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Encroachment, Evictions and Resettlement Policies
In Uganda:
A case study of Mount Elgon Communities.

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Declaraton

I, Asio Sarah, declare that this thesis is a result of my research findings. Sources of information other than my own have been acknowledged and a reference list has been appended. This work has not been previously submitted to any other university for award of any type of academic degree.

Signature.....

Date.....

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Eyalama noi

List of Acronyms

CBD -	Convention on Biological Diversity
CRM -	Collaborative Resource Management
CRUA -	Collaborative Resource Use Agreements
FAO -	Food and Agriculture Organization
FD -	Forest Department
IDP-	Internally Displaced Persons
IUCN -	International Union for Conservation of Nature
LC -	Local Council
KI -	Key Informants.
MDG-	Millennium Development Goals
MEDCP -	Mount Elgon Conservation and Development Project
MENP -	Mount Elgon National Park
MERECF -	Mount Elgon Regional Ecosystem Conservation Programme
NFA-	National Forestry Authority
NGO-	Non Governmental Organization
NORAD-	Norwegian International Development Agency
NORAGRIC-	Department of International Environment and Development Studies
PA -	Protected Area
RBA-	Rights Based Approach
SLA-	Sustainable Livelihood Approach
UMB-	Norwegian University of Life Sciences
UNCED-	United Nations Conference on Environment and Development
UNDA-	United Nations Development Agenda
UNHCHR -	United Nations High Commissioner of Human Rights
UNHDR -	UN Human Development Report
UNP -	Uganda National Parks
UPDF -	Uganda People's Defense Forces
USAID -	United States Agency for International Development
UWA-	Uganda Wildlife Authorities
WCED -	World Commission on Environment and Development

Abstract

Many protected areas have been encroached in different forms like for, land for settlement, agriculture, grazing, fruits gathering, hunting, tree cutting and other forest resources by surrounding communities and this has led to degradation of ecosystem in many protected areas. Due to the realization of the degradation of the protected areas, this has led to a call for conservation from different organizations worldwide so as to save the ecosystem which is being destroyed. Conservation is done through eviction and resettlement of the ‘encroachers’ from the protected areas.

As the main objective, the study seeks to establish the scope of encroachment, eviction, and resettlement and to investigate the livelihood impacts, copying mechanisms and the laws and policies on evictions and resettlement of communities around Mount Elgon conservation area.

The specific objectives of the study included:

1. To establish the spatial and temporal scope of encroachment, eviction and resettlement around Mt Elgon National Park.
2. To establish livelihood impacts and copying strategies of evicted communities.
3. To find out the extent to which the existing national and international laws and policies on eviction and resettlement have been respected.

There are two conceptual frame works applied in the study, that is, Sustainable Livelihood Approach and Human Right Based Approach.

The main methods used in this study are key informant interviews, household structured and unstructured interviews, focus group discussions, and observation designed based on the concept of Participatory Rural Appraisals (PRA) used for gathering information from the local communities. Both qualitative and quantitative methods were applied in the study.

Purposive and simple random sampling techniques were applied in the study as elaborated in the later pages.

The results of the study revealed that, despite the conservation initiative around Mt Elgon, there is still encroachment going on around the park. Drivers of encroachment include, population

growth, need for increased production, insecurity, political influence, infertile land around communities adjacent to the park, among others. The forms of encroachment among others include, land for agriculture, building, livestock grazing, hunting wild animals, collecting forest products, and tree cutting.

The results also reveal that, the evictions have continued since the first evictions conducted in 1983 to the current ones conducted in 2010. But the magnitude has reduced from 5000 households evicted in 1983 to 48 households evicted in 2010 from Mt Elgon. It shows decrease in number of households evicted.

Results also reveal that, resettlement has continued around Mt Elgon right from 1983 up to the recent one conducted in 2010. It goes ahead to reveal that, out of 5000 households evicted in 1983, 2872 were resettled permanently in the Benet Resettlement Area in 1983. There is no record of 2128 household who were not resettled in 1983 evictions, although the evictions and temporal resettlement have continued since the first evictions in 1983 around the slope of Mt Elgon. For instance, the people in Amanang parish resettled temporally in 2008 around the lower slopes of Mt Elgon. The recent resettlement took place in 2010 in Zesui parish in Sironko District, 48 households evicted and all of them were resettled which clearly shows the number of households evicted and resettled has reduced in 2010 compared to the ones in 1983.

However, despite the spatial encroachment, eviction and resettlement, the results reveal that, most of the people evicted are not given proper compensation and the ones who get resettled, always find themselves in infertile lands like the people of Bukwo and these has prompted people continue to encroach the park in search for fertile land for cultivation.

Results reveal that, Eviction and resettlement have created an impact on the livelihoods of the local people through the constrained access to the various forest resources people have been enjoying before eviction. As a result of eviction and constrained access to forest resources, people' livelihoods have changed. Most of the people lost their property in the process which affected them so much. As coping strategies, the local people had to diversify their livelihoods. Some of them hard to begin working on the farms of other people as one way of sustaining their livelihood as elaborated in the later pages. The most vulnerable ones who failed to cope up are

living under poor living conditions for example the people of Kapkwata camp who claim not to have land to build and for even cultivation for home consumption.

The findings clearly show the contradictions in implementation of policies and laws governing eviction and resettlement processes. The evicted people claim that, the policies and laws were not respected while the Uganda Wildlife Authorities claim that, the policies were respected. Putting it in line with what other writers like, Luzinda (2008), Vangen (2009) wrote that, the evictions and resettlement around Mt Elgon were characterized with lot of violence and massive loss of property as discussed in the later pages. The results reveal that, the policies and laws were not followed when it comes to eviction and resettlements despite their existence.

In a nut shell, despite the fact that, encroachment, evictions and resettlement have been taking place around Mt Elgon National park, it's been difficult to establish the temporal scope of encroachment, eviction and resettlement due to varying statistics different researchers or writers have presented. This made it hard for the researcher to come up with exact figure of people who were evicted and resettled as all the figures were accessed from Uganda Wildlife Authority reports which may be biased based on their own reasons.

The contradictions in respecting the policies and laws on encroachment, eviction and resettlement, call for follow up as joint effort towards implementation of law and order especially in regard to practices that uphold both conservation and respect for human rights and local livelihoods so as to achieve the goal of conservation in the protected areas.

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1. Chapter one.

1.1 Introduction

Globally, the number of protected areas has risen and a lot has been done to make commitments to biodiversity protection through establishment of National parks and protected areas. Most of them are located in the rural areas. *A large number of Africa' population 'stands in the path of expanded protected areas'* (Geisler & De Sousa, 2001, Vangen, 2009). Protected areas and parks bring lots of benefits to the local people, in that people depend on the natural resources they offer and it's also a source of employment to some local people. When dealing with protected areas, it calls for a great attention for both the local people and the protected areas so as to be able to achieve its goal without undermining the local people or rather affecting their livelihoods (Brockington et al, 2008, Vangen, 2009).

The growth in the number of protected areas has come as a realization of , protected areas constituting an integral part of international community' response to global and environmental change taking ecosystem conservation as an important component in the pursuit of sustainable development (Cavanagh, 2012).

Encroachment in the protected areas is one of the major causes of degradation of ecosystem in many parts of the world (Cavanagh, 2012). In Uganda, it started way back in 1976 when people illegally entered the parks for settlements and agriculture and due to the breakdown of the law caused by civil wars in the 1970s and 1980s, the state failed to manage National Parks and Forest Reserves in Uganda (Cavanagh, 2012). This led too much of the afro mountain rainforest zone on the lower slopes of Mt Elgon Forest Reserve to be encroached for agriculture, timber which was heavily exploited, moreover most of the wildlife was destroyed with unregulated access to the forest (White, 2002). This led to degradation of highly ecological valued tropical forest in Mt Elgon. Up to now studies show that, there is still encroachment going on around Mt Elgon National Park (UWA, 2011, Cavanagh, 2012), but the extent or level of spatial and temporal scope of encroachment is not clear.

The degradation of the ecosystem, led to eviction and relocation of people who formerly lived, hunted, fished and farmed in the low protected areas. This ended up disrupting traditional livelihoods systems and caused much suffering to the affected communities (Schmidt-Soltau, 2005, Brockington et al, 2006). Many people lost their land, their property, lives as well as their rights to access the forest. Most of the people were ruthlessly evicted without compensation and denied further access to their land, houses and other livelihood assets (Luzinda, 2008).

According to Luzinda (2008), forests in Uganda, are an essential foundation for the country's current and future livelihood and development. Forests are also important in mitigating carbon emissions and climate change, a current big interest of the global community. Due to the heavy dependency of the people in Uganda on forests and the continued protection of areas, evictions and resettlement will continue (Luzinda, 2008). It is thus important to find out the spatial and temporal scope of these encroachment, eviction and resettlement processes.

In spite of a formalized justified goal for evictions, there has been a substantial forceful exclusion of local people without any alternative means of living. According to the UN Convention which is being adopted, it is the government's responsibility to protect the interests and livelihoods of the involuntarily displaced populations. In other words, when people are evicted, they are supposed to be resettled so as to help them adapt to new livelihood strategies.

To the government, people living around the park are potential encroachers but it is their human right to live there since they have lived there for a long time. When dealing with the people living in the park, a human right based approach in both eviction and resettlement processes should be implemented (Vangen, 2009). Analyzing the issue in this way may help the government come up with appropriate means of improving the livelihoods of the local communities as an important element in the policy measures of conserving and managing protected areas.

Like many other people who have lived in most of the parks in the world, the Benet people from Kapchorwa are people who traditionally lived on the slopes of Mt Elgon in the Eastern

Uganda (Luzinda, 2008; Vangen, 2009, UWA, 2011, and Cavanagh, 2012). As a result of their activities which led to degradation of the ecosystem in Mt Elgon forest, these people were evicted alternative livelihood options (White, 2002, Dirkse, 2008, Luzinda, 2008, Vangen, 2009, and Cavanagh, 2012).

Many studies (Agrawal & Redford, 2009; Bako, 2009, Vangen, 2009, Cavanagh, 2012), show that, there is no coherent, systematic and effective set of guidelines formulated to address conservation induced displacements at both national and international level. The evictions are characterized by gross violations of human rights which are not sustainable (Cernea & Schmidt-Soltau, 2005, Bako, 2009, Vangen, 2009, Cavanagh,2012). Currently, a UN Convention has been adopted and ratified by the international community to protect the interests and livelihoods of the involuntarily displaced populations. The Universal Declaration on Human Rights is the central instrument passed by the United Nations Assembly Highlighting people's and human rights. It clearly states that as an individual everyone has right to property as well as right of being in association with others and it prohibits arbitrary deprivation of property (Cernea & Schmidt-Soltau, 2005, and Vangen, 2009).

Many studies (Bako, 2009, Vangen, 2009, Cavanagh, 2012) show that, many people have been left homeless and landless through evictions due to conservation initiatives in Uganda. The evictions have been carried out without following the proper guidelines and standards of Development Based Evictions and Displacement (Bako, 2009). Uganda as a member state to ICESCR and ICCPR needs to take into consideration the national and international standards of Development Based Evictions and Displacement so as to safeguard human rights standards highlighted in the constitution and in ICESCR (Bako, 2009).

There are current laws provided in the main Constitution of Uganda 1995 as a supreme law of the land and in the Land Act of 1998 with its Amendment Bill in 2007 which provides protection of people against land evictions (Bako, 2009). According to the Uganda Constitution 1995, land belongs to the people following the land reforms. Furthermore the Constitution also provides security to the lawful or bona fide occupants (meaning people who before the coming into force of the Constitution had occupied or settled on the land by either government or utilized the land unchallenged by the registered owner the 12 years) occupants of *Mailo* land, free hold or leasehold land although this is not clear on how this is being

implemented in Uganda following many evictions which have taken place in the country. In Article 26 of the Uganda Constitution 1995, it guarantees protection of people from deprivation of property of which land forms part of it but the protection is not absolute as there are some cases where by a person can be deprived of his land due to certain circumstances (Bako, 2009).

Looking at the cases of evictions which have taken place in the country, most of the people evicted happen to be bona fide or lawful people which deserve some protection given to them in terms of the Land Act which states that, a person can only be evicted on basis of nonpayment of rent for more than two consecutive years and only after the land Tribunal has given an order (Bako, 2009). There is need to implement. Before any eviction the land owner has procedures to be followed. This includes sending notice and giving the tenant 6 month notice to help them prepare to leave and know why they are supposed to leave hence probably know why the tenant may not be evicted too (Bako, 2009).

This study is designed to establish the spatial and temporal scope of encroachment, evictions and resettlement around Mt Elgon National Park, how the evicted people' livelihoods have changed and their coping strategies in places they have been resettled. It also seeks to establish the level to which the existing policies on encroachment, eviction and resettlement have been upheld.

1.2 Problem statement

Due to the massive encroachment activities around Mt Elgon National park which have led to degradation of highly ecological valued tropical forests in Mt Elgon, many people have been evicted as one way of making commitments to biodiversity protection through national parks and protected areas (Geisler & De Sousa, 2001, Vangen, 2009, Luzinda ,2008). There is still encroachment going on around Mt Elgon National Park which is resulting to several evictions (UWA, 2011, and Cavanagh, 2012). Despite all the studies on encroachment, eviction and resettlement there are varying statistics on spatial and temporal scope.

There has been a high level of evictions through forceful exclusion of local people without prior consultations with local people. They involve destruction of crops, confiscation of livestock, burning of houses, beating among others hence ending up disrupting the balance

between those who benefit and those who meet the cost (Luzinda, 2008). The eviction processes have been drastic and involve violence in many cases without offering alternative means of livelihoods or compensation (Luzinda, 2008, Vangen, 2009, and Cavanagh, 2012).

Uganda is a signatory to several international laws and has put in place national laws and policies to guide eviction and resettlement process. However, the extent to which they have been upheld remains to prior cute luck of fulfillment perception of the people.

Many studies (Luzinda ,2008, Vangen, 2009, Uganda Wildlife Authorit,y 2008, 2009, 2010, 2011, and Cavanagh, 2012) have been carried out on encroachment, eviction and resettlements but there is no clear temporal and spatial scope of encroachment, eviction and resettlement. This study will seek to establish and study how the laws and policies on eviction and resettlement have been followed.

1.3 Justification of the study

There is a high level of encroachment, eviction and resettlement taking place around Mt Elgon National Park which has pulled attention due to conservation initiatives in Uganda (Luzinda, 2008, Vangen, 2009, Cavanagh, 2012). This has impacted on the livelihoods of the people around Mt Elgon. The eviction processes have been violent with forced resettlement of the people around the park (Luzinda, 2008, Vangen, 2009, Cavanagh, 2012).

People around Mt Elgon have different backgrounds and they rely on different resources and activities which affects their dependence on the forest and influence on the way they perceive the park and the benefits it brings (Vangen, 2009). It is of great importance to find out about the eviction and resettlement processes and acquire the general overview of how many people in reality have been evicted and resettled. The number of people being displaced or evicted from their homestead has grown (Uganda Wildlife Authority, 2011). There is a growing number of refugees and internally displaced people in the world, which are exiled people who cross the international borders for safety and can be assisted by UN High Commissioner for Refugees (Cavanagh, 2012, Vangen, 2009). However, the internally displaced people (IDPs) do not have legal framework or international institution supporting them. In most cases they rely on non-government organizations (NGOs) and any grass root organizations that are willing to help them (Vangen, 2009)

1.4 Study objectives and Research Questions

The study seeks to establish the scope of encroachment, eviction, and resettlement and to investigate the livelihood impacts, coping mechanisms and the laws and policies on evictions and resettlement of communities around Mount Elgon conservation area.

1.4.1 Specific Objectives

The specific objectives of the study include:

1. To establish the spatial and temporal scope of encroachment, eviction and resettlement around Mt Elgon National Park.
2. To establish livelihood impacts and coping strategies of evicted communities.
3. To find out the extent to which the existing national and international laws and policies on eviction and resettlement have been respected.

1.4.2 Objectives and accompanying research questions

a) Objective 1: the scope of encroachment, eviction extent and resettlement.

- (i) What were the forms of encroachment processes concerning land for settlement and other resources?
- (ii) Where, when and how did the eviction processes take place?
- (iii) What were compensation and resettlement measures?
- (iv) Where did the different people who were evicted go?

b) Objective 2: To establish the livelihood impacts and coping strategies of evicted communities.

- (i) What were consequences of eviction and constrained access? In what ways have people's livelihoods changed after the eviction and resettlements?
- (ii) How are people adapting with new life in places they have gone (adjacent rural, urban and remote urban rural areas)?

- c) **Objective 3: To establish the extent to which the existing national and international laws and policies on eviction and resettlement have been respected.**
- (i) What are the relevant national and international laws and policies on eviction and resettlement of communities from protected areas?
 - (ii) To what extent were the existing laws and policies\ guidelines upheld on eviction and resettlements?
 - (iii) What are the opportunities and challenges to upholding the existing national and international laws on eviction and resettlement?

1.5 Structure of the thesis

This thesis is structured into six parts. The first part consists of an introduction that gives an overview of the study.

Chapter two presents a literature review. This is followed by chapter three which present conceptual and theoretical frame work of the study.

Chapter four provides a description of the methodology used in data collection and analysis. It also includes the discussion on limitations of the methodology and practical problems encountered in the field and how they were handled.

Chapter five provides the empirical findings, discussions and the analysis of the study, structured according to the research questions.

Chapter six is the conclusion in which the findings of the study are summarized and some recommendations given.

