc. which can include pastoralist communities. Every person under article 37 has a right to enjoy, practice, profess, maintain and promote any culture and tradition. Article 29 provides for the right to a clean and healthy environment. Article 242 provides for Land Use and it stresses that the Government may, under a law made by Parliament regulate land use regularly. Article 237 (1) vests land to the people under four tenure systems namely, customary, leasehold, freehold and mailo tenures. Under article 237 (2) (b), a trusteeship is created on “natural lakes, rivers, wetlands, forest reserves, game reserves, national park and any land to be reserved for ecological and touristic purposes for the common good of all citizens”. Article 26(1) provides for the right to own property which can include land and livestock. Safeguards are provided against arbitrary deprivation by government except if the requirement of payment of adequate, fair and prompt compensation have been made.

It is apparent from the above that the Constitution provides an overarching framework which generally appears to be pro-pastoralism in the country. Most rangelands are found on customary land which is recognized in the Constitution. Pastoralism is a cultural activity and is protected within the ambits of the constitution. Similarly, land as key factor in pastoralism is deeply protected through vesting it to the people and asserting it as property that can be owned.

ii. The Land Act, Cap 227 Laws of Uganda

Enacted in 1998, the Land Act reiterates the constitutional provisions on land being vested to Ugandans under the aforementioned tenure systems. In section 3 (1), some of the attributes of customary land include being managed according customs and norms of a specific community and “providing for communal ownership and use of land”. Section 3(2) describes freehold land as a creature of the Constitution that encompasses perpetual ownership of registered land. It can also include for a limited period under agreed upon conditions. Section 3 (4) describes as a tenure in which entails perpetual ownership of registered land which also permits for a separation of the ownership of the land from the developments on it, especially where bonafide and lawful occupants are involved. Finally, leasehold tenure is described in section 3 (5) as a creation of either law or contract in which land is transferred to another for a definite period of time.

Section 15 of the Act provides for the establishment of communal land association “for any purpose connected with

communal ownership and management of land, whether under customary law or otherwise.” These associations can be by pastoralists to enable them manage the rangelands. Under section 23, an Association may establish areas of common land use in communally-owned land for uses like “the grazing and watering of livestock”. Section 24 provides for the establishment of a common land management scheme whose contents are laid down in section 25 to include:

1. the numbers and type of livestock which each member of the community may graze on the common land;
2. the locations within the common land where livestock may be grazed and the times when those locations may be used for the grazing;
3. the routes to and from the common land which livestock are required to use;

In essence, the Land Act attempts to provide solutions that can address the issues of pastoralists.

While the Constitution and Land Act are the major laws on pastoralism, it suffices to mention other laws that can touch on certain aspects of pastoralism. These include:

- The Uganda Wildlife Act, 2019: This provides for the conservation and sustainable management of wildlife. It seeks to strengthen wildlife conservation and management; and provides for the continued existence of the Uganda Wildlife Authority as the lead agency on matters related to wildlife conservation. The Act also streamlines the roles and responsibilities of the various institutions involved in wildlife conservation and management.
- The Physical Planning Act, 2010: The Act establishes various institutions at the national, district and parish levels to oversee physical planning in Uganda. It provides for the making and approval of physical development plans and for the applications for development permission. Importantly for pastoralists, the Act declares the whole country a planning zone which can pose threats to pastoral lands if the application of the Act is not contextualized to their unique land use practices.
- The National Environment Act, 2019: The Act provides for the management of the environment for sustainable development and re-affirms the mandate of the National Environment Management Authority (NEMA) as a coordinating, monitoring, regulatory and supervisory body for all activities relating to environment. It also provides for emerging environmental issues including climate change as well as for strategic environmental assessments.
- The National Climate Change Act, 2021: The Act operationalizes the United Nations Framework Convention on Climate Change, the Kyoto Protocol, and the Paris Agreement. It provides for climate change response measures and for participation in climate change mechanisms. The Act further provides for the measuring of emission reporting and verification of information and establishes relevant institutions for coordinating and implementing climate change initiatives. Its provisions call for the inclusion of the specific resilience and adaptation needs of the vulnerable and marginalized communities including pastoralists.
- Other laws include the Investment Code Act, the Water Act, the Local Government Act, among others.

