

RESEARCH REPORT

# Building Blocks for Reparations

## Providing Interim Relief to Victims Through Targeted Development Assistance

September 2020



**Cover Image:** Billboards in Northern Uganda indicate future construction sites of development projects undertaken by the Northern Uganda Social Action Fund. (Nobert Dacan/Foundation for Justice and Development)

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Sarah Kasande Kihika and Eva Kallweit

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## About ICTJ

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## CONTENTS

<b>ABBREVIATIONS .....</b>	<b>iv</b>
<b>EXECUTIVE SUMMARY .....</b>	<b>1</b>
<b>CHAPTER 1: Introduction .....</b>	<b>7</b>
Methodology.....	8
<b>CHAPTER 2: Legacies of Conflict.....</b>	<b>11</b>
Immediate Impact on Victims and Communities.....	12
Long-Term Impacts on Victims and Society .....	13
Impacts on Services .....	13
<b>CHAPTER 3: Reparations and Development .....</b>	<b>15</b>
Reparations Versus Targeted Development Assistance.....	16
Reparation-Development Link: Comparative Examples .....	18
<b>CHAPTER 4: Development and Recovery Programs in Northern Uganda .....</b>	<b>21</b>
Key Findings.....	23
Program Design and Eligibility Requirements.....	23
Implementation and Delivery Gaps .....	28
Accountability and Transparency in the Implementation of Government Programs .....	30
Capacity to Implement Government Programs.....	30
Victim-Centered Approach to Recovery and Development Programs.....	32
Civic Engagement in Government Programs.....	33
<b>CHAPTER 5: Conclusions and Recommendations .....</b>	<b>35</b>
<b>APPENDIXES .....</b>	<b>39</b>
Appendix 1: List of Focus Group Discussions .....	40
Appendix 2: Background of Development Programs in Northern Uganda .....	41

## ABBREVIATIONS

<b>CSO</b>	Civil society organization
<b>CDO</b>	Community development officer
<b>DDEG</b>	Discretionary District Equalization Grant
<b>IDP</b>	Internally displaced persons
<b>LC</b>	Local Council
<b>LGMSD</b>	Local Government Management Service Delivery Program
<b>LRA</b>	Lord's Resistance Army
<b>LRDP</b>	Luwero-Rwenzori Development Program
<b>NGO</b>	Nongovernmental organization
<b>NUSAF</b>	Northern Uganda Social Action Fund
<b>OHCHR</b>	United Nations Office of the High Commissioner for Human Rights
<b>OWC</b>	Operation Wealth Creation
<b>PRDP</b>	Peace, Recovery and Development Plan
<b>UHRC</b>	Uganda Human Rights Commission
<b>UN</b>	United Nations
<b>UPDF</b>	Uganda People's Defence Force
<b>USMID</b>	Uganda Support to Municipal Infrastructure Development
<b>UWEP</b>	Uganda Women Entrepreneurship Programme
<b>YLP</b>	Youth Livelihood Programme

## EXECUTIVE SUMMARY

The armed conflict in Northern Uganda, stretching across more than two decades, greatly affected the populations of Northern Uganda, which suffered multiple forms of war crimes and gross abuses of human rights. Violations included forced displacement, pillaging, looting and destruction of property, abduction, forced recruitment, slavery, forced marriage, sexual violence, psychological harms, mutilation, killings, torture, and cruel, inhumane, and degrading treatment. These violations have had long-term social and economic consequences for victims, affecting and impairing their functionality, livelihoods, schooling, physical and mental health, social skills, self-esteem, and interpersonal relations in the post-conflict period, with differential impacts on men, women, boys, and girls. This study assesses the opportunities for providing interim relief to victims of conflict-related human rights violations through targeted development programs, pending the establishment of a comprehensive reparations program.