2 Literature Review

2.1 Definition of the key concepts

2.1.1 Encroachment, Eviction, Resettlement and Livelihoods

According to the Longman English Dictionary (year), an encroacher is defined to be a person who gradually takes control of another person's possessions or right. Encroachment is also defined as 'illegal or unauthorized occupation or cultivation of forest lands' (Forest Conservation Case, WP No. 202\1995). This can be on temporal or permanent basis.

Eviction is the removal of a tenant from possession of premises in which he or she has a property interest done by a landlord either by reentry upon the premises or through a court action (Legal dictionary). Eviction can also mean a process of expelling a person or group of people from one's property or force to move out by legal process (Legal dictionary). Eviction can be in form of a physical removal of a person from the premises or disturbance of tenants' enjoyment of the premises by disrupting the services and amenities that contribute to the habitability of the premises, such as by cutting off all utilities services to an apartment (Legal dictionary).

Resettlement refers to a process of moving people to a different place to live, because they are no longer allowed to stay in the area where they used to live (English dictionary)

2.1.2 Encroachment

On a global scale, there is a high threat imposed to biodiversity caused by humans (Olupot et al, 2006). Protected areas throughout the tropics face these threats by people seeking for land and natural resources driven by a variety of factors ranging from small scale to global over the past decades (Horowitz,1997). This threat or rather encroachment started way back in the 1970s. Many different governments and non-governments' agencies have used different strategies to deal with encroachment of protected areas (Horowitz,1997). These strategies included increase in enforcement and enlisting cooperation of the local people through programmes

like integrated conservation or development programmes (Horowitz,1997). FAO (1999) & Olupot et al (2006) show an estimate of about 65.1 million hectares of forests destroyed between 1990 and 1995. Many protected areas like the parks in the world and especially in the developing countries are affected by degradation of the ecosystem which involves logging, hunting, cultivation, livestock keeping, fire and this has led to establishment of conservation initiatives on this protected areas (Olupot et al, 2006). This is as a result of these conservation areas being surrounded by high population pressure in Sub Saharan Africa. This high population pressure is caused by high population growth and immigrations trends (Olupot et al, 2006). This has led to continued encroachment in the protected areas hence calling for conservationist to see k for proper approaches to deal with the growing pressures and determine threats to the parks and assess the extent to which this approaches have be upheld (Olupot et al, 2006).

Many studies (Briner, 2006, Vangen, 2009, Uganda Wildlife Authority, 2011, Cavanagh, 2012) show encroachment of protected areas for agriculture and livestock which is big challenge for nature conservation in developing countries. There are so many driving forces of this encroachment as being, population pressure around the park and with the poverty levels which makes people not able to afford another land anywhere else to settle or cultivate hence driving people to look for available land for settlement and cultivation in the park (Olupot et al, 2006, Vangen, 2009, Uganda Wildlife Authority, 2011, Cavanagh, 2012).

Some people have encroached the park due to their selfish interests in that, they begin to cultivate in the available fertile land in the park for their commercial purposes (Birner, 2012).The available literature (Bako, 2009, Vangen, 2009, Uganda Wildlife Authority 2011, and Cavanagh 2012), clearly shows that people encroach due to restricted access to resources they used to have free access before, their rights have been taken off from the land they used to occupy and have rights to before the parks were gazzeted.

Many studies (White, 2002, Luzinda, 2008, Vangen, 2009, Uganda Wildlife Authority 2011, Cavanagh, 2012) show that, encroachment in protected areas in Uganda started in the recent due to the breakdown of the law caused by civil wars in the 1970s and 1980s. The state failed to manage National Parks and Forest Reserves in Uganda. This led to heavy degradation of highly ecological valued tropical forest in Mt Elgon (White, 2002). Up to now studies show that, there is still encroachment going on around Mt Elgon National Park (Uganda Wildlife

Authority 2011, and Cavanagh ,2012), although the extent or level of spatial and temporal scope of encroachment is not clear.

2.1.3 Scope of eviction

Due to the realization in the decline of the ecosystem within the parks, respective governments in developing countries in particular, with the encouragement of large organizations like Worldwide Fund for Nature (WWF) decided to make agreements like Convention on Biological Diversity (CBD) and multilateral institutions such as the Global Environment Facility (GEF) to set aside large portions of their respective territories as protected areas for conservation purposes, Uganda being among the countries (Cavanagh, 2012).

Despite the fact that, there is an increase in the number of protected areas, a number of these protected areas, as for example Mt Elgon National Park, are still experiencing encroachment and erosion of their biodiversity which is caused by rapidly growing local populations, who depend upon the intensive use of agricultural land and other natural resources for maintenance of their livelihoods (Vedeld et al, 2007, Uganda Wildlife Authority, 2011, Cavanagh, 2012). There should be a balance formed between protection and right to livelihood although the government has the mandate to protect the forest for the current and future generation (Mugenyi et al, 2005).

The degradation of the ecosystem, led to establishment and enforcement of protected areas where by people have been evicted from places they have lived for long period of time causing a negative attitude between conservationist and the local rural people in many parts of the world where conservation is taking place (Brockington & Igoe, 2006). Many studies (Brockington & Igoe, 2006), show evictions which have taken place in most protected areas in the world but there have been variations in figures since it started. There has been protest against relocation and marginalization caused by establishment of protected areas in many parts of the world (Brockington & Igoe, 2006). Conservation has been seen as disrupting society and the livelihoods; this was marked by World Park Congress in Durban in 2003 by strong and diverse protest against the disruptions (Brockington & Igoe, 2006).

The evictions have been noticed appearing in two forms, forced removal of people from their homesteads and the economic displacement which involves the exclusion of people from particular area in pursuit of a livelihood (Brockington & Igoe , 2006). This has caused many people who lived around the park not able to access what they used to before the establishment of the parks. This has made people affected to be vulnerable to so poverty and various diseases (Brockington & Igoe, 2006, Horowitz, 1998).

The available literature shows that eviction trends have not been globally presented (Brockington & Igoe , 2006). The trends presented are mostly from Africa, South and East Asia where by the evictions have taken place and presented. According to the available literature (Bako, 2009, and National Forest Authority, 2011). Uganda Wildlife Authority 2011, Cavanagh 2012), eviction processes in most of the protected areas where it has taken place were characterized of sensitization of stakeholders including the encroachers on the eviction exercise due to take place. This is later followed by all the responsible institutions coming together to plan for how to address the problem of encroachment (National Forest Authority, 2011). Encroachers always given some time to allow them harvest their crops and prepare to live and they would be reminded of the when to leave the park (National Forest Authority, 2011, and Uganda Wildlife Authority, 2011). This made some of the encroachers to leave before the grace period given ends. The ones who refused, force were used on them and their crops slashed (Uganda Wildlife Authority, 2011). In the process, most of the people lost their property and food (National Forest Authority, 2011, and Uganda Wildlife Authority 2011).

Many studies (Luzinda, 2008, Vangen, 2009, Cavanagh, 2012) indicate that, Evictions processes around Mt Elgon National Park have been characterized by violent and forceful removal of people without prior notice and sensitization. Most of the people have been evicted without proper resettlement measures and any compensation alternatives which help them adapt to new life.

2.1.4 Resettlement and compensation measures

In spite of the justified goal for evictions, according to UN Convention, the government is supposed to help to relocate, protect the interests and livelihoods of the displaced populations (Bako, 2009, Vangen, 2009). This seems not to be happening in Mt Elgon National park where forceful eviction of people from the protected is done without adequate compensation (Cavanagh, 2012). People no longer have enough land to build houses and cultivate food for home consumption. This has led to most of them go back to the park to encroach as one way to try to sustain their livelihood (Vangen, 2009). These calls for the government and the involved parties to contribute to improving the local people's livelihoods so as to avoid an incentive for the local people to destroy the forest for agricultural income, and other livelihood strategies (White, 2002, Vangen, 2009).

Luzinda (2008) gives an account of the involuntary settlement of the Benet in Mt Elgon and how this has impacted on the people's livelihood in terms of 'social economic, cultural, political, and health related aspects. He goes ahead to mention that forced resettlement is still an ongoing problem (Cavanagh, 2012). It is applied as a management strategy as it is the cheapest strategy for the governments to protect ecosystems'.

2.2 Livelihood impacts of eviction and coping strategies of the affected people

There are diverse negative social impacts arising from eviction of people from conservation areas worldwide (Brockington & Igoe, 2006; Bako, 2009, National Forest Authority, 2011). Available literature (Brockington & Igoe, 2006, Bako, 2009, Vangen, 2009, and National Forest Authority, 2011) shows that, many indigenous people have been evicted from conservation areas since 1990. For example in the early 90s, the government of Uganda evicted people from Mabira due to "importance and implications" on the forest ecosystem. 'Lives and property were lost in the processes.

In 1991, Bwindi Impenetrable Forest in Uganda was declared a National Park. The Batwa people were evicted and banned from hunting and gathering, few were compensated (Dirkse, 2008, Luzinda, 2008). Elders report that they no longer 'teach their children the traditional

skills like collecting honey, hunting, herbal medicine because they cannot go into the forest' (Luzinda, 2008). Many of this people evicted in many protected areas in the world have ended up suffering with no land to build and grow enough food to eat and have been deleted from their historical homes (Cavanagh, 2012). Most of them have ended up in camps without any alternative source of livelihood (Cavanagh, 2012).

Most of this people who have been evicted from parks across the whole world as forest dwelling people have suffered exceptionally from their lands being converted into conservation areas. Most of them live in poverty and squatting on the edges of the land that was once theirs. They have become dependent on begging and laboring as a new livelihood strategy (Brockington & Igoe , 2006, Luzinda, 2008, Vangen, 2009, and Cavanagh, 2012).

Evictions have led to loss of property, material to livelihood, loss of the local people' symbolic obliteration from their land, which deletes their history, memory and representation, loss of power and control over their environment (Schama 1996, and Brockington & Igoe, 2006). This interference of conservation is what has led to protest amongst many people in many parts of the world.

Although some people view protected areas as to be imposing negative consequences to particular groups of people, to certain extent they have ended up being positive on the other side in that, 'it provides employment and income nationally and locally, they safe guard ecosystem services sustaining agriculture, they provide the symbol to unite and forge nations' (West et al, 2006).

According to Brockington & Igoe , (2006), ' providing more space for nature, often requires constraining people' lives and activities'. This in other words means that, Eviction will have to continue so as to save the ecosystem and provide more space for nature.

2.3 Existing laws and policies on encroachment, eviction and resettlement

2.3.1 National laws on encroachment, eviction and resettlement

The main national laws which are currently in place to ensure the protection of people against land evictions are the 1995 Constitution and the Land Act of 1998 with its Amendment Bill of 2007 (Bako, 2009).

2.3.2 The Constitution

The Constitution is the supreme law of law in Uganda. It has a binding force over all authorities and persons throughout the country (Bako, 2009). According to the constitution of Uganda 1995, it states that, all land belongs or is vested in the hands of the citizens of Uganda in accordance to land tenure systems provided in the constitution. (Mugenyi et al, 2005). The constitution also provides security to all people who owned land in terms of customary tenure by allowing them acquire certificates of ownership in line with what the parliament prescribed (Bako, 2009). However, despite the supremacy of the Constitution, the extent to which its provisions are being upheld when it comes to eviction laws and resettlement remains questionable.

The constitution puts it clearly that, the government has control over all the natural resources on behalf of the citizens and as a trustee, government has the right to protect all the natural resources including forests from degradation and encroachment which may appear in any form and it calls for sustainable utilization of forest resources among other natural resources for the present and future generations is stated in objective xxvii of the Constitution (Mugenyi et al, 2005).

The constitution also provides for the protection of family, provision for marginalized and vulnerable communities or groups to reduce the imbalances which exists against them (Mugenyi et al, 2005). Consequently the evictions of the landless groups without alternative livelihood would be inconsistent with the spirit of constitution (Mugenyi et al, 2005).

2.3.3 The Land Act of 1998 and Land Amendment Bill 2007

The land Act provides security of tenure to all land users and this included customary tenants on public land and the lawful or ‘bona fide’ occupants. According to the Act, ‘lawful occupants’ is defined as a person who entered land with the consent of the registered owner including a purchaser, or a person who had occupied land as customary tenant but whose tenancy was not disclosed or compensation for by registered at the time of acquiring the leasehold certificate’ (Section 29 (1) (b) of the Land Act 1998).

Section 29(2) of the Act also gives a definition of ‘bona fide occupant’ as a person who before the coming into force of the Constitution had occupied or utilized or developed land unchallenged by the registered owner for the 12 years or more or a person who has been settled on the land by the government before 1995. And looking at the evictions which have taken place in the country, the victims have been bona fide or lawful occupants and therefore deserve to have been given protection in terms of the Land Act (Bako, 2009). These laws need to be implemented in line with the provision in the Act in order to give protection to the evicted people.

According to the Act, a person can only be evicted in terms of nonpayment of rent for more than 2 consecutive years and after the Land Tribunal has given an order (Land Act, 1998, Bako, 2009). Before any eviction takes place, the land owners has procedures to follow and this includes sending in notices to land tenants and land committee and give the tenant six months in which the tenant can respond as to why a tenant may not be evicted and after that the land owner can write to Land Tribunal to request for an order to allow him or her evict the tenant (Land Act, 1998, Bako, 2009). In spite of all this laws provided in the Act, the extent to which it has been implemented is not clear.

2.3.4 The National Forestry and Tree Planting Act

The Act puts it clearly that, all the forest reserves are under the control of the government which holds them in trust on behalf of the citizens of Uganda (Mugenyi et al, 2005). Section 54 of the Act, government delegates its managerial powers over the forest reserves to National Forests Authority (NFA) which is now in charge of all the kinds of forests (Mugenyi et al, 2005). Encroachment in the forest reserves is prohibited according to the Act in section

14 hence encroachment in the forest reserve is an offense and is punishable (Mugenyi et al, 2005).

2.3.5 The National Forestry Policy and the National Forest Plan

The National Forest Plan has recognized the severe encroachment on the Permanent Forest Estate (PFE) which severely degraded the forest cover base (Mugenyi et al, 2005). These led to the National Forest Plan calling for improvement in the protection of boundaries as one way to control encroachment (Mugenyi et al, 2005). National Forest Authority and Uganda Wildlife Authority (UWA) are two bodies with the authority and responsibility to 'ensure security of PFE boundaries. (Mugenyi et al, 2005).

Mugenyi goes ahead to show how Uganda Wildlife Authority and National Forest Authority carry out their duties, that is, through identification of boundaries that are not clear, surveying and agreeing on boundaries, ensuring legal instruments for boundary changes, rationalizing boundaries if necessary and resolving disputes, marking boundaries appropriately and enforcing the law with regular patrols and continuous monitoring. This was one measure of dealing with encroachment (Mugenyi et al, 2005).

The plan calls for the redress of the problem of prevailing encroachment by adopting practices that are agreeable to all stake holders with the bottom line that, these practices must 'recognize the special circumstances of forest dwellers and pastoralists. It calls for formulation of guidelines for compensation and resettlement to minimize the suffering and to protect the rights of forest dwellers and communities living adjacent to the resource' (Mugenyi et al, 2005).

Uganda wild life policy is to 'conserve in perpetuity the rich biological diversity and natural habitats of Uganda in a manner that accommodates the development needs of the nation and the well-being of its people and the global community' (Government of Uganda, 1999, Luzinda, 2008, Uganda Wildlife Authority, 2010). The policy of protected areas was laid in 1900 With Buganda Memorandum of Agreements as one way of cementing the relationship between Buganda kingdom and the British who brought a vast area of forest land under the nominal control of the British Uganda Administration (Himmelfarb, 2012).

2.4 International laws relevant for under taking eviction and resettlement processes

This are laws put in place internationally to ensure that, evictions are carried out in line with human rights standards. They show procedures to be followed when carrying out evictions.

2.4.1 International law in Uganda

International law does not form part of the recognized sources of law in Uganda. It can only be recognized when it has been enacted by an Act of the Uganda Parliament (Atomic energy Act, Bako, 2009). This is as a result of Uganda being a dualist state.

Article 8 (A) of the Ugandan Constitution of provides that, ‘Uganda shall be governed on principles of national interests and common good enshrined in the national objectives and Directive Principles of State Policy (DPSP). This provision can be interpreted as making the foreign policy objective to be justifiable’’ (Bako, 2009).

Uganda is a signatory to a number of international instruments obliging it to manage its natural resources in a sustainable way (Luzinda, 2008, Vangen, 2009, Uganda Wildlife Authority, 2012, Cavanagh, 2012). This include, ‘the Convention to combat desertification 1994, International Convention on Biological Diversity, 1992, Bonn Convention on Migratory species 1979, Convention on International Trade on Endangered species 1973 and Convention on Protection of World Cultural and Nutritional Heritage 1972 among others’ (Luzinda, 2008).

‘Uganda has also signed international instruments that commit her to guarantee property rights to her citizens especially the poor and vulnerable people and it is also bound by the provision of Covenant on Economic, Social and Cultural Rights adopted by United General Assembly in 1996’’. This means that the adaptation of the Constitution 1995 did not change these conventions, agreements and treaties which Uganda signed with international organizations early before the coming into force of the Constitution (Bako, 2009). These provisions still bind Uganda as a country although it is not how clear how the international law can be applied in the domestic courts (Ugandan Constitution, 1995, Bako, 2009).

2.4.2 International instruments

The Universal Declaration of Human Rights (UDHR) adopted on 10 December 1948 by General Assembly of United Nations is the central instrument in highlighting people' and human rights''. It clearly states that as an individual everyone has right to property as well as right of being in association with others and it prohibit arbitrary deprivation of property (United Nations General Assembly Resolution No 217 A (III) of 10th December 1948) (Mugenyi et al, 2005, Bako, 2009). Although UDHR is not a legally binding declaration, it can be referred to in courts because of its persuasive force (Bako, 2009). Section 15 of the Judicature Act provides that, 'nothing in this Act shall deprive High Court of the right to observe or enforce the observance of, or shall deprive any person of the benefit of any existing custom which is not repugnant to natural justice, equity and good conscience and not incompatible either directly or by necessary implication with any written law'' (Bako, 2009).