Regional Frameworks

Uganda is a party to several regional arrangements that touch on pastoralism. The Protocol on the Establishment of the East African Community Common Market provides for freedom of movement and implores member states to harmonise their laws and policies on land and related resources. Under the Common Market for Eastern and Southern Africa (COMESA) and the Inter-Governmental Authority on Development (IGAD), recognition is made of the benefits of livestock mobility. Others include the COMESA Policy Framework for Food Security in Pastoralist Areas of 2009 which provides customized policy guidance in the context of food security for pastoralist areas within the COMESA region which Uganda is part of. Additionally, Objective 2 of the Policy Framework for Pastoralism in Africa¹ emphasizes “the contribution of pastoral livestock to national, regional and continent-wide economies”. It prescribes a plethora of strategies to this effect including the “protection and development of pastoral livestock, risk-based drought management, and support to the marketing of pastoral livestock and livestock products in domestic, regional and international markets.”² Among the issues associated with these frameworks is their implementation at national level which largely

¹ African Union, ‘Policy Framework for Pastoralism in Africa’ 44.

² *ibid.*

seeks to undermine the potential of “pastoralists to follow traditional patterns of movement and govern common resources” The frameworks reinforce the narrative that pastoralism “backward, inefficient or unsustainable”.

3.0. Power Mapping: Key Actors

Like any other activity, pastoralism in Uganda cuts across various sectors, professions, disciplines, sectors, government Ministries, Departments and Agencies as well as pastoral communities. The report describes the stakeholder groupings and their engagement on matters central to pastoralism as well as awareness of the underlying policy issues and challenges affecting pastoralists. In simple terms, a stakeholder means “individuals, formal or informal groups and organizations, and/or governmental entities whose interests or rights will be affected, directly or indirectly” by a given project or idea.¹ Stakeholders generally have an interest and can shape the outcomes of a given process. Literature suggests that the following actors are critical to the pastoralism agenda in Uganda:

1. Government Ministries, Department and Agencies
2. Non-Governmental Organisations
3. Private Sector
4. Inter-Governmental bodies
5. Academia
6. Pastoralist communities

The stakeholders have been mapped based on the influence they wield, and how decisions impact them in the context of pastoralism. Each of the above categories can be further broken down into smaller units, agencies and sub-categorizations. Details of the above actors are explained below.

Government Ministries, Department and Agencies (MDAs)

As a duty bearer, government plays a critical role in protecting the rights of pastoralists in Uganda. Government in this context includes all MDAs with a bearing on pastoralism. These include:

- i. Ministry of Agriculture, Animal Industries and Fisheries: the lead ministry on matters related to livestock charged with policy formulation and implementation of government policy.² It has a Directorate of Animal Resources charged with supporting “sustainable animal disease and vector control, market-oriented animal production, food quality and safety; for improved food security and household income”.³ It provides “technical guidance for formulation, review and implementation of policies, legislation, standards, plans and strategies in the areas of animal production, animal health, veterinary regulation, inspection and enforcement.”⁴
- ii. Ministry of Lands, Housing and Urban Development: This is responsible for the provision of “policy direction, national standards and coordination of all matters concerning lands, housing and urban development.”⁵ It establishes policies and initiates laws that ensure sustainable land management in the country. It comprises of three Directorates including one on Land Administration and Management under which pastoralism-related matters fall under.
- iii. Security Agencies: Most pastoralists especially in the Karamoja sub-region experience a lot of insecurity. Besides intra-

1 Ministry of Agriculture Livestock Fisheries and Cooperatives, ‘Stakeholder Engagement Plan -Kenya’.

2 MAAIF, ‘Home’ (Ministry of Agriculture Animal Industries and Fisheries, 2022) <<https://www.agriculture.go.ug/>> accessed 2 August 2022.

3 MAAIF, ‘Directorate of Animal Resources’ (Ministry of Agriculture Animal Industries and Fisheries, 2022) <<https://www.agriculture.go.ug/directorate-of-animal-resources/>> accessed 20 August 2022.