This implies that, if a person is evicted from form some piece of land, the following rights among others get affected; right to property, right to adequate housing, the right to live somewhere in peace, security and dignity. Although the Constitution of Uganda does not provide the right to adequate housing, it does not mean that, it cannot and to be claimed once it's been infringed by another person because there is a provision that can be interpreted as encompassing this right (Bako, 2009). Article 45 of the Constitution provides this hence making it clear that, as a fact that evictions affect the right to adequate housing even if it is not stated in the Constitution, one can go court on the basis of his or her right being infringed once evicted from piece of land that he or she owned a house on (Bako, 2009).

2.4.3 International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights

Uganda as a state party to the International Covenant on Economic, Social and Cultural Rights (ICESCR) which was ratified on 21 January 1987 and International Covenant on Civil and Political Rights (ICCPR) ratified on 21 June 1995. There is no provision on how to deal with land evictions in ICESCR but Article 11(1) provides for adequate housing (Bako, 2009).

It also puts much emphasis on the Right to property in that it states that, ‘ the state party to the present Covenant recognize the right of every one to an adequate standard of living for himself and his family including adequate food, clothing and housing, and to the continuous improvement of living standards’’ (Bako, 2009). This shows that once a person is evicted from land, his right to adequate housing is automatically affected which is in line with the right to live in peace and dignity often violated when it comes to land evictions (Bako, 2009). The Covenant on ICESCR goes ahead to call all the state parties to always take immediate measures aimed at providing protection to people who are lacking it and no right should be interfered with one’s privacy (Bako, 2009).

2.4.4 African Charter on Human and Peoples Rights and Indigenous and Tribal Peoples Convention 1989

The African Charter on Human and Peoples Rights also provides for the right to property and further puts it clear that if there is any one dispossessed of their property rights, such a person or people have right of full recovery of their property (African Charter Article) (Mugenyi et al, 2005). And looking at the eviction processes, people have always lost their right to property some which is against the Charter.

The Indigenous and tribal Peoples Convention, 1989(No.169), provides recognition of ownership rights of land and resources that indigenous and other tribal people occupy (Mugenyi et al, 2005).

The Convention makes it a responsibility of the governments to develop coordinated and systematic actions to protect property rights of tribal peoples and respect their integrity (Mugenyi et al, 2005).In that respect, eviction of tribal groups or vulnerable communities from the forestry resources they have been occupying for long periods of time without alternative source of livelihoods does not only violate the provisions of Conventions but is also a negation of primary responsibility of Governments as provided as under the Convention (International Labor Organization 1989 (Mugenyi et al, 2005).

2.4.5 Summary

Table 1 International Policies and Laws in relation to eviction and resettlement.

Governance level	Laws and policies	Ratification	Relevant provisions	References
International				
	International covenant on Economic, Social and Cultural Rights (ICESCR).	21 January 1987	Right to property and adequate housing and standard of living.	Bako 2009
	International Covenant on Civil and Political Rights (ICCPR).	21 June 1995		Bako 2009
	African Charter on Human and People' Rights.	1989	Right to property	Mugenyi et.al.2005
	Indigenous and People' Tribal Convention	1989	Recognition of ownership rights of land and resources that indigenous and other tribal people occupy	Mugenyi et.al.2005
National				
	The Constitution of	1995	the government has control over	Bako 2009, Mugenyi

	Uganda		<p>all the natural resources on behalf of the citizens and as a trustee, government has the right to protect all the natural resources including forests from degradation and encroachment. It also provides protection of family, provision for marginalized and vulnerable communities to reduce the imbalances which exists against them</p>	et.al.2005
	The Land Act and Amendment Bill 2007	1998 and 2007 respectively	Provides security of tenure to all land users and this included customary tenants on public land and	Bako 2009

			the lawful.	
	National Forestry and Tree planting Act		All the forest reserves are under the control of the government which holds them in trust on behalf of the citizens of Uganda.	Mugenyi et.al. 2005

2.5 Summary of the literature review on Encroachment, Eviction and Resettlement policies

Many studies show that, there is high number of protected areas rising up in most part of the world. Reasons being one way of protecting biodiversity of the ecosystem which is being degraded by human activities of encroachment for land for agriculture and livestock and many other forest resources.

The degradation of the ecosystem caused by many forms of encroachment has led to people being evicted from these protected areas as to save the ecosystem for the current and future generations. However the eviction processes in many parts of the world have been characterized by forceful and violent processes which has affected the livelihoods of the most people who have been affected.

People have been evicted without other alternative means of compensation and some of them ended up in camps where they are subjected to absolute suffering with no land to build, grow crops for home consumption and for their livestock. Some of them moved to towns.

The protection of people land rights in has been determined by different eras from colonial to post-colonial period. In spite of the land being controlled by the state, there have been several evictions since the Constitution of 1995 was passed. The Constitution as a supreme law and the land Act has provisions of guaranteeing security to the lawful occupants of the land but how these laws have been implement is questionable. Although the Land Bill 2007 provides security for the occupants so as to reduce on the rampant evictions still seen today (UWA, 2011). There is need to follow the existing laws that guarantee security to the occupants.

3 Conceptual and Theoretical frame work

The study is positioned on Rights based Approaches and Sustainable Livelihoods framework which helps to signify a system of interrelated factors that determine the sustainability of a livelihood (Ellis, 2000).

3.1 The sustainable livelihood approach

The three main components of livelihoods are internal factors in the form of livelihood assets, livelihood strategies and livelihood outcomes. These are affected by the following external factors, the degree of vulnerability and the influence of transforming structures and processes.

Livelihood assets are households stock of capital which influences its ability to get involved in different production activities and their interaction with other household to earn a living (Ellis, 2000).

Livelihood strategies are activities undertaken by households to transform assets over which it has control to construct a portfolio for survival, and possibly improve its standard of living. Typically, households adopt a diversified mix of activities, combining on farm with nonfarm and off farm activities (Ellis, 2000). Additionally, households with access to forested areas often engage in the collection of environmental resources. According to Ellis (2000), the interrelationship and the interaction between assets, mediating processes and livelihood strategies is an ever ongoing process. Any strategy that is used or utilized will have effect on the livelihood security as well as the environmental sustainability.

‘A livelihood comprises of the assets (natural, physical, human, financial and social capital, the activity and access to these (mediated by institutions and social relations) that together determine the living of an individual or household’ (Ellis, 2000).

A household refers to *‘social group which stay in the same place, share the same meals, and makes joint or coordinated decisions over resource allocation and income pooling’* (Ellis, 2000).

Sustainable livelihood as a concept relates to *‘capabilities, assets (stores, resources, claims and access) and activities required for a means of living under some conditions relating to sustainability’* (Ellis, 2000).

Sustainable Livelihood approach implies, *‘a coherent conduct of dealing with rural development problems’* (Ellis, 2000).

Sustainable Livelihood Framework is commonly used in the development sector and relates to issues like poverty reduction, rural development and environmental management (Ellis, 2000). According to Ellis (2000), opportunities and constraints of the local protected areas with regard to assets, typically influence the kind of strategies that people can resort to (Ellis, 2000). That is to say, different strategies result in different livelihood outcomes. Well conducted eviction and resettlement processes could practically result in positive results and at positive perceptions towards conservation of protected areas (Bako, 2009).

Sustainability is defined as the ability of something to be maintained or to sustain itself. It is about taking what we need to live now without jeopardizing the potential for people in the future to meet their needs (Ellis, 2000).

A livelihood is sustainable when it enables people to cope with and recover from shocks and stresses such as natural disasters like (landslides, floods, drought, pests, and diseases) and economic or social upheavals and enhances their wellbeing with that of the future without undermining the natural environment or resource base (Ellis, 2000).

In the study on encroachment, eviction and resettlement, I try to look at how livelihood may be affected by encroachment, eviction and resettlement of people from the protected areas. The sustainable livelihood approach will then help in assessing house hold dependence on the forest resources and to see how the livelihoods may be affected by encroachment, eviction and resettlement together with the laws and policies governing them.

There are policies and laws governing resources access and use of protected areas (Uganda Wildlife Authority, 2011). These are the livelihood impacts of protected areas. Establishing protected area is usually accompanied by restriction of resource access and use which have implications on the livelihoods assets and livelihood strategies of the people depending on it. Although in some places, protected areas have positive livelihood outcomes in that, there is improvement in poverty levels (Naughtun et al, 2011)

The sustainable livelihood framework was initially suggested by Chambers and Conway (1992), who considered the livelihood approach as a way of improving development practices by acknowledging the poor as the ones most suitable to make decisions on their own welfare (Elis 2000). The approach was built on two things, that is, the social and environmental. The approach gained momentum with a focus on sustainable development and a view that, there is a close connection between poverty and environmental degradation (Ellis, 2000). It was later expanded by the Department for International Development (DfID, 2000) in the late 1990s based on the work on several organizations and as a way to clarify the approach and its development (Ellis, 2000, Carney, 2002). The approach is generally based on thoughts of poverty reduction and how people live their lives (Carney, 2002).

Encroachment results from human pursuit of livelihoods amidst constrained access to livelihood resources or capital assets like land, wildlife and water and forest resources (fodder, firewood, medicinal plants, timber and fruits). Encroachment is as a result of accessing ‘resources’ defined as limited. People need land and feel it is their right to have hence leading them to encroach on protected areas in search for available land and other forest resources.

Most of the protected areas happen to be established on customary land accessed as common property or open access resources. Policies and laws for establishing protected areas are used to justify traditional user exclusions and declared ‘encroachers’ to be evicted so as to maintain pristine values of protected areas.

3.1.1 Fortress Approach

Evictions result in losses of access to livelihood assets or resources like fertile land, fruits, local herbs, honey, water, animals. Resettlement also leads to loss of access to livelihood assets like forest resources and fertile forest land opened for agriculture which in some cases lead to new assets and new livelihood strategies depending on the availability of different livelihood assets and livelihood strategies. All these losses of access lead to inability to have more activities to secure livelihood outcomes.

Loss of livelihood assets limits livelihood strategies, livelihood outcomes effect on vulnerability context.

3.1.2 Vulnerability, resilience, livelihood adaptation and livelihood outcomes

The key to understanding the impacts of the protected areas (eviction and resettlement) on rural livelihoods are concepts of livelihood adaptation and outcomes, vulnerability and resilience issues.

“Vulnerability being defined as diminished capacity of an individual or group to anticipate, cope with, resist and recover from the impact of natural or man- made hazard. Vulnerability is more often associated with poverty, but it can also arise when people are isolated, insecure and defenseless in the face of risk or shock or stress” (IFRC Annual report, 2011).

Resilience refers to the *“process of adapting well in the face of adversity, trauma, tragedy, threats, or even significant sources of stress such as family and relationship problems, serious health problems, or workplace and financial stressors. It means bouncing back from difficult experiences”* (John, 2013).

Communities in and around protected areas will pursue different livelihood strategies based on their access to different livelihood assets, difference in vulnerability contexts and ability to recover from shocks and stress factors (resilience). More vulnerable people (poor), always take long to recover from the shocks like (evictions and resettlement, floods and landslides) and may find it difficult to access livelihood assets like land elsewhere compared to the rich. This often leads to differences in livelihood strategies and adaptation patterns.

Sudden eviction from protected area can be considered a shock to affected households. The ability of those households to adapt (make long term shifts in livelihood strategies) cope, (i.e., make temporal adjustment in the face of change) and recover from shocks (eviction, resettlement, loss of livelihood assets) will depend on the household' resilience (Scoones, 1998).

Households, individuals or communities who are not able to cope or adapt are considered vulnerable and will not be able to sustain their livelihoods on eviction and resettlement to new areas.

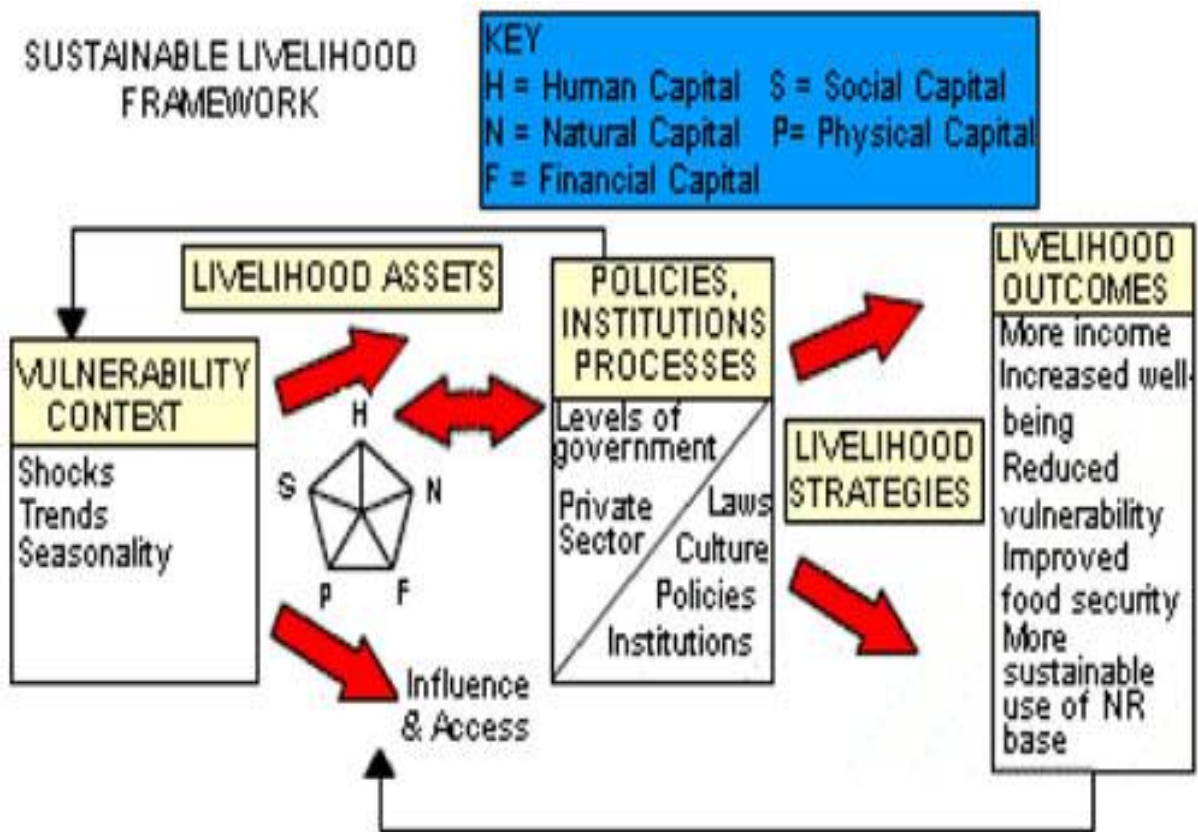


Figure 1. Sustainable Livelihood Framwork (adopted from Ellis, 2000).

Vulnerability context includes shocks, trends and seasonality. This includes eviction, resettlement, drought and landslides appearing as shocks. The legal and social economic shocks include change in legal status that is from common property or open access to forest resources and national park to restricting access to park resources and important livelihood

assets (natural and physical assets) with impacts on social capital (family breakdown), human capital (loss of lives) and physical capital.

The vulnerability context of the people normally influences the extent to which people can access their assets in that, people may have little or no control over them and this affects their livelihoods. These factors include trends like, populations, resource, economic and technology. Shocks like, economics, natural and conflict. Seasonality like price, employment opportunities and food availability (Baumann, 2002).

According to Ellis (2000), livelihoods are built on the following five different assets or capitals.

H- Human capital refers to the qualities of people especially knowledge, skills, physical and mental and spiritual health, access to labor and physical capability important for successful pursuit of different livelihood strategies.

N- Natural capital includes natural resources like air, land, soil, minerals, plant and animals which resources low and services useful for livelihoods are derived.

F- Financial capital includes wages, savings, credit, remittances, pensions e.t.c. useful for the pursuit of any livelihood strategy.

P- Physical capital encompasses resources created by people including buildings, transport means like roads, electricity, agricultural fields etc.

S- Social capital, parts of human resources determined by the relationships people have with others. This includes networks, social relations, social claims, association and affiliations which people draw when pursuing different livelihood strategies.

There are various ICDPs implemented around protected areas which conservation organizations could use to improve livelihoods and welfare of the people around. This can be through community development programs geared towards building infrastructure (roads, schools, clinics) as in the case of Mikumi National park with communities around it (Vedeld, 2012).

Financial capital improvement through various benefits sharing arrangements can be done within the communities adjacent to the protected areas which are useful for any pursuit of any livelihood strategy. For example TR, CRE, Taungya farming, CRMA etc.

The social capital which is constrained by family breakups, death of an individual, household member loss of social networks following eviction and resettlement to new areas, inability to continue on best social and cultural practices.

Human capital assets which include human lives, access to education, knowledge and skills taken as important in improvement of successful pursuit of different livelihood strategy.

When a protected area is established, local people lose access to the protected land and their opportunities to extract natural resources from, the protected area is constrained and limited, and this has obvious implications for livelihood outcomes. (This is thus a useful model to use in analyzing the critical case of Mt Elgon in terms of Encroachment, Eviction and Resettlement policies and its effect on local livelihood).

Due to its people centered approach and the way it captures livelihood elements on a micro and macro level, the sustainable livelihood framework is a very great tool in understanding the reality of the rural life. A positive characteristic is that, it emphasizes what people have instead of what they don't have (Ellis, 2000; Vangen, 2009, and Cahn, 2002).

The approach is relevant for analyzing livelihood outcomes not straps shot evaluation (ongoing process).

However, the approach has the following limitation of lack of focus on political process and power relations underlying eviction and resettlement.

3.2 Rights Based Approach (RBA)

Rights are norms and entitlements that create constraints and obligations in interaction between people and institutions (Campese, et al, 2009).

Human rights refer to norms that help to protect all people from severe political, legal, social and other form of abuse (Campese, et al, 2009).

Foundation of

A right based approach is based on international human rights standards which are derived from the Universal Declaration of 1948 (UNHCHR). Two conventions were developed after the Second World War with the aim of protecting the individuals. One convention was on civil and political rights and the other being on the, economic, social and cultural rights

(UNHCHR). The right based approach aims at protecting and promoting the human rights (UNHCHR).

Right based approach takes into consideration all important aspects of international human rights into development policies and processes like norms and principles that are included in international treaties and declarations which Uganda has signed too (Campese et al, 2009). It is an approached relevant for analyzing the eviction process carried out in Mt Elgon National Park.

A right based approach to development takes into account, elements like accountability, empowerment, participation, non-discrimination; benefit sharing, justice in destroying Mt Elgon as a forest reserve and later to a national park and attention to vulnerable groups (Campese et al, 2009, UNHCHR). These elements are also relevant to the livelihood framework, as they for instance influence the relationship between the government and civilians and the ability of individuals to bargain to improve their livelihood status. The approach as well influences the people' access to their assets which may also affect people' ability to participate in different organizations hence indirectly affecting the relationship between the government and the local people' ability to bargain in order to improve their livelihood status(Ljungman in Mikkelsen, 2005, Campese et al, 2009). Rights based approach is also linked to sustainable livelihood by Conway et al (2002).

All people by virtue of being human are inherently entitled to minimum standards of freedom and dignity regardless of nationality, place of residence, gender, origin, color, language, religion and any other status (Campese et al, 2009). But in most occasions, these, human rights are not expressed in the national and international law for example the customary law may not be recognized in such legal frameworks (Campese et al, 2009).

In the last 60 years, the nature and scope of this rights that have been recognized even in international level and national law today remains questionable on how they have been observed (Campese et al, 2009).

Procedural rights like to participate in decision making, acquire information and access justice, Sustentative rights such as to life, personal security, health, adequate standard of living, education, freedom to practice culture and freedom from all forms of discrimination to

some extent have not be followed when implanting eviction and resettlement (Campese et al, 2009).

According to Campese et al (2009), cross cutting human rights instruments accepted internationally following their ratification and adapted from UN in 2003 include,

Universality and inalienability: All people in the whole world possess rights which cannot be taken away.

Indivisibility: civil, cultural, economic, political and social rights all have equal status and all must be recognized for human dignity.

Interdependence and interrelatedness: the relationship of one right often depends wholly or in part upon the realization of others.

Equality and non-discrimination: all individuals are equal and are entitled to their human rights without discrimination of any kind.

Participation and inclusion: Every person and all people are entitled to active free and meaningful participation in, contribution to, enjoyment of governance systems in which human rights and fundamental freedoms can be realized.

Accountability and rule of law: states and other duty bearers have obligations to observe human rights and are answerable to observance of rights under their jurisdictions.

3.2.2 Human rights and conservation

Worldwide, there is much attention being paid to the realization of human rights and conservation of natural resources and biodiversity (Campese et al, 2009). It is seen that, conservation of ecosystem goods and services is very important for upholding economic, social and cultural rights like right to health and adequate standard of living, freedom from hunger and cultural freedom which is seen some time to be undermined by conservation initiatives through evictions (Campese et al, 2009).When people are evicted from protected areas and resettled, they are excluded from these natural resources they have been depending for their livelihood for a long period of time and most of them end up being vulnerable to various shocks and stress factor, such as drought, diseases, etc. and thus become subject to absolute poverty which is evident with the people evicted from Mt Elgon National Park.

There is a relationship seen between upholding humans rights and conservation of biodiversity although, the practical implications of observing both is not yet clear. The Centre for International Forestry Research (CIFOR) and International Union for Conservation of Nature (IUCN) have recognized the importance of addressing this relationship between conservation and human rights as fundamental ethical values which will lead to achieving a healthy planet, sustainable, fulfilling and dignified human livelihood (Campese et al, 2009).

Eviction and resettlement of the encroachers involves loss of free access to the forest resources, loss of land, loss of food and property, loss of social ties and traditional ways of living which normally subjects the affected communities or vulnerable people (the poor) to absolute poverty and in most fail to cope or adapt to new livelihood strategies. They often end up living in poor standards of living in unhealthy environment like camps (Vangen, 2009).

Taking into consideration of both human rights and conservation of biodiversity as fundamental ethical values which lead to achieving a healthy planet, sustainable, fulfilling and dignified human livelihood in the affected communities, Human rights based approach is a *“framework for the process of human development that is normatively based on international human rights standards* (UNHCHR), and is directed towards the promotion and protection of human rights (Campese et al, 2009).

The framework goes ahead to suggest the right holders and the duty bearers to effectively engage and agree on the use of the natural resources which recognizes humans rights and conservation of biodiversity. The approach is relevant in advocating for rights based approaches that simultaneously embrace human and non-human ecological relationships (Campese et al, 2009).

Uganda has signed international conventions and has a duty to implement these polices and to see that both conservation of protected areas and human rights are observed.

The Sustainable livelihood approach relates to human rights as a way to understand rights to many outcomes which can secure livelihood and development. Right based approaches is seen as development through the form of freedom, wellbeing and self-respect , illustrating the

complementarities of the two approaches and that is why I am using them in analysis of the findings (Vangen, 2009).

4 Methodology

4.1 Background and rationale

This chapter presents the study methodology and the rationale for the choice of use or application. The study used both qualitative and quantitative methodology. The choice was made in line with the frameworks under which the study is underpinned. Sustainable livelihood framework and the human rights based approach.

4.2 Description of the study area

Mt Elgon is located in the Eastern part of Uganda bordering Kenya. It straddles the districts of Bukwo, Kwene , Kapchorwa, Sironko, Mbale and Manafwa, Bududa, Bulambuli, with 58 parishes directly bordering the park (Cavanagh 2012). The protected area covers 112,385 hectare and it begins right from high up in the mountain and it is managed by Uganda Wild Life Authority (UWA) (Ngorve & Hulme, 2006, Vangen, 2009). It stretches 50 kilometers from east to west and 80 kilometers from north to south (Norgrove & Hulme ,2006). Mt Elgon happens to be the eighth highest mountain peak in Africa and second highest in Uganda (Vangen, 2009). It is rich in flora and fauna and is a home to a wide range of tree species and wild life. Mt Elgon area has fertile volcanic soils and enjoys adequate rain fall all year round (Jankulovska et al ,2003).

In Mt Elgon, the most dominating groups are the Bagishu and the Sabiny. The Bantu speaking groups dominate Mbale and Sironko Districts on the southern and western part of Mt Elgon while the Nilotic speaking Sabiny are predominant on the northern Kapchorwa, Bukwo and Kween Districts. This is among the most densely populated areas in Uganda and 80% of the population is rural (Vangen, 2009). The Bagishu are mainly crop farmers but keep livestock and perform off farm activities as well. The Sabiny are traditional herders or pastoralists who settled in Mt Elgon lather than the Bagishu (Vangen, 2009). Although most communities within the two districts rely heavily on agricultural production to maintain their livelihoods, the needs and uses of forest resources vary between the two groups. Being an urban centre, Mbale has a close connection to markets than Kapchorwa district which has been quite isolated until the construction of Mbale -Kapchorwa road in 2002 (Vangen, 2009).

However, due to the area being densely populated and their cultural practices of being farmers and pastoralists, most of the land adjacent to the park is under intensive agricultural use and many of the villages to varying degree use the resources within the park boundaries (Vangen, 2009). This has resulted to Mt Elgon being encroached for agriculture, grazing, hunting, settlement and other forest resources by the surrounding communities adjacent to it (White 2000, Uganda Wildlife Authority 2011).

The encroachment of the park caused massive destruction of the ecosystem which was realized declining in Mt Elgon and it led to the eviction and resettlement of the local people who had settled within the park enjoying the available land for agriculture, grazing, and other forest resources.

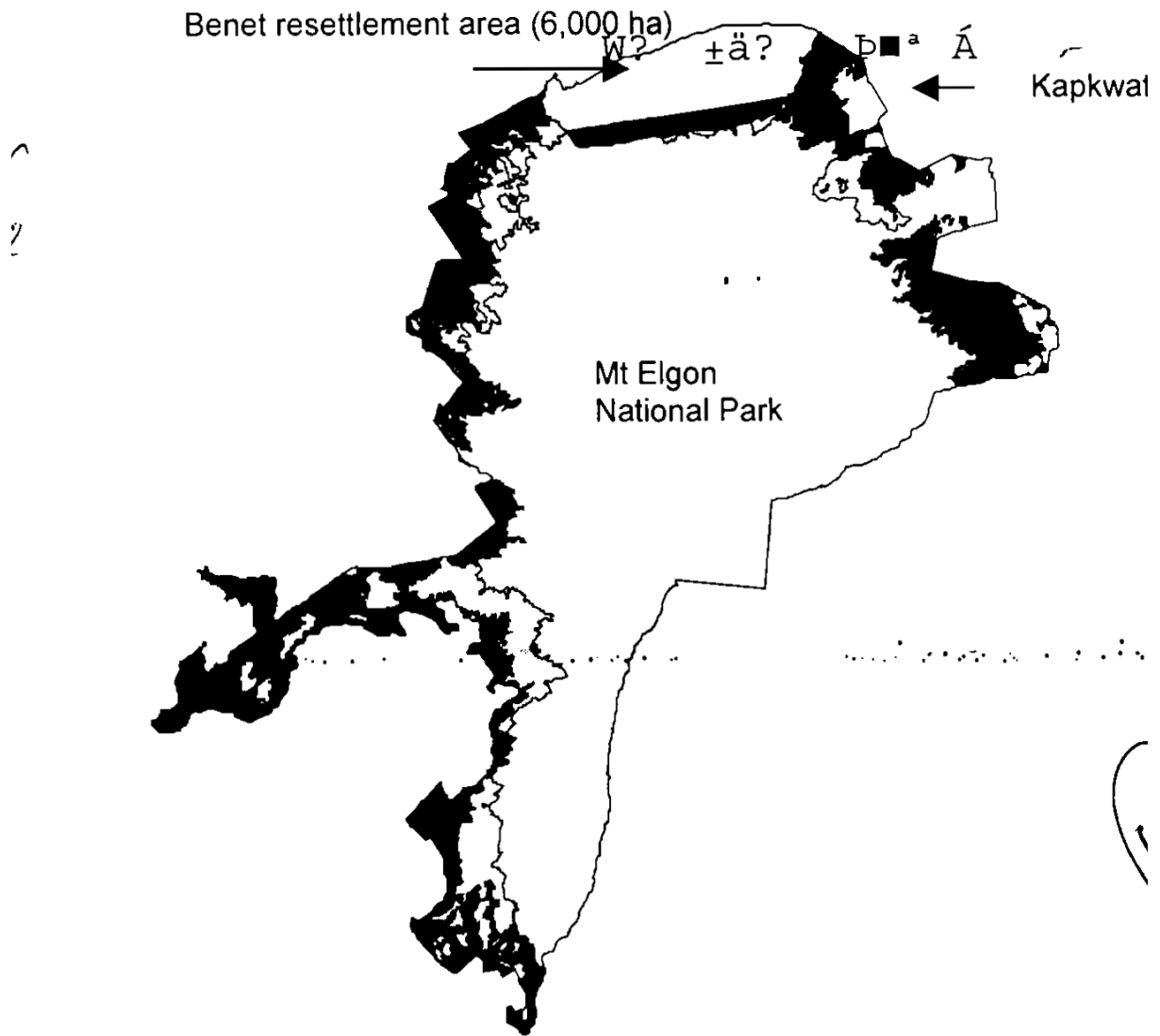


Figure 2. Extent of Agricultural encroachment in Mount Elgon National Park in 1994. Dark shaded areas show >50% encroachment while the light shaded areas show <50% encroachment (White, 2002).

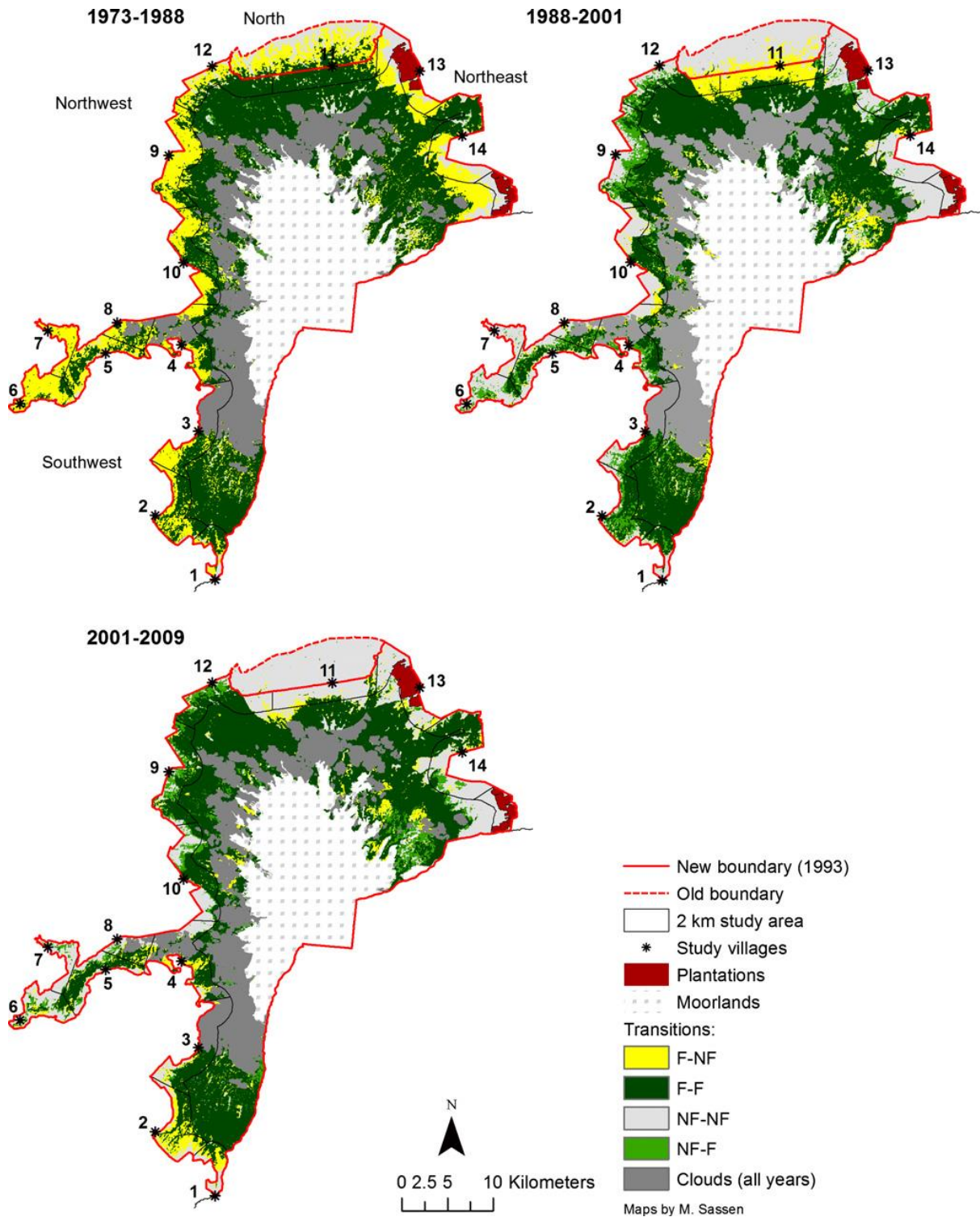


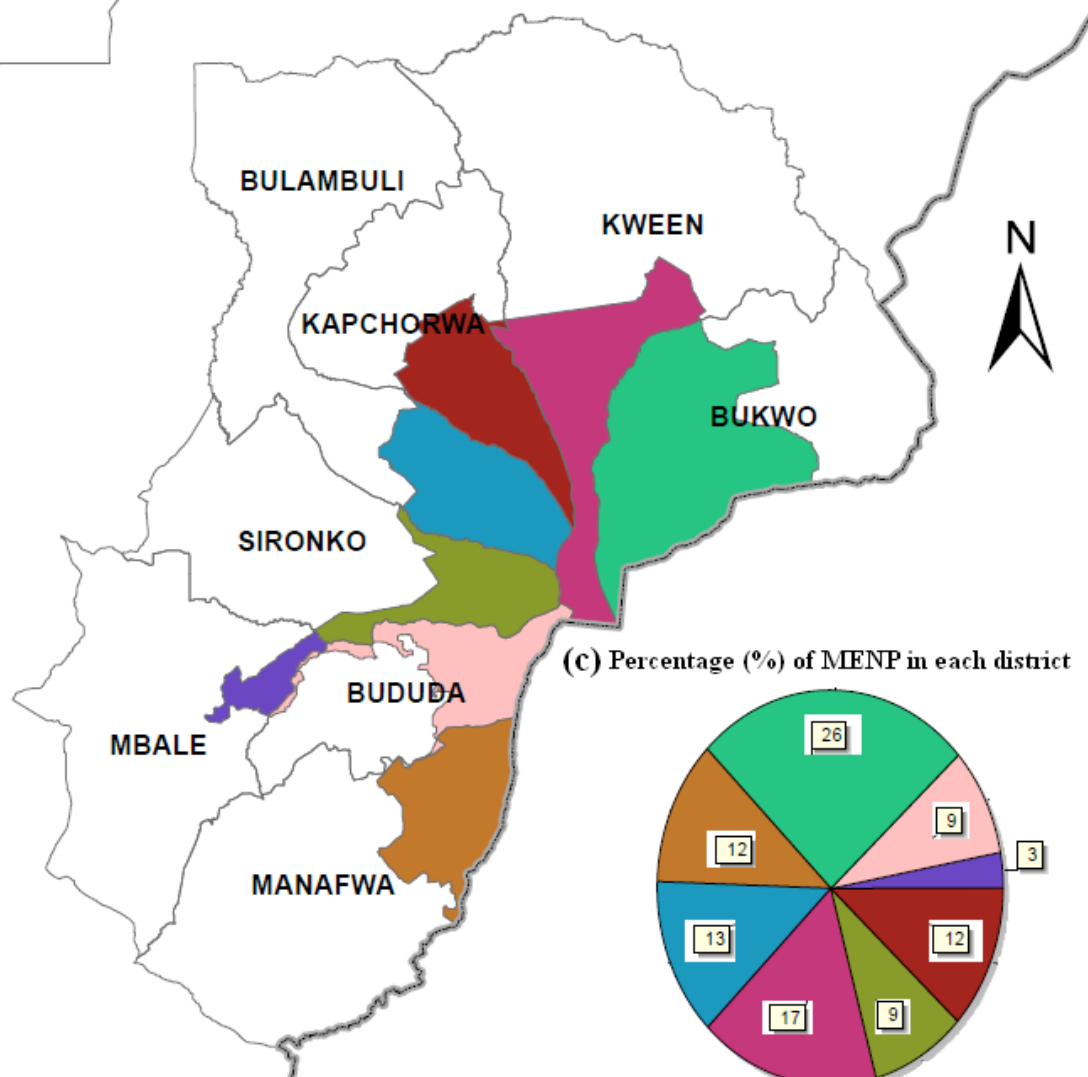
Figure 3. Forest cover on Mount Elgon National Park from 1973, 1988, 2001 and 2009 (adopted from Sassen et al, 2013 reproduced with permission).