4 *ibid.*

5 MoLHUD, ‘About Us’ (Ministry of Lands Housing and Urban Development, 2022) <<https://mlhud.go.ug/about-us/>> accessed 20 August 2022.

tribal cattle rustling and raids on neighboring tribes, there have been instances of cattle rustling by ethnic groups across the boarder like the Masaai and Turkana. Armed violence among these groups is so much that government established the Anti-Stock Theft Unit to specifically deal with cases of cattle theft. This gives the armed forces a critical stake in matters pastoralism in Uganda. Pockets of violence have also been reported as agro-pastoralists seek to access more land for crop farming to the chagrin of the pure pastoralists which necessitates action from security agencies.

iv. Conservation agencies: Most land in pastoral communities falls under protected areas, game parks, game reserves, forest reserves, etc. A lot of wildlife-community conflicts have been reported over the years where either wild animals have eaten livestock or the pastoralists have killed wild animals. This means that agencies like the Uganda Wildlife Authority and National Forestry Authority are key players in the pastoralism discourse in Uganda.



Office of the President

Recently, the President of Uganda appointed a Presidential Advisor on Indigenous Cattle. While the job description is not publicly available, this can be a welcome development for the pastoralists who largely have indigenous species in their herds.

The letter appointing a presidential advisor on indigenous cattle

Non-Governmental Organisations (NGOs)

NGOs generally play a complementary role to the government. In Uganda, there exists a national movement – Coalition of Pastoralist Civil Society Organisations (COPACSO) which brings together over 20 NGOs interested in pastoralism. It was formed in 2005 to provide a platform for member organisations to engage in policy formulation and advocacy for recognition of pastoralism and the right of pastoralists to benefit from national and local resources. The Coalition seeks to contribute to the sustainable development of pastoralists in Uganda by promoting pastoralism through advocacy, networking, research and capacity building with stakeholders at all levels. Unfortunately, COPACSO's operations have scaled down due to leadership issues and is struggling to get back on its feet at the moment. NGOs are also organised through platforms like the National Land Coalition (NLC) which has a thematic focus on pastoralism. There are international and local NGOs working on issues related to climate change and resilient livelihoods including Oxfam International, International Union for Conservation of Nature (IUCN), Care International, Mercy Corps, Dan Church Aid, as well as coalitions like Climate Action Network Uganda (CAN-U), among others.

Private Sector

As government's industrialization drive through private-led investments, especially from foreign direct investors, it is important to engage the private sector who are always allocated pastoralist lands for development projects. Through the Uganda Investment Authority (UIA) and the Private Sector Foundation Uganda (PSFU), engagements with private actors will be critical to enable them appreciate the plight of pastoralists.

Academia and Research Institutions

Pastoralism remains an area that requires continuous scrutiny to establish durable solutions. The Academia and research institutions are very important in the context of generating knowledge with can influence policy and legal processes on pastoralism



in the country. Institutions like Makerere University, International Food Policy Research Institute (IFPRI), among others can be helpful in this regard. Additionally, the Uganda Bureau of Statistics (UBOS) needs to work with these research bodies to generate data on pastoralism so as to inform policy design and related interventions. While bits and pieces of data about pastoralism exists e.g. estimated population, land size, etc, there is still no official definition for pastoralists which makes it hard to even estimate the significance of the practice.

Pastoralist communities

As the mantra goes: there's nothing for us without us. Pastoralists are key in shaping their destiny. Besides having lived-experiences, they are well-suited to know what works and doesn't for them.

From the above stakeholders, one can observe the multi-faceted nature of pastoralism. It brings together diverse fields and actors with varied interests on the subject. While this is good, it can also complicate advocacy initiatives as sometimes, the interests might clash causing unwanted delays in the passing of relevant laws and policies to guide the field of pastoralism.

4.0. Beyond the national influencing platforms: Regional platforms

The Declaration implores States to take appropriate “legislative, administrative and other appropriate steps to achieve progressively the full realization of the rights” for pastoralist communities.

At the regional level, IGAD is one of the platforms that activists for pastoralism need to embrace. The regional body has a strong research component and is very influential since it works with governments in 7 member states. The International Land Coalition (ILC) is an influential space bringing together organisations working on land in various parts of the world.