However, due to the eviction and resettlement processes in Mt Elgon, the livelihoods of the people evicted who depended heavily on forest resources has been affected in that, most of them have failed to cope in new environment they have moved to hence subjecting them to absolute poverty (Cavanagh, 2012).

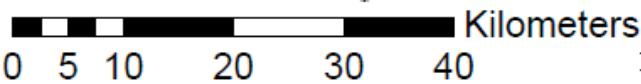
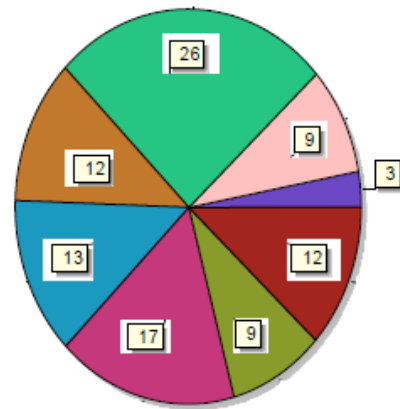
(a) Map of Uganda showing location of Mount Elgon National park (MENP)



(b) Districts covered by MENP



(c) Percentage (%) of MENP in each district



Data sources: IUCN 2011 and Map Library
 Drawn by Jjunju

Figure 4. Location of Mount Elgon National Park (a) in Uganda, (b) District coverage and (c) Proportion of the Park area in each district as pf 2010 (adopted from Cavanagh, 2012 with permission).

4.3.1 Climate

Mt Elgon climate is heavily influenced by the fact that, it is located in the vicinity of Lake Victoria and its mountainous orthographic effect (Vangen, 2009). It has two seasons, that is rainy or wet season running from April to October with the forest zone receiving the highest rainfall of about 1500mm and the dry season is normally in the month of December and January (Luzinda ,2008, Vangen, 2009). The mean annual rainfall ranges from 1500 mm on the eastern and northern slopes to 2000 in the south and west. Rainfall is normally higher in the lower areas than in the higher altitudes (Vangen, 2009). Several rivers run from the up slopes of the mountain to the lower slopes providing clean water for the many households and communities surrounding the park (Vangen, 2009).

4.3.2 Flora

Due to the importance of forests to biological diversity, conservation of Mt Elgon National Park was established (Vangen ,2009, Mugenyi et al, 2005). There are three different types of vegetation zones which have been identified in Mt Elgon National Park. The Alpine and Ericaceous zone comprises of moor and heather land which covers about 23% of the park area (Vangen, 2009). Due to the presence of endemic shrub and herb species, this vegetation is considered to be most significant (Vangen, 2009). The other zone constituting the transition from the heather land to a forest zone is the Afromontane and the forest communities, grassland and bamboo are prevalent (Vangen, 2009). This zone covers the wet southern and western slopes of the mountain and it has been exposed to severe pit sawing and extensive agricultural encroachment hence destroying 20% of its forest cover which has contributed to the decrease of the most species rich in Mt Elgon (White, 2000, Luzinda, 2008, Vangen, 2009).

4.3.3 Fauna

Both the Kenya and Ugandan sides of the mountain is said to be sufficient enough to maintain and support many of the large and rare species of the animals considered to be vulnerable to extinction (IUCN, 2005, Vangen, 2009). One can say that today, the ark is a home of buffalos, elephants, leopard, defassa water backs, monkeys and spotted hyenas (Vangen, 2009). Mt Elgon also provides a rich home for different types of birds, both threatened and rare ones. There are those restricted to Mt Elgon only and a few to East African Mountains (Vangen, 2009). It has also a representation of invertebrates like butterflies, moths and dragonflies. Other vertebrates are underrepresented like reptiles and amphibians (International Union for Conservation of Nature, 2005, Vangen, 2009).

4.3.4 The soil

According to Uganda Wildlife Authority (2007) and Vangen (2009), the soils of Mt Elgon belong to the undesols which are very resistant to erosion. They are young and rich in minerals. The dark colored and well drained Masaba series is found at above 3000 meters. That is to say from 2100 to 3000 meters in the Benet series, which is the soil of the forest belt. Its deep to red brown type and below 2100 meters, nitosols is dominating with reddish brown color and clay consistence (Vangen, 2009).

4.3.5 Ethnicity and Demography

On a national level, Mbale is reflected as with the highest annual population growth with an estimate of about 3.5% .There is a high population density with an estimate of 700 people per sq kilometer (Scott ,1998, Norgrove &Hulme, 2006, Carina, 2009). There are three ethnic groups found around Mt Elgon, that is to say, the Sabiny, the Ndorobos and the Bagisu.

The Sabiny

The Sabinys are pastoralists who migrated from Sudan and Ethiopia long ago. They settled in the northern plains and up lands of Mt Elgon (Himmlefarb, 2006, Uganda Wildlife Authority, 2004, Luzinda, 2008, Vangen, 2009). Since then they have been living as pastoralists, searching for water and grazing land for their livestock, hunting wild animals and gathering

forest resources (Vangen, 2009). They also kept in contact with other communities by selling bamboo baskets which they used to make so as to buy other food stuffs like maize. This is the main staple food grown and eaten in Kapchorwa (Norgrove & Hulme, 2006, Vangen, 2009). The Benet are part of the Sabiny, they are indigenous people who got the name Benet meaning people or communities who were evicted from the park and forest in the 1970s and 1980s and the people who come from an area called Benet (Luzinda, 2008, Vangen, 2009, Himmlefab, 2006). The Ndorobos are also part of the Sabiny who were separated into two groups by the colonial government during the time of mapping and surveying the boundary and today the Ndorobos with other groups make up the Benet (Uganda Wildlife Authority, 2004, Luzinda, 2008, and Vangen, 2009).

The Bagisu

This are agriculturalist group of people who live in the lower slopes of Mt Elgon who later on begun moving up in the higher parts of the mountain (Luzinda, 2008, Vangen, 2009). They are the most dominant group of people in the western and southern part of Mt Elgon. According to Norgrove & Hulme (2006), Mable District is economically poor, despite the fact that, it's an urban centre with close connections to the market compared to Kapchorwa District (Cavanagh, 2012).

The Bagisu are found to be less dependent on the forest resource compared to the Sabiny (Vangen, 2009). They have more land than the Sabiny and their major part of income comes from the crops. They depend highly on bamboo stems, plantain and beans (Vangen, 2009). For every long time they have depended on salee of bamboo to supplement their household income and the bamboo represents a bond with ancestors through harvesting and eating it. It is a main dish eaten in the weddings and circumcision ceremonies hence making many people often stay in far away from the mountain to walk long distances kilometers (Vangen, 2009). This is an example to show how certain natural resources can be of importance to the community.

4.4 Methods of data collection and analysis

4.4.1 Selection of respondents and sampled villages

The selection of respondents started with the planning meeting with the Uganda Wildlife Authority Officials given that they have all the information related to where the encroachment, eviction and resettlement took place around Mt Elgon together with time schedule. This helped the researcher to establish a general overview of encroachment, eviction and settlement in the study area and further strengthened the review of the existing data and information and mapping the study area as well. The study area was zoned into districts with the ease of the current administrative units of districts, sub counties and parishes.

The study was conducted in 4 villages in 4 different parishes within 4 Districts (Table 2) around Mt Elgon. With the help of Uganda Wildlife Authority officials and the local government officials, the researcher was able to visit Amanang, Kapkwata, Kapnarkut and Bumasifwa where the evicted people were settled. This presented a great opportunity for the study to examine their livelihood dynamics both before and after the evictions. The study also put more emphasis on their coping mechanisms (See figure 3).

Table 2 The studied evictee areas.

Districts	Sub County	Parish	Village	Number of		
				Focus group discussions	Key informant interviews	Structured household interviews
Bukwo	Amanang	Kortek	Kabei	2	5	5
Kween	Kapkwata	Kapkwata	Kapkwata	2	5	5
Kapchorwa	Kapnarkut	Kwosir	Yatui	2	5	5
Sironko	Bumasifwa	Zesui	Zesui	2	5	5

4.4.2 Study Design and sampling procedure

Study design refers to the frame work for the collection and analysis of data (Bryman, 2008). In other words, It helps a researcher to answer questions by collecting various empirical data which will be analyzed and conclusions drawn later (Bryman, 2008). One can also say, research or study design is framework which helps the researcher to follow some structure while studying some problem or phenomenon (Bryman, 2008).

Since it intended to provide more explanation into the phenomenon of eviction around Mt Elgon National Park both qualitative and quantitative design was adopted. The qualitative data collection technique included; (a) Key informant interviews, (b) focus group interviews, (c) unstructured and structured house hold interviews. Quantitative data included structured interviews inform of questionnaires administered to key informants. Secondary data was collected through the review of relevant documents which was used to generate both qualitative and quantitative data which helped the researcher establish the number of evicted and resettled people.

The survey involved two sampling techniques, that is, Purposive and simple random sampling. A purposeful sampling procedure was used to select the study areas as places where the evictees were resettled and they had the knowledge of what took place in Mt Elgon Park. The sampling frame for this study in all villages was the village registers where the evictees were registered and they were readily available.

The sample unit for the study is a household defined as a single person or group of people who live and eat together and share a common living arrangement (Bryman, 2004).

Household selection and group discussions for interviews were done through simple random sampling where households were randomly selected from each of the respective village registers. 10 respondents were picked randomly from the village register with the help of the counselor for group discussions and the 5 households who didn't attend group discussions from each study were randomly picked too. This was done in all the selected villages giving us a total of 20 respondents from each village. The Uganda Wildlife officials (8) and district leaders (8), district forest officers (4) were randomly selected as key informants and structured questionnaires were administered to them. 100 respondents in overall were interviewed for the study.

Table 3 Percentage distribution of the respondents by marital status.

Marital status	Percentage
Single	15 (15%)
Married	79 (79%)
Widowed	6 (6%)
Total	100 (100%)

As seen in Table above, the majority of the respondents were married (79 percent), followed by single at 15 % and lastly widows at 6%.

4.4.2 Methods

The main methods used in this study are key informant interviews, household structured interviews and focus group discussions which were designed based on the concept of Participatory Rural Appraisals (PRA) used for gathering information from the local communities. It is a way of allowing local people to share, express and enhance and analyze their knowledge of life and condition in their local communities (Chambers, 1994). In addition, observation and informal conversation were conducted to generate more information from the study area. The interviews were conducted in households with the respondents affected and those not affected by evictions. They acted as key informants. A total of 100 respondents were interviewed in the 4 districts surrounding the Mt Elgon National Park. In order to solicit valid and reliable data, triangulation method was used encompassing using both qualitative and quantitative data collection techniques as cited in the earlier section of this thesis

4.5 Data Collection

Prior to the actual data collection, introduction letters were obtained from the Uganda Wildlife Authority head office in Kampala. These letters were used for the purposes of introduction to the study respondents and informants and in turn, this eradicated the fear that the study could simply be a spying mission. In addition, clearance with relevant local

government authorities in the study district was done and thus the actual data collection proceeded. Below are the different types of data collected?

4.5.1 Quantitative data

This was collected using an interview schedule through structured interviews. Standardized questions were posed to a total of 20 different respondents and in household interviews in the same manner through face-to-face interviews. This technique was preferred because it is interactive and presented the opportunity to observe and crosscheck responses generated by the study instruments. It was also one way of getting the temporal scope of encroachment, eviction and resettlement in the study area.

4.5.2 Qualitative data

This was collected through focus group discussion and informal discussions. The discussions were held in each parish of study, particularly with individuals considered to be experienced and having practical knowledge as far as evictions and resettlement process are concerned. However, such individuals were not part of the sample which structured questionnaires were administered. Qualitative data was also collected from key informants through in-depth interviews and such key informants included the District Forest Officer, Uganda Wildlife authority officials, District counselors and Household informants.

4.4.3 Interview details

Both women and men were selected to participate in the interview so as to get balanced information on the topic. Data collection was mainly based on interviews. The focus group interviews and informal interviews gave the discussants more opportunity to give more information freely than in structured interview or questionnaire which was basically on the numbers (Bryman, 2004).

It was a good experience to communicate to people face to face. It gave an opportunity for the researcher to get the people' facial expression which gave more information especially when it came to expressing their feelings about other people compared to questionnaire where the respondents just filled (Bryman, 2004). Structured method was applied when interviewing government officials and park staff to know their opinion and statistics of eviction and resettlement.

4.5.4 Key informants interviews

Key informant interviews were conducted with Wildlife Authority officials, the local government leaders, the District forest officer, local political leaders and local people who were affected by eviction. The interviews were conducted in English because most of this people were educated and house hold interviews were done in the local language which the research assistants knew and translated it. This helped in getting the statistics of the people who were evicted and resettled, when and where they were evicted and resettled too.

4.5.6 Unstructured interviews

This was applied in the informal discussions which sought to establish how the people feel about the evictions and resettlements processes and how they feel about the whole issue of conservation. It was mainly administered to the local people in the study area.

4.5.7 Structured interviews

These interviews were guided by a questionnaire. The questionnaire included both open and closed questions. These interviews were conducted with key informants from Uganda Wildlife Authority, District forest officers, District leaders, Political leaders, local counselors and individual households. This helped in gathering more information because more respondents were reached. Questions regarding encroachment, eviction and resettlement processes were asked. The open ended questions gave an opportunity of capturing perceptions in depth.

4.5.5 Focus group discussions

Participative focus group discussions were employed to obtain a more detailed and comprehensive understanding of issues raised in the questionnaires. This was used to elicit views, opinions and concerns of the people who were evicted from the park. It was useful in generating information through interaction between informants and observing how people responded to each other's views rather than the individual interviews. The focus group discussions were conducted in each village of study. The groups consisted of both men and

women who were known to have been evicted from the park and who could express themselves.

4.5.8 Observation

Through observation, the researcher was able to assess the settlement patterns, available infrastructure like roads, houses, schools, behavior and actions in both formal and informal interviews, major economic activities, available resources in that, the researcher was able to see some of them fetch forest resources illegally and yet they said in the interview they were not allowed and they don't do it illegally.

4.5.9 Secondary data

Secondary data was also collected by reading existing data or literature on encroachment, eviction and resettlement. Secondary data was collected from Uganda wildlife Authority offices, District levels offices. This included reports, policy documents all from different offices as well as academic publications. The secondary data collected gave a clue of a number of people who were evicted and resettled, when and where they evicted and resettled, polices and guide lines which were followed on eviction and resettlement process, back ground information on encroachment, eviction, resettlement and environmental protection in Uganda.

4.6 Data Processing and Analysis

In order to ensure that the study is easily interpreted and understood by others, the researcher organized data into meaningful categories. Manual processing and analysis was used.

4.6.1 Editing

The intention here was to detect and minimize errors in the completed questionnaires. The researcher did this after interviewing each respondent. Editing was also meant to ensure that the responses were accurate and consistent. The researcher also tried to deduce from the responses given by respondents whether the questions and instructions were uniformly interpreted. Editing also helped to check the completeness of the questionnaires and ensured that all the applicable questions were answered. In the case of errors and omissions, the

researcher tried to fill in the correct responses given to other questions in the same schedule but this practice was minimal.

4.6.2 Coding

Coding helped in classifying the responses to questions into meaningful categories so as to bring out their essential pattern (MoserC.A, 1979). Categories were given to various items in the questionnaires until an appropriate coding frame was made. After designing the coding frames, categories and codes were allocated to the responses in the questionnaires.

4.6.3 Data analysis

Sustainable livelihood frame work and the Rights based approach theory are used to help provide back born for the analysis of the data, which is useful when looking at the different processes within the policy-making processes related to the establishment of the park as well as the evictions (Vangen, 2009).

4.7 Challenges and how they were solved

4.7.1 Time and Transport

There was a lot of time spent in waiting for the letter to introduce from the university to Uganda Wild Life Authority head office so as to get a research permit allowing for carrying out research in places where encroachment, eviction and resettlement took place. One whole month was lost in waiting for the letter and interviews were done within the two months. In addition, there was a big problem of transport, whereby there were no cars which could go to places of research study.

This led to a lot of time bargaining for prices. In most occasions motor cycles were used which also depended on the weather because it was difficult to ride when it had rained. It was also hard to gather all the community members in the same place at the same time to conduct the first meetings and this led to a lot of time taken waiting for them to turn up. The time given to the survey was also too short for to exhaust information from the communities thus also limiting the results to group biases and people who were available. Three months was not enough time to get all the information required for this study hence information was

collected from smaller sample size which limited the generalization ability of the research findings.

It was also difficult to make appointments for interviews with the local people who thought it was time wasting and even with the government officials.

4.7.2 Language

There was a problem of language barrier, most of the community members speak Swahili and Sabiny and Lugisu which I could not understand or speak, and in this case the translators were of help though limiting the researcher to get firsthand information hence leading to loss of some information which depended entirely on the translator. It was also hard to get the past information, because most of the people could not easily tell the changes which have occurred in their villages since the establishment of the park.

4.7.3 Logistics

This was problem whereby in the group discussions, participants expected to be given sitting allowance in the name that, their time was wasted in the meeting and needed something to compensate it. This was then discussed with them and solved by offering a drink and some light food for them after the meeting.

4.7.4 Trust

There was a clear distrust between the park officials and the local people in most places visited. The local people were discontent with the restrictions to the park resources which have affected their livelihoods. These made some of them not to trust me thinking that I was working for Uganda Wildlife Authority and not as a student. These also kept some people from expressing themselves freely. Some of them asked me to take their issues to the international organizations that they thought would eventually come to help them in the situation they are in their respective villages.

4.7.5 Ethical issues

In view of ethical considerations, I tried to behave and conducted myself in a manner acceptable to the communities. Paying attention and sensitivity to what people say because among them, the experience of eviction seemed to be still fresh in them, which did not allow them to open up. Before beginning any interview permission was requested for taking notes, by giving them reasons like capturing every one' view as the most important reason note taking. Respect of people' privacy, time, anonymity and confidentiality were observed during the data collection exercise (Bryman, 2004).

4.7.6 Representation

100 respondents were interviewed in this study. Both men and women were represented of all ages ranging from 20 years to 70 years of age. Despite the fact that, the choice of villages were not randomly chosen. The study put more focus on the people who were evicted from the park and where they were resettled or where they went to. Not all the villages around Mt Elgon were covered, only those villages where people were resettled were purposively chosen for the study.

4.7.7 Validity and Reliability

The quality of good research is determined by reliability and validity of the data collected which is often affected by errors in sampling and poor interview techniques (Bryman, 2008). Reliability being the stability of the data and if repeated applications of research methods will yield consistent results under similar conditions (Bryman, 2004, and Bryman, 2008). While validity relates to how much faith one can have in the causal relationships examined (Bryman, 2004,). This study involved the study of encroachment, eviction and resettlement, issues which are very sensitive. The purpose or intension of the research was made clear to the respondents as basically for academic purpose.

The number of people who were evicted and resettled and their processes were got from Uganda Wild Life Authority documents and key informants together with local government documents at district levels and other academic publications. The participative observation

also provided more information how the situation is in the villages today. People, perceptions or attitudes on how the evictions and resettlement have affected their livelihoods were also put together with the key informants views. All this methods of triangulation improved the validity and reliability of the data collected.

4.5.3 Methods

The data collected was mainly qualitative in nature with some of the quantitative. This involved use of key informant interviews, focus group discussions, unstructured interviews, and structured interviews, and direct observation for collecting data. This helped the researcher to triangulate all the information got from the different methods used to get a wider perspective of the study (Bryman, 2004).

5 Results and Discussion

This chapter presents results and discussion from the study on spatial and temporal scope of encroachment, eviction, resettlement and livelihood impacts of eviction and resettlement processes in the communities around Mt. Elgon National Park. The chapter then goes ahead to present the different forms of encroachment processes concerning land for settlement and other resources and how the eviction processes took place; and the compensation, resettlement measures that were put in place by the authorities, it goes ahead to present the general overview of the number of people evicted from the park although some other people have tried to do it but the numbers keep varying..

5.1. The scope and drivers of Encroachment.

Results on the spatial and temporal encroachment and subsequent evictions and resettlement around Mt. Elgon National Park are presented in Table below.

Table 4 Spatial (location) and temporal scope of encroachment, eviction and resettlement around Mount Elgon National Park.

District	Subcounty	Parish	Type of encroachment	Trend in evictions		Trend in resettlement		Type of resettlement	Resettlement area
				No. hhds	Year	No. hhds	Year		
Kapchorwa	Kwosir	Yatui	Livestock grazing, hunting wild animals, collecting forest products (fruits, honey and hand craft materials) and cultivation	178	2008	178	2008	Temporary	Kisito – Kwosir Benet resettlement area
				5000	1983	2872	1983	Permanent	
Kween	Kapkwata	Kapkwata	Cultivation and tree cutting and resettlements	500	1998	0		Not resettled	They are staying outside the park near the forest
Bukwo	Kabei	Kortek	Animal grazing, resettlement and cultivation	171	2008	171	2008	Temporary	Amanang parish

Sironko	Bumasifwa	Zesui	Cultivation, settlements	48	2010	48	2010		Bufupa, Elgon, Zesui

Hhds - households

This data is based on UWA reports and interviews with UWA officials. It is unfortunate that, I was not able to retrieve figures for 1992 to 1993 when the park was changed from forest reserve to national park and there were a lot of evictions that time. This figures may be biased too in that the UWA officials may not want to give the correct number of people evicted just because it sends out bad signal for the country and so they end up presenting what they feel it's acceptable for the public.

5.1.1. Scope and forms of encroachment processes concerning land for settlement and resource use

Result from qualitative interviews with the key informants from Uganda Wildlife Authority and the local government officials from the study areas , revealed that encroachers were mostly the Bagisu and Sabiny men ,women and children who were staying in park adjacent communities as well as some government officials. They were both rich and poor people coming from neighboring communities.

The encroachment was caused by increasing population density around Mt Elgon which caused more demand for more land for Agriculture, settlement, and grazing cattle.

According to one of the respondents in Kapchorwa, *‘there was a growing or rather increasing population around Mt Elgon which called for more demand for more land for settlement, agriculture and cattle grazing, hence leading to encroachment of the park’*.

Encroachment of the park was also prompted by frequent raids by the Karamojong and Pokot cattle rustlers which displaced the affected communities and forced them to move into the park. It was also triggered by declining soil fertility in areas outside the park attributed to over grazing.

The findings from the key informant interviews (KI) indicate that the forms of encroachment for land and other resources (mainly forests) were mainly: cultivation; settlement; animal grazing, hunting and collection of forest products such as, (fruits, honey, and handicraft materials). (KI) interviews indicated that all (100%) the survey districts (Bukwo, Kapchorwa, Kween, and Sironko) had experienced encroachment of land for cultivation. Similarly, almost all (75%) the survey districts also reported encroachment of land for settlement (Table 3). Key Informants interviews also indicated that half (50%) of the survey districts had experienced encroachment for grazing land. Encroachment of forest resources was also reported in all the survey districts.

These findings confirm that there is encroachment of land for cultivation, settlement and grazing animals around Mt. Elgon National Park. The results also show that there is encroachment of other resources such as the forest products. However, it was hard to

establish the exact level of encroachment but the forms of encroachment were cutting across each parish i.e., land for agriculture, land for animal grazing, land for settlement, forest for forest products (bamboo harvesting, wildlife hunting, timber or poles for building , honey harvesting , fire wood collection, fruit gathering and herb collection).

Review of the available literature (White, 2002, Cavanagh, 2012) indicates that encroachment of land and other resources in Mt Elgon National Park can be traced back to the early 70s when Uganda underwent a period of political turmoil during which many organs of the state ceased to function, national parks, forest reserves and many protected areas were not managed or protected. This caused most of the afro-montane rainforest zone around Mt Elgon to be encroached by the forest dwelling people (White, 2002, Cavanagh, 2012).

Mt Elgon National park was encroached by communities that were searching for agricultural land for cultivation, animal grazing, settlements, and timber exploitation (White, 2002, Cavanagh, 2012). This led to most of the wild life to be destroyed or rather consumed by the people and their access to the rest of forest resources was not regulated. According to White (2002), by 1989, approximately, 25,000 ha were encroached. For many years, people had settled within the protected area unchallenged by any authorities but when the Forest Department began to restore the protected area boundaries by evicting encroachers in the early 1990s, people showed resistance.

According to White (2002 and Uganda Wildlife Authority (2011), my interviews with District Forests Officers, and Local Government officials from the survey Districts, ‘the government decided to control encroachment during Obote II regime, by evicting people and resettling them in the Benet Resettlement Area (BRA) which covered an area of about 6000 hectares (Ha) in 1983 and part of this resettlement area was de-gazetted’.

It was also noted that, the encroachment that was started with people who begun opening farms for subsistence and then later turned to commercial crops within the park has reduced gradually as a result of government effort to resettle the people who were encroachers (Uganda Wildlife Authority, 2010 and 2011). However this can be biased too in that, the government officials could be trying to give a picture that; the encroachment has reduced due to government effort.

Having presented the forms of Encroachment one can tell that, encroachment in the study areas is as a result from human pursuit of livelihoods amidst constrained access to livelihood

resources or capital assets like land, soil, animals, buildings, transport, relationship to name but few (Ellis, 2000). This constrained access arises from what affects the community like, wars, famine, droughts, landslides epidemics and conservation initiatives whereby people are evicted from places they have lived and depended upon for a livelihood for a long time as revealed by the key informants above and as a result, they encroach because they don't have enough resources to sustain a living.

5.1.2 Factors that influenced the trend of encroachment

According to the interviews with key informants from UWA and District Forest officers, there are a number of factors that influenced the trend of encroachment as presented in table 4 above.

The encroachment was caused by high population density around Mt Elgon which increased demand for land for agriculture, settlement and grazing cattle.

According to one of the respondents from Kapkwata,

“ There was a growing or rather increasing population around Mt Elgon which called for more demand for more land for agriculture, settlement and cattle grazing hence leading to encroachment of the park” (District Forest Officer interviewed on 2\12\2013).

Encroachment of the park was also prompted by frequent Rids by the Karamojong and Pokot cattle rustlers which displaced the affected communities and forced them to move into the park. It was also triggered by declining soil fertility in areas outside the park attributed to over grazing and poor farming methods.

Evictions are one of the issues which have led to continued encroachment around Mt Elgon. It is away people access resources which they used to access freely before eviction took place. This also happens when politicians allow the local people to go the park as one way they solicit votes.

It is also important to note that, the local people did not perceive their activities while still in the park as encroachment not until they were evicted.

According to group discussions,

“That was our land where we lived for a very long time, we were born there and it was our home where we could do what we wanted with our land. There was nothing like

encroachment. We call upon the government to allow us go back to our land because life there was ok compared to the one we are living now with no land to build and cultivate, no more honey, fruits, herbs and milk which we used to enjoy while in the forest, we are suffering now and that is why we continue going to the park steal full to collect some resources like poles for building, firewood and medicines'. (one of the members in group discussion in Kapkwata camp, interviewed on 14/11/2013)

There are also some other people who have taken an advantage of the situation and they come in to the park in the name of those who have been evicted, more so from the nearby communities. This was revealed by Uganda Wildlife Authority officials (the rangers) who have cases of people being caught in the park and found that they were not among the ones who were evicted from the park.

5.1.3 Eviction and Resettlement processes

Between 1983 and 2010, a cumulative total of 5897 households have been evicted from the various districts around Mt Elgon national park, of this, 55.4 % (n=817 households) have been resettled. Key informant revealed that, the first and largest (5000 households) evictions were conducted in 1983. Over half of these households (2872 hhd) were permanently resettled in the Benet Resettlement Area (BRA). This constituted the largest resettlement exercise undertaken by the Government authorities. See table 4 above.

In 1998, after one and half decades, a total of 500 households were again evicted from the park and none of these households were resettled. After another decade, in 2008, 349 households were evicted, and all these households were temporary resettled in Amanang and Kisito-Kwosir parishes in Bukwo and Kapchorwa districts respectively. The most recent eviction took place in 2010, where 48 households were evicted from Bumasifwa (Sironko district) and all of them were resettled in Bufupa and Zesui parishes (Uganda Wildlife Authority, 2010).

Considering the temporal scope of eviction, the eviction interval has significantly reduced from 15 to only 2 years, suggesting that evictions are becoming more frequent. On the other hand the number of households being evicted has significantly declined from over 5000

households to only 48 households in the last eviction (Uganda Wildlife Authority, 2010). However, this data may be biased in that; Uganda Wildlife Authority could have chosen to represent small number of people evicted from the park. There was eviction which took place from 1992 to 1993 that time when the forest reserve was converted to national park but I could not get the figures of people who were evicted and resettled that time.

The first evictions were started way back by the Forest Department assisted by the army, with the first campaign held in 1983 and several similar campaigns followed in the subsequent years (White, 2002, Uganda Wildlife Authority, 2010). According to White (2002) and Luzinda (2008), the evictions were rigorously enforced and carried out without prior consultation with the local people. This involved destruction of houses, crops, confiscation of livestock, and beatings which didn't last for a longer time as people moved back to the protected areas when the rangers and the soldiers returned to their camps when the eviction campaign funds were exhausted (White, 2002). According to White (2002), there were many cases of rangers receiving bribes for the people to cultivate in protected area (national park) and also 'selling part of the land in the park'. These was characterized by weak and underfunded institutions and untrained rangers, not until 2000, when the strengthened Wildlife Authority embarked on sustained campaign to evict encroachers and the evictions have continued up to the recent ones which were carried out in 2008 and 2010 (Uganda Wildlife Authority 2008, White2002).

5.1.4 What triggered the evictions?

The specific events which triggered eviction process according to the interviews with the key informants, include, destruction of the eco system which was failing to perform its functions, destruction of critical water catchment areas like Lake Kyoga, Victoria, and Bisina. Soil erosion intensified due to their activities, Rivers started carrying out brown water, landslides, disease out breaks, climate changes, up grading of Eco system from forest to National Parks, change in government that influenced decision for law and order and international concerns and support to protect Mt Elgon National Park. The key informants also revealed that, there was insecurity in the protected area hence triggering the removal or rather eviction of the encroachers.

5.1.5 Process of eviction

According to the interviews with Uganda Wildlife Authority Officials and District Forest Officers, they revealed the process of eviction being characterized by, demarcation of boundaries, sensitization of the encroachers, dialogue with the local people and political leaders and then place was identified for them to move to. Where they could refuse, they would use force to flash them out. They also revealed that people would be told when they were to be moved from that place and eviction dates would be delayed to allow the people harvest their crops. This process made some people to certain extent voluntarily move out of the protected area and the violence and resistance which was in the early evictions was reduced according to District forest officers. This has been successful through the campaign of the strong local opposition and local political leaders who vigorously campaigned for the excision of the encroached areas. There was also strong support from the ministry and politicians at national level as revealed by the key informants from the district.

However, this contradicted with the responses I got from group discussions revealed that, Uganda Wildlife Authority did not give them time to prepare or consult them, they were just told to live and all their houses, crops, animals were destroyed in the forest ‘they are now suffering without land to cultivate to have enough food to eat, no grazing land for the animals, no enough land to build houses, no more honey and herbs which they used to enjoy

and could prevent them from getting sick and now they are exposed to all sorts of diseases including HIV/AIDS which was not the case when they were in the forest’.

According to group discussion

‘Uganda Wildlife Authority just came and told us one day to leave the forest without even showing us where to go, they had not even informed us, we were just told to live and all our property and animals were destroyed in the process, we don’t have enough land even just for burying people who die, we have decided to bury the ones who die in the forest and this is done in the night so that Uganda Wildlife Authority does not know, that’s how we are suffering here, but before we were evicted from our own land, we had enough land to cultivate, graze our animal, schools, markets etc.’ (one of the respondents in kapkwata group discussions 14\11\2012).

Although people have been evicted from the protected area and encroachment reduced, there is some extent of encroachment still going on in Mt Elgon National Park, where by people still go to harvest timber, poles, cultivate and some of the people are being buried in the forest steal fully because people don’t have where to bury their people so they do that in the night without the notice of Uganda Wildlife Authority as revealed by the key informants from the study area.

5.1.6 The process and areas the evictees were resettled

According to the interviews with the key informants and group discussions, it was revealed that, all the people were evicted from the park. Some of them were resettled permanently like the Benet Resettlement Area (BRA) in 1983 in the 6000 ha which was identified in the Benet area, but some are temporally resettled like the Kapsekek people in Amanang Parish in Bukwo District.

Interviews also revealed that some of them went back to their customary and small places of land, some people ended up in nearby towns like Mbale and others in the camps like the people of Kapkwata Parish in Kween District. I was able to visit the Benet people, the Kapsekek people in Amanang, the Kapkwata people who stay in the camps with the aim of checking and observing their livelihoods in different places they stay and compare. I was not able to trace the ones whom they said had moved to towns because it was difficult to find

them and this made it difficult to establish their exact numbers. This led the researcher to base on Uganda Wildlife Authority reports on encroachment, eviction and resettlement. It was also hard to establish the exact number of people who were evicted from Mt Elgon National park and how many were resettled. According to interviews with the key informants, they kept on referring me to Uganda Wildlife Authority reports.