The Global Rangelands Initiative of the International Land Coalition (ILC) offers technical support to African governments and members to set up appropriate laws and policies which strengthen the land rights of pastoralists. Tied together with the initiatives that NLC is pushing, this can be a unique platform to influence within the continent for support. Additionally, following its launch in 2015, the Pastoralist Knowledge Hub has been fostering cooperation among the various pastoralists networks as well as influencing international discussions on pastoralism policy through evidence-based research and design of tools. Since 2016, there has been advocacy for the United Nations (UN) to declare 2026 as the International Year of Rangelands and Pastoralists (IYRP) so as to shine a light on the international significance of pastoralists to food security and the ecosystem and in the long-run, influence the design of pro-pastoralists laws and policies across the world. This is a campaign that actors in Uganda and the region need to embrace. While Uganda is one of the countries whose government issued support letters to the Mongolian Ministry of Food, Agriculture and Light Industry in support of the proposal for IYRP, so far, no efforts to this end are visible in the country. The United Nations in 2018 enacted the Declaration on the Rights of Peasants and Other People Working in Rural Areas, which also applies to “transhumant, nomadic and semi-nomadic communities”. The Declaration implores States to take appropriate “legislative, administrative and other appropriate steps to achieve progressively the full realization of the rights” for pastoralist communities. This is a critical advocacy tool which actors should embrace.



5.0. Conclusion and Recommendations

This report has demonstrated the historical, political, social and economic context of pastoralism in Uganda. It has showed that in terms of land mass, Uganda has adequate land to support pastoralism and that the practice has significant economic value of the country. The laws and policies in place especially the Constitution and the Land Act generally provide an overarching framework that supports pastoralism. Even in the absence of an elaborate rangelands management policy (which is still being drafted), the other existing policies like the NLP and NLUP discuss the issues of pastoralism extensively. The report has also highlighted the economic value of pastoralism in terms of food and income security, as well as non-monetary aspects like conservation, social security, cultural identity, among others. On the other hand, this study has touched on the plight of pastoralists which relates to insecurity, ideological misconceptions by governments which is reflected in policies, inadequate data on the value of pastoralism, among others.

In the premises, the following recommendations are made:

1. **Civic organizing:** The near-collapse of COPACSO has created a huge vacuum as far as policy and legal advocacy for pastoralism is concerned in Uganda. While the Coalition still has members spread across the cattle corridor, their efforts are disjointed as there is a weak unified voice to scale up their advocacy issues at the national level. Efforts should be made to revive COPACSO in Uganda. While the Coalition recently developed a new five-year Strategic Plan with support from Oxfam, there is need to re-awaken its membership, staff the Secretariat as well as raise funds to implement the new Strategic Plan.
2. **Relatedly, pastoralists are generally a neglected lot.** The report has showed that they live in remote areas and are hardly connected to the markets and other infrastructure relevant to their unique needs. This means their citizen agency on the part of pastoralists has been generally fractured. With a weak civil society, efforts should be made to give pastoralists room to influence the design of policies, laws and programmes that affect their lives.
3. **Passing of the Rangelands Management Policy:** Currently, a huge policy vacuum exists. Issues of pastoralists are catered for in other policies related to land, land use, conservation etc. The absence of a comprehensive policy on rangelands and pastoralism means that the laws and programmes being designed in Uganda are not informed by established political commitments that would otherwise be reflected in the policy. An option could be to establish a Pastoral Parliamentary Group to champion issues of pastoralism in Parliament.
4. **Data Collection:** While pastoralism is demonstrably valuable to Uganda's economy, this data is scarcely available. Additionally, the focus has largely been on the monetary value in terms of sale of animal products with limited energy on the non-monetary value like biodiversity conservation, social prestige, etc which are equally important.
5. **Balancing development and pastoralism:** While government policy is obsessed with industrialization for development through private-led investments, this has had enormous effects on pastoralism especially where pastoral lands have been allocated to investors. Efforts need to be made to secure land rights of pastoralists to enable them push back in the face of the global land rush.
6. **Conservation:** While pastoralism is hard hit by climate change, it is also a coping mechanism. However, little emphasis has been placed in celebrating the role of pastoralism in coping with climate change issues which feeds into the popular unfavorable narratives on the practice.
7. **Legal reforms:** When all is said and done, the law is the final yardstick for determining the legality of any issue. Laws related to pastoralism need to be re-visited with a view of ensuring that they reflect the conceptual underpinnings of the practice rather than reinforcing existing biases. These include: the NLP, Land Act etc.

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