Figure 5 Temporarily resettled evictees on the slopes of Mount Elgon National Park, Amanang Parish in Bukwo District (picture by Asio, 2012).

The forest dwelling people (the Benet) who traditionally lived in Mt Elgon National park, cultivated and grazed their livestock in the forest were allowed to remain in the forest when it was first gazetted as a protected area in 1936 under the stem of annual permit until 1983, they also won the court case in 2005 (White, 2002, Uganda Wildlife Authority, 2008, Vangen, 2009). When they decided to resettle them in 6,000 ha within a particular part of the forest which was to be excised from the forest protected area, a committee was set up to allocate land to the Benet but there was no transparency in it. This led to other people who were not the Benet acquiring land and most of the Benet were left out. Even those who got the land

ended up selling it (White, 2002, Vangen, 2009, Uganda Wildlife Authority, 2012). This led to most of them going back to the forest as squatters hence encroaching an area of about 2,700 in the National park which adjoins the Benet resettlement area (White, 2002).

Table 5 Number of the Benet and non-Benet in the settlement areas, adjoining Mount Elgon National Park (adopted from White, 2002).

	Benet households	Non Benet households	Total
Benet resettlement area(6,000)ha	773	3,050	3823
Encroachment into the adjoining National park	561	500 (estimated)	1061

Source : White, 2002

According to the interviews with the key informants, it was revealed that some people were resettled permanently like for the sake of the Benet, while others were temporally resettled within the lower slopes of Mt Elgon like the Kapsekek people who are a cluster of the Yatui Ndorobo Sabinu resettled temporally in Amanag parish in Bukwo District. They lived in part of the National park in Kortek parish in Bukwo District. They were eight families who opted to remain behind at Kapsekek when the 1983 resettlement in the 6,000 hectares of the Benet belt was mishandled. It should be noted that even the other Yatui who moved to the Benet resettlement belt ended up settling inside the National park above the resettlement area till 2008 when they were removed or rather evicted (Uganda Wildlife Authority, 2011). This is when UWA made a decision to transfer or resettle the Kapsekek settlement from deep inside the National park to an area close to the park boundary at Amanang. This was envisaged to help these communities to access social services and minimize destruction of the fragile forest ecosystem (Uganda Wildlife Authority, 2011).

The resettlement exercise from Kapsekek to Amanang was carried out in July 2008 by Uganda Wildlife Authority and Bukwo District Local Government. According to the interviews with the key informants, after the land allocation was done, there was an outcry from the Kapsekek people themselves and the neighboring communities at Amanang complaining that, there was mismanagement of the allocation exercise, land grabbing and corruption (Uganda Wildlife Authority, 2011). ‘Parliamentary Committee on Natural Resources visited the area three times to resolve the problem in vain. Minister of State for

Tourism, Honorable Serapio Rukundo commissioned a verification committee headed by the Member of Parliament for Kongasis County Honorable Toskin in 2009 to look into the matter. Members to the committee included Woman Member of Parliament for Bukwo, District leaders and Uganda Wildlife Authority Senior Warden. The report was then produced by the committee in December 2009 which the 2011 land allocation committee based on to resettle the affected Kapsekek Ndorobo people' (Uganda Wildlife Authority, 2011). 119 families of Kapsekek people were resettled in Amanang parish in 2008 (Uganda Wildlife Authority, 2011).

The Yatui Ndorobo who were resettled temporally in Kisito parish in Kwosir Sub county and Cheberen in Benet Sub County, Kapchorwa District were part of the Benet forest dwelling Sabinu who arrived late to the resettlement area from Chesower and were left out in 1983 resettlement program (Uganda Wildlife Authority 2008). They ended up settling inside the forest above the resettlement zone at Yatui parish in Kapchorwa District (Uganda Wildlife Authority, 2011). According to the interviews with the key informants from Uganda Wildlife Authority and Kapchorwa District Forest Officer, it was revealed that, by February 2008, 3055 hectares of the National park in Kapchorwa had been encroached and coupled with high turnover of criminal cases involving illegally sawn timber from the park and cattle rustling across the International frontier, there was security threat not only to the park officials and neighboring communities which eventually resulted into the death of a Belgian tourist Annick Van De Venster in the park on 5th February 2008 (Uganda Wildlife Authority, 2008). This led to eviction of the encroachers which the Yatui people were inclusive. Since they didn't have where to go, they ended up in makeshift huts around the 1983 cliff boundary without reliable source of food and other supplies (Uganda Wildlife Authority, 2008). It was then, when the Minister of State for Tourism, Wildlife and Antiquities, Hon. Serapio Rukundo visited the area and advised Uganda Wildlife Authority and Kapchorwa District leadership to work together to find an area close to the park for resettling the Yatui temporarily as a permanent solution was sought (Uganda Wildlife Authority, 2008). They ended up being resettled in Kisito parish. This was done by the committee which was set up to do the verification of the genuine Yatui who deserved to be resettled (Uganda Wildlife Authority, 2008). 180 families were resettled in Kisito in 2008 (Uganda Wildlife Authority, 2008).

There were also 48 families in Bugitimwa and Masaba Sub Counties in Sironko District, who were found staying inside Mt Elgon National park at the time of survey and marking of boundaries of all National parks in Uganda in 2002 (Uganda Wildlife Authority, 2011). It was then, that they were temporarily resettled within the park boundary in the parishes of Elgon, Bufupa and Zesui (Uganda Wildlife Authority, 2011). This action was done due to an encroachment on the park by neighboring communities other than the 48 families which did not only affect the ecological functioning of the ecosystem but acted as source of insecurity which resulted into frequent confrontations between the encroaching communities and Park rangers. In total, 47 families were resettled in the three parishes after the verification exercise conducted between Uganda Wildlife Authority and Sironko district leadership (Uganda Wildlife Authority, 2011). These families who had land inside the park were given a period of one week to start the process of relocating and one month for them to complete harvesting their food crops before the resettlement exercise begun (Uganda Wildlife Authority, 2011).

According to the group interviews with the people who were evicted, it was revealed that, there were no compensation measures given to the people who were evicted, the ones who were resettled were just given or shown where they were to move to without any additional alternative. Some of them were just evicted without being resettled. For instance the Kapkwata people are still living in a terrible camp. They were not allocated any land. So they had to move to a place where some 'Good Samaritan' gave a piece of rocky land where they live now as a camp but they pay some little fee to him revealed by group discussion interviews in Kapkwata. The place is rocky and they don't have land to cultivate. They are living in a camp which is in bad condition as I observed personally.

There were people who moved to the nearby towns like Mable but it was hard for me to tress them although I wanted to interview them to know how they are coping with new life.



Figure 6 Representative evictees (participant group discussants) from Mount Elgon National Park, residing in Kapwata Parish (picture by Asio, 2012).

5.1.7 Attitudes of the local people to conservation

According to group discussions and household interviews in the study area, the local people's attitudes to conservation and protected areas are negative as the local people think that they benefit more by converting the forest to agricultural land and settlement area than conserving it (White, 2002). White (2002), reports that, food crops which were produced in 25,000Ha under cultivation when people lived in the National park, made a major contribution to the local economy. He estimated that, 25,000 Ha of prime agricultural land can produce enough food to feed 84, 000 households (assuming average household of 7 people consume 2kgs of maize and 2kg of beans per day and this would be worth UGshs 6.6 billion and US\$ 3.8 million annually on the local market hence the withdrawal of this from the local economy is very significant (White, 2002).

Table 4 Potential Agricultural productions from 25,000 ha of encroached forest in Mount Elgon National Park (adopted from White, 2012).

Crop	Annual production/acre	Market price/ 100kg bag Ush.	Market value of production from 25,000 ha(Ush)
Maize	12 bags, one crop per year	Ush 5,000	Ush 3,706,500,000
Beans	4 bags, two crops per year	Ush 6,000	Ush 2,965,200,000
Total			Ush 6,671,700,000

Source: White (2002)

Although the proportion of agricultural production from the encroached area which was consumed locally and marketed is not known, it is like that, most of it was marketed. When the people were evicted and stopped from cultivating in the park, there was no compensation as an alternative land which was provided and yet the value of the agricultural land which was encroached provides a powerful economic incentive to encroach on the forest (White, 2002). *In 1994, the value of non-timber extracted was estimated to be between US\$1.5million and \$2.7million per year and this provides an economic incentive to conserve but the two are not mutually exclusive as people encroach to some extent and also get the benefit of extractive resource use from the remaining forest (White, 2002).*

The eviction in Mt Elgon National park has led to loss of access to livelihood assets or resources like fertile land, fruits, local herbs, honey, water, animals, by people who having been in there and similarly resettlement has also lead to loss of livelihood assets like forest resources and fertile forest land opened for agriculture which people have been enjoying. This has in lead to new assets and new livelihood strategies which is entirely based on the availability of different livelihood assets and livelihood strategies in places they have resettled (Ellis, 2000).

When people are also evicted from protected areas and resettled, they are excluded from these natural resources they have been depending on for their livelihood for a long period of time. This becomes a shock to them and most of them end up being vulnerable to so many various diseases, and subject to absolute poverty when they fail to adapt to new life style which is evident with the people evicted from Mt Elgon National Park (Ellis, 2002).

According to (Campese et al, 2009), conservation of ecosystem goods as element for upholding, economic, social and cultural rights like right to health and adequate standard of living, freedom from hunger and cultural freedom which is at times seen to be undermined by conservation initiatives through evictions. This calls for proper procedures to be followed when evicting people, so as to uphold their rights hence achieving the conservation goals without undermining people' livelihoods.

5.2 Livelihood impacts and coping strategies of the evicted people.

Impacts of eviction on natural, physical and financial capital.

People lost their property, land, animals, and access to forest resources and have been displaced from place they have always depended on for their livelihood in one way or the other. For example by collecting various resources within the park, since they were evicted from the park, they have lost access to all that they used to enjoy hence affecting their livelihoods. (Luzinda, 2008, Vangen, 2009).

The results also revealed that, people before being evicted were entirely depending on the forest resources like fruit gathering, honey harvesting, fire wood collection, available and fertile land for cultivation and grazing. Eviction has affected them in one way or the other, and they are subject to various diseases like malaria.

Eviction has led to loss of access to livelihood assets or resources like fertile land, fruits, local herbs, honey, water animals, and similarly resettlement also leads to loss of livelihood assets like forest resources and fertile forest land opened for agriculture which in one way or the other has led to acquisition of new assets and new livelihood strategies depending on the availability of different livelihood assets and livelihood strategies.

Eviction has led to affected communities to pursue different livelihood strategies based on their access to different livelihood assets, difference in vulnerability contexts and ability to recover from shocks and stress factors (resilience). More vulnerable people (poor), have taken long to recover from the shocks and therefore find it difficult to access livelihood assets like land elsewhere compared to the rich who can hence leading to difference in livelihood strategies and adaptation in the study area.

Sudden eviction from protected area is also considered a shock to affected households and the ability of those households to adapt (make long term shifts in livelihood strategies) cope, (I.e., make temporal adjustment in the face of change) and recover from shock from eviction has been difficult because it entirely depends on the household' resilience (Scoones, 1998).

5.2.1 Consequences of eviction and Constrained access on the livelihoods of the evicted people;

5.2.2 User rights

People suddenly lost their user rights in the park when they were evicted. They were forced to adapt new policies and pursue new livelihood activities (Uganda Wildlife Authority 2008, White, 2002, Vangen, 2009). Unfortunately people were not prepared for the sudden loss of rights to their farms, grazing land and homes and this has affected their livelihoods and their relationship with the park (Norgrove, 2003, White, 2002, Vangen, 2009).

5.2.3 Resource access

According to the group discussion in all the parishes I conducted interviews; it was revealed that most of the people have changed their way of accessing forest resources. When asked why, they said, it was due to the presence of the rangers who keep monitoring them. They have no idea of rangers being part of the law enforcement of the park regulations (Vangen, 2009).

House hold interviews and group discussions also reveal that it is now very difficult for them to access resources from the park, because Uganda Wildlife Authority is strict on them although some of them snick into the park to pick resources in the name of being poor and not able to afford to buy resources from people who could risk going into the park.

Eviction has led to constrained access to the natural resource people used to have free access to while still living in the park.

According to group discussions. *‘Since Uganda Wildlife Authority brought in the rangers or rather the park soldiers, it is now very difficult for us to go into the park to collect some resources but before that, we used to go there freely at any time but now we go there steal fully with fear of being caught (one of the members in the group discussions in Amnang on 1\11\2012).*

This statement clearly shows that due to strict restrictions from Uganda Wildlife Authority. There has been constrained access to the forest resources which the people used to enjoy freely and this has affected their livelihood.

This is where the sustainable livelihood approach comes in, the reduced access to the forest resources and inability to achieve and sell resources is an indication that an essential item has been deprived from people which negatively affects livelihood outcomes as it leads to food insecurity and increased vulnerability (Ellis, 2000, Vangen, 2009).

5.2.4 Collaborative Resource Use Agreement

This can be adaptive for UWA, HOW MANY HH HAVE ACCESSED CBM

This was initiated in 1996 so as to reduce on encroachment, achieve biodiversity conservation and improve on the relationship between the park management and the local people (Uganda Wildlife Authority, 2002, Vangen, 2009). The agreements provide access to certain resources that have been agreed upon between Uganda Wildlife Authority and the local

communities. Access is also limited to certain days and hours. The resource use committee control and monitor resources and they deal with law breaking but the agreements can be changed by Uganda Wild Authority if they were not followed.

However, not all these communities have signed these agreements. By the time the research was carried out some committees were just being formed in parishes of Bukwo, Kween, Sironko.

5.2.5 Access to land (natural asset)

In rural areas, land is a very important asset *'upon which, people's productive systems, commercial activities and livelihoods are constructed'* (Cernea, 1997, Ellis, 2000, Vangen, 2009). According to the group discussions and informal discussion in the study area, it's revealed that, people who have been living in the park got used to large and fertile pieces of land where they used to grow any type of crops they liked in large amounts. Since eviction took place, people have been denied this opportunity and it has led to the cramming of people in the outreaches of the park which has also affected people's access to land in several ways hence affecting their livelihood (Vangen, 2009).

Land is the most critical asset for the people in the rural communities and in the 1980s they had more open access to the park compared to now (White, 2002, Vagen, 2009,). Land is the most important asset in the community when we talk about vulnerability and asset ownership (Ellis, 2000, Vangen, 2009). Even if they apply different livelihood strategies like nonfarm activities, still all this are linked to land in one way (Ellis, 2000, Vangen, 2009). For example some of the people used to run their own businesses like restaurants, vegetable selling but still the source of these products were their own land (Vangen, 2009). According to group discussions and household interviews, it was revealed that land is considered as the greatest constrain to improved livelihoods.

The eviction of people from the park has led to reduction in the land for cultivation and grazing and this is keeping people from cultivating what they find necessary for them and even what they used to cultivate in large amounts they are not able as revealed by the group discussions hence affecting their livelihoods.

This land reduction has led to few farmers practicing zero grazing as an alternative, because their land which they used to have in the park for grazing was caught up within the park boundary and they were forced out or evicted by Uganda Wildlife Authority (Gosamalang, et al, 2008, Vangen, 2009). People who always live adjacent to areas of biodiversity value, depend on natural resources for making their living and grazing and grass harvesting is one of their activities they practice (Vedeld, 2002, Vangen, 2009).

5.2.6 Copying strategies of the evicted people

The households have diversified their livelihoods as a way of reducing vulnerability and increase income (Chambers, 1997, Ellis, 2000). Entitlement are made up of assets like land and labor and always determined by an individual or house hold use of all entitled rights and opportunities. Livelihoods strategies are always shaped by seasonality and perceived risk, and may be applied willingly or unwillingly (Ellis, 2000).

According to the key informants, some people are now engaged in food production rather than depending on cattle keeping only, they have joined groups like NAADS so as to benefit from the government. Some of the people have resorted into drinking because they don't have land to cultivate and animals which used to take their time were no longer there. Here is what one of the respondents in kapkwata parish said when interviewed,

' We have decided to be drinking now with the little money we get from working on peoples firms because we no longer have anything to keep us busy, we used to work hard when we were still at the park because we had land to cultivate and animals to look after but now there is nothing to do, we have to drink' .

Most of the people in kapkwata parish at the camp have resorted in to drinking as one of their livelihood strategy. People begin drinking right from the morning hours just because they no longer have anything to occupy them like that time when they were in the park, they had cattle to look after and land to cultivate and this would keep them busy.

Most of the families have experienced change in use of forest resources since the retrace of the park boundary. Although some of them still use the forest resources in the name of hunger in the family (Vangen, 2009) as stated by Ellis (2000) as 'necessity' for households to

diversify their livelihood strategies as they use forest resources for consumption and income in times they find it safe, necessary and feasible. Ellis (2000) also, differentiates between people who pursue diversification as a strategy as their own choice and will and those who pursue it or do it because of the circumstances surrounding them (Ellis, 2000, Vangen, 2009). According to the interviews with local people, it was revealed that, some people went straight to casual labor after being evicted as one means of feeding the family something which they used not to do while at the park. They did this as a way of feeding the family while they were looking for a place to settle.

5.2.7 Where other people ended up after eviction took place

According to the interviews with the local people, some people spent some time staying with the relatives and in the nearby centers before going to their own homes where they live now, others went to nearby towns like Mbale. Some of them migrated to other places as one alternative for livelihood to find land because they had become landless. I was told of some people who migrated to other areas in search for land for cultivation but it was hard to trace the places they moved to although I wanted to.

According to the results, it was revealed that, Communities or households pursue different livelihood strategies based on their access to different livelihood assets, difference in vulnerability contexts and ability to recover from shocks and stress factors (resilience). More vulnerable people (poor), have taken long to recover from the shocks and therefore find it difficult to access livelihood assets like land elsewhere compared to the rich who have hence leading to difference in livelihood strategies and adaptation in the study areas.

5.2.8 Risk strategies and Buffers

Forest resources always provided safety for the people who lived within and close to the park. Even before the Park was established the forest provided buffer when it came to time of cattle raiding, local conflicts and natural disasters such as droughts and floods (Vagen, 2009). It also provided grazing zone for the farmers who used to take their animals there and up to now people still keep the forest as buffer in times of sudden shocks although it has reduced due to the restrictions imposed by Uganda Wildlife Authority.

The evictions and restricted access to the forest have made people resort to other means of living. People have diversified their livelihoods as a coping strategy. According to the interviews, it was revealed that people now depend on farming for consumption and sales, some of them have opened some small restaurants, engage in casual labor, and livestock keeping, market trade as their coping strategies of boosting their income and living too. As one of the respondents responds in an interview, *‘ since I was evicted, I had to begin the business of cooking food to sell as one way of getting income in this new place. Although it’s not enough but we are surviving like that, because we don’t have any land to cultivate food’* one of the respondents in kapkwata camp. It is noted that, households respond to breakdown of regular source of living by resorting to new strategies of earning a living. I observed this as I saw some of them selling cooked food in open place and sell of local brew.

5.2.9 Comparison of livelihoods before and after the eviction

According to Uganda Wildlife Authority Officials, District Forest Officers in the study area, their livelihoods have improved because they have schools now, health centers, good infrastructure, good housing, they can grow some other crops which they used to not, they are self-reliant, girls now go to school freely, they have income and they can move freely compared to when they were still in the middle of the park.

However, this contradicted with the information I got from the group discussions where the respondents complained of lack of land to cultivate, lack of access to their medicinal herbs from the forest, lack of access to firewood, exposure to so many diseases including HIV\AIDs which they were not faced with while they were still at the park.

Here is what one of the respondents narrates in a group discussion, *‘We are no longer healthy as we used to when we were still at the park because we don’t have enough food to eat, we don’t have any access to honey and herbs, fruits which used to boost our immunity, we are suffering instead of improving’.*

This means people’ livelihoods have been affected since they were evicted from the park. Instead of improving, it is worsening something which affects development in a place.

5.3 Local perceptions and awareness of the existing national and international laws and policies on encroachment, eviction and resettlement around Mt Elgon National Park

5.3.1 Policy and law on encroachment in the Protected Areas

According to interviews with Uganda Wildlife Authority Officials and District Forest officers, they were well versed with the policies and laws on encroachment in the protected areas. However according to the group discussion and household interviews with the local communities, it was revealed that, the local people are not aware of the policy and law on encroachment. They did not perceive their activities while in the park as encroachment not until they were evicted and up to now they don't understand the laws and policies on encroachment.

It was also revealed that, the local people are not aware of the existing national and international laws and policies on encroachment, eviction and resettlement. A point to note to call for sensitization of the local communities so as to work hand in hand with them to achieve conservation goals. This made it difficult to evaluate the extent to which this laws and policies have been upheld in the eviction and resettlement process.

According to the group discussion and household interviews, it was revealed that, people were not even aware if the government officials are following the laws and the policies hence making it hard to establish the extent to which laws and policies have been up held in the eviction and resettlement processes.

One respondent said in a group discussion in 2012,

'What we only know is that, Uganda Wildlife Authority is the one which has authority to evict us and they are the ones who did it but the process was not fair because we lost most of our property and we were not given a chance to wait to harvest our crops. We were pushed out by the rangers and no alternative land was given to us as you can see the condition of our houses and where we are now in this rocky place, dry place which cannot bear anything good for us to sustain our livelihoods. There was nothing given to us for starting a living when we were evicted. We are suffering without land and we asking government to allow us go back to

occupy our land where we have been living for a long time with free access to everything''. This clearly shows that, the local people do not know much about the laws and policies on encroachment, evictions and resettlement policies. Something they need to do so as to achieve the goal of conservation. These people need to be sensitized on all these existing policies.

5.3.2 Effectiveness of the policy and law on encroachment in Protected Areas

According to Uganda Wildlife Authority Officials and District Forest Officers, it was revealed that, the law is effective but law enforcement is still a problem and where there is no alternative given to the affected people it becomes less effective.

The policy is very fair according to the key informants because encroachers subject others to national desiccates when they destroy ecosystem. It also prevents communities from destroying the environment. However, to the local people it's another story, in the group discussions they revealed that the policy was not fair because it denies them free access to forest resources which they have been enjoying for a very long period of time.

5.3.3 Views on the process of removing the encroachers

According to the key informant from Uganda Wildlife Authority, the process is very fair in that, they revealed that, they followed all the processes involved right from the beginning of meetings with the local people, sending messages of when they are expected to move including time given to them to prepare to leave. One of key informants from the government commented that,

'when negotiations are allowed with the encroachers, the people develop an idea of going to court to prolong their stay in the Protected Areas. It was also noticed that some District leaders are not transparent; they instead go ahead and locate land themselves as it was seen with the Kapsekek people in Amanang parish in Bukwo District''.

According to the local people, the process was not fair because of what they went through. They advocate for the government to allow them to go back to their land and if they are moved, they should be given an alternative land with the same climate condition because they cannot survive in other places with harsh weather conditions. They also requested to be consulted and educated on policies and law on encroachment, eviction and resettlement so as to follow it with the Uganda Wildlife Authority.

Uganda Wildlife Authority claims that, all the right processes were followed in removing the encroachers. This is contrary to the community narratives presented in this study but in tandem with other studies conducted by other scholars (Luzinda, 2008 and Vangen, 2009). This information could have been biased and makes it hard to know the truth of everything. According to the constitution 1995, land belongs to the citizens and the government controls it on behalf of the citizens. It is clearly indicated in the constitution on how to evict people but looking at what the local people are raising it shows that it was not implemented in the process. People are evicted with any proper compensations as outlined in the constitution and this has affected the local people's livelihoods in places they moved to.

6 Conclusions and Recommendations

6.1 Conclusions

This study was designed to establish the spatial and temporal scope of encroachment, evictions and resettlement around Mt Elgon National Park, how the evicted people's livelihoods have changed and their coping strategies in places they have been resettled, it also seeks to establish the level to which the existing policies on encroachment, eviction and resettlement have been upheld

Many protected areas have been encroached in different forms and in particular Mt Elgon National park has been encroached for, land for settlement, agriculture, grazing, fruits gathering, hunting, tree cutting and other forest resources by surrounding communities. The encroachment led to degradation of ecosystem in Mt Elgon. The degradation of ecosystem led to eviction and resettlement around Mt Elgon.

The methods used in the study among others included, key informant interviews, household structured interviews and focus group discussions, unstructured interviews, observation. Both qualitative and quantitative methods were applied in the study.

In spite of the conservation initiative around Mt Elgon, there is still encroachment going on around the park. Drivers of encroachment include, population growth, need for increased production, insecurity, political influence, infertile land around communities adjacent to the park, among others. The results revealed that, among others, forms of encroachment in the study area included, land for agriculture, building, livestock grazing, hunting wild animals, collecting forest products, and tree cutting.

Evictions and resettlement have continued since the first evictions in 1983 with highest number of 5000 households evicted and 2872 resettled permanently in the Benet Resettlement Area. The recent eviction was conducted in 2010, 48 households were evicted and resettled in Zesui parish in Sironko District. Although the evictions and resettlement have continued the magnitude has reduced compared to the first ones in 1983.

Due to constrained access to the various forest resources as a result of eviction and resettlement, people's livelihoods have been affected. Most of the people lost their property in the process which affected their livelihoods heavily. Most of the people had to begin working on other people's gardens as one way of making a livelihood. The other people, who failed to cope due to their vulnerability, are living under poor living conditions for example the people of Kapkwata camp who claim not to have land to build and for agriculture.

Although the affected people have tried diversified their livelihoods in places they have moved to, it's been difficult for most of them to cope with the new life in that they no longer have enough land to grow enough food for home consumption as they used before being evicted from the park. Most of them are suffering from some disease which they used not to because of change of environment and lack of access to their medicinal plants in the park.

There are a lot of contradictions in policies and laws governing eviction and resettlement processes. The evicted people claim that, the policies and laws were not respected while the Uganda Wildlife Authorities claim that, the policies were respected. A clear sign that, the policies and laws on encroachment, eviction and resettlement were not upheld in the processes despite their existence.

Despite the fact that, encroachment, evictions and resettlement have continued to take place around Mt Elgon National park, it's been difficult to establish the temporal scope of encroachment, eviction and resettlement due to varying statistics different researchers or writers have presented. This made it hard for the researcher to come up with exact figure of people who were evicted and resettled as all the figures were accessed from Uganda Wildlife Authority reports which may be biased based on their own reasons.

In conclusion, in spite of the justified goal for evictions and resettlement, the process of eviction and resettlement has not been fair to the local people. They have been characterized by violence, loss of property, destruction of crops among others without any alternative means of living or adequate compensation and all this has contributed to changes in resources access which has affected the livelihoods of people living around the protected areas. The interests of the local people have been under looked while the Biodiversity conservation is at the fore front.

6.2 Recommendations

To achieve the goals of Biodiversity conservation, the local people around the park need to be sensitized on the dangers of encroachment, policy or law on conservation, eviction and resettlement procedures.

They should be involved in decision making on how and when they can be moved from the park so that they prepare themselves for eviction process and resettlement procedures. This helps to avoid conflicts between the park and the local people.

Advocacy in respect to the policies and laws on encroachment, eviction and resettlement, call for follow up as joint effort towards implementation of law and order especially in regard to practices that uphold both conservation and respect for human rights and local livelihoods so as to achieve the goal of conservation in the protected areas.

Clear documentation on the number of people evicted and resettled from the protected areas helps in good planning and monitoring of the affected people

Uganda wildlife Authority should implement procedures that reflect World Bank Standards. This will prevent the rise of violence and brutality in eviction and resettlement processes (Schmidt Sotau, 2003).

REDD+ projects should be introduced to the local communities and I think it will help in the fight to achieve the goal of biodiversity.

References

- Bako J. P., Walking the talk (2009). Are Land Evictions in Uganda in line with Human Rights standards? Degree Thesis. University of Pretoria. South Africa.
- Birner R., Maerten M., and Zeller M., (2006). Need, Greed or Customary Rights- Which factors explain the Encroachment of Protected Areas. Empirical Evidence from Protected Area in Sulawesi, Indonesia. <http://www.rci.rutgers.edu/~leahh/documents/1997%20Encroachment.pdf>. Viewed on 7\10\2013.
- Brockington D. A., and Igoe J., (2004). Eviction for conservation. A global view. www.forestpeoples.org. accessed on 10, March 2013.
- Brockington D., Igoe J., and Schmidt- Soltau K., (2006). Conservation, human rights and poverty.
- Brockington D., and Igoe J. [serial online] (2006). Eviction for Conservation: A Global Overview. *Conservation Soc* [cited 2013 Oct 7];4:424-70. Available from: <http://www.conservationandsociety.org/text.asp?2006/4/3/424/49276>. Citted on 7\10\2013.
- Bryman A., (2004). *Social Research Methods*. Oxford University Press.
- Cavanagh C. J., (2012). Anthropocene Conservation: Governing Enviromental Change, Biodiversity and Local Resistence at Mt Elgon Uganda. Master Thesis. Noragric,UMB.
- Campese J. , Sunderland T., Greiber T., and Oviedo G., (eds.) (2009). Rights Based Approaches: Exploring issues and opportunities for conservation. CIFOR and IUCN. Bogor, Indonesia.
- Cernea M., (1997). 'The Risk and Reconstruction Model for Resettling Displaced Populations.' *World Development*. Vol 25, No 10. World Bank

- Dowie M., (2005). Conservation Refugees. When protecting nature means kicking people out.' *Orion Magazine*. November/December 2005
- Dirkse A., (2008). 'Left in the Forest and Forgotten'. Land Policy and Plight of the Benet in Kapchorwa, Uganda.
- English dictionary. www.collinsdictionary.com. Accessed on 16\10\2013.
- Ellis. F., (2000). Rural Livelihoods and Diversity in Developing Countries. Oxford University press, New York.
- Ellis, F., and Bahiigwa G., (2003). 'Livelihoods and rural poverty reduction in Uganda,' *World Development*, Vol 31.
- FAO report, (1999). pub.iges.or.jp/modules/envirolib/upload/1506/attach/7-reference.pdf. Viewed on 7\10\2013
- Geisler C., and De Sousa R., (2001). 'From Refugee to Refugee: The African Case.' *Public administration and Development*. Nr 21, 159-170.
- Gomosolang D., Vedeld P., and Ssembajjwe W. G., (2008). 'From Forest Reserve to Nationla Park- Change in Livelihoods, Status and Impacts on Livelihoods and Biodiversity resources, Mt Elgon, Ugnada.' Noragric Working Paper No 4. Noragric, University of Life Sciences.
- Himmelefarb, (2006). Moving People, Moving Boundaries: The Socio Economic Effects of Protectionist Conseravtion, Involuntary Resettlement and Tenure insecurity on the Edge of Mt Elgon National Park, Uganda. Agro forestry in Land Scape Mosaics Working paer series. World Agroforestry Centre, Tropical Resource Institute of Yale University and the University of Georgia.
- Horowitz L. S., (1989). Intergrating Indigenous Resource Management with Wildlife conservation. Acase study of BatanG Ali National Park, Sarawak Malaysia.
- Horowitz L. S., (1997). Encroachment on Protected Areas by Small-Scale Actors: An Examination of the Issues. Study commissioned by Conservation International, Washington,DC

<http://www.rci.rutgers.edu/~leahh/documents/1997%20Encroachment.pdf>.

Viewed on 7\10\2013.

International Union for the Conservation of Nature (IUCN), (2010). *The Nature of*

Progress: Annual Report 2010. Gland, Switzerland: IUCN.

Jankulovska, A., P. Vedeld and J. Kaboggoza (2003): “Coaching-Poaching?” – Governance, Local People and Wildlife around Mount Elgon National Park, Uganda.’ *Noragric Working Paper* No 31. Noragric, University of Life Sciences.

Legal-dictionary.thefreedictionary.com\eviction. Accessed on 16\10\2013

Luzinda H., (2008). Master Thesis. Mobile Boundary and Mobile People. Involuntary Settlement of the Benet People in Mt Elgon National Park, Uganda. UMB.

Moser, C., and Norton A., (2001). *To Claim Our Rights: Livelihood Security, Human Rights and Sustainable Development*

Mugenyi O., Twesigye B., and Muhereza E., (2005). *Balancing Nature Conservation and Livelihoods. A legal Analysis of the Forest Evictions by the National Forest Authority. ACODE Policy Briefing Paper. No 13.*

National Forest Authority, (2011). *Assessment of Trends of Evictions from Protected Areas during the period of 2005 to 2010 and their Implications for REDD.*

Norgrove L., and Hulme D., (2006). ‘Confronting Conservation at Mount Elgon, Uganda.’ *Development and change*. Vol 37 (5). 1093-1116. Institute of Social Studies 2006. Blackwell Publishing. Oxford.

Ofcansky T. P., (1996). *Uganda Tarnished Pearl of Africa*. Westview Press.

Olupot W., and Chapman C. A., (2006). *Human Encroachment and Vegetation Change in Isolated Forest Reserves, the Case of Bwindi Impenetrable National Park in Uganda.,*

http://chapmanresearch.mcgill.ca/Pdf/206_Olupot%20%20Chapman.pdf
viewed on 7\10\2013.

- Sassen M., Sheil D., Giller K. E., Braak C., and Ter J. F., (2013). Complex context and dynamic drives: Understanding four decades of forest loss and recovery in East African protected areas.
- Schama. S ., (1996). Landscape and Memory. Fontana press. London.
- Scott. P., (1998). From Conflict to Collaboration. People and Forests at Mt Elgon, Uganda, IUCN, Gland, Switzerland and Cambridge , Uk
- Tumusiime M. D., (2012). Protected Areas and People in Uganda: Costs, Benefits, Livelihoods and Narratives around Bwindi Impenetrable National Park. UMB.
- Turayahabwe N., Goldenhuys C. J., Watts S., and Banana A. Y. , (2006). ‘Technical and Institutional Capacity in Local Organizations to Manage Decentralised Forest Resources in Uganda’. South African Forestry Journal No 208, 63-78.
- Uganda Wildlife Authority, (2004). ‘Community conservation policy’, Kampala: Uganda Wildlife Authority.
- Uganda Wildlife Authority, (2008), Report on Temporary Resettlement of the Yatui-Ndorobo at Kisito – Kwaosir in Kapchorawa District.
- Uganda Wildlife Authority, (2010). Report on Temporary Resettlement of the 48 Families in Bugtimwa and Masaba Sub Counties, Sironko
- Uganda Wildlife Authority, (2011). Report on Kapsekek Land Re Allocation at Amnang Parish, Bukwo District.
- Vangen Carina, (2009). Master Thesis. Evicted in The Name of Nature. The Process of Eviction and its Impact on the Local Rural Livelihoods in Mt Elgon National Park, Uganda. UMB.
- Vedel P., (2012). Protected areas, Poverty and conflicts. A livelihood case study of Mikumi National Park, Tanzania.

White S. P., (2002). People Park Conflict in Mt Elgon, The role of collaborative management in conflict resolution. Paper presented to the National Conference on Mountains and Highlands in Uganda on 3-4 October 2002, Makerere University Kampala.

West P., Igoe J., Brockington D., (2006). Parks and People. The social impact of protected areas, Annual Review of Anthropology