Reparations are a response to gross human rights violations, meant to provide redress in its many forms, including compensation to victims.<sup>1</sup> Development assistance differs from reparations in that it is aimed at improving the general socioeconomic conditions of citizens more broadly. This report acknowledges the distinctions between reparations and development, while exploring intersections between the two that could be optimized to address the urgent needs of victims of human rights violations. It identifies substantive and practical considerations that government authorities at the national and local levels should take into account when designing and implementing reconstruction and development programs, and it proposes ways to maximize the potential of ongoing programs to address the immediate needs of victims and mitigate the effects of the abuses they endured. Finally, the study explains how existing recovery and development programs could increase victims' access, improve their implementation modalities, and address the various challenges and gaps that limit programs' effectiveness. If they are appropriately designed, local recovery and reconstruction programs can form a foundation upon which reparative approaches can be based and built in the future.

The data presented in this report are drawn from key informant interviews with selected central and local government officials and members of civil society organizations (CSOs) working with victims of the conflict in the four districts of Gulu, Omoro, Oyam, and Lira in Lango and Acholi subregions in Northern Uganda. Data also come from focus group discussions with victims of the conflict and other community members from the four districts studied.

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<sup>1</sup> See UN General Assembly, Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, A/RES/60/147, March 21, 2006.

The study found that government-implemented development programs such as the Peace, Recovery and Development Plan (PRDP), Northern Uganda Social Action Fund (NUSAF), District Discretionary and Equalisation Grant (DDEG), and Operation Wealth Creation (OWC) are oblivious to the unique experiences and needs of victims of gross human rights violations. Long and cumbersome application procedures and requirements often prevent victims from benefiting from the programs. The design and implementation approach are mostly top-down, with minimal input from the affected communities and beneficiaries, which tends to result in the programs providing interventions that do not address community needs and priorities, limiting the impact on the intended beneficiaries. Only the NUSAF program is lauded for making an effort to develop interventions that are community driven. In addition, a lack of coordination between different programs has led to inconsistent and short-term assistance that is not context specific. As a result, victims who require consistent and lifelong assistance and support will not receive the help they need from these programs.

A lack of transparency and accountability further reduces the effectiveness of most programs. Across the different focus group discussions, participants complained of resource mismanagement in the various government programs by “corrupt” local government officials. The absence of transparency in the selection of beneficiaries in particular was a source of frustration for community members. In most cases, marginalized and vulnerable community members, such as victims, without powerful social networks were left out of the programs.

Further, the study revealed significant human and financial capacity gaps in some local government departments, especially the department of community service and planning. Government officials in the districts noted that district-level community service departments are understaffed and underfunded, yet they have a huge mandate to monitor and protect vulnerable populations, including victims of the conflict and children born of war, in their districts. This lack of capacity affects departments’ performance, limits their ability to assess and monitor government programs, and restricts their provision of the necessary support to vulnerable populations.

Most of the existing government recovery and development programs, such as the PRDP, are perceived to give priority to infrastructural and economic or livelihood support over efforts addressing victims’ unique needs. In fact, many of the programs did not consider the different ways in which gross human rights violations have changed the lives of victims, with lifelong consequences. In most cases, programs did not address victims’ health, psychological, and other immediate needs, which affect victims’ ability to take advantage of mainstream development and recovery initiatives.

Victims remain among the most impoverished and the least likely groups to access specialized treatment and assistance. Some victims even sold the livelihood assistance items that they had been given and used the money to pay for more pressing needs like medical care and school fees. Without an intentional victim-centered approach in the design and delivery of recovery and development assistance, victims are less likely to benefit from these programs or to have their needs and priorities met.

## Recommendations

In light of these findings, the study makes the following series of recommendations to different actors.



**To the central government:**

- Ensure a victim- and gender-specific approach to development programming by appointing subject matter experts who can advise on appropriate budget allocations and priorities, and gender-sensitive implementation guidelines that take into account the unique challenges faced by victims of conflict and how many victims are in each location.
- Adopt an inter-ministerial approach to development program design, planning, implementation, and monitoring to ensure that all government entities involved in such programs coordinate to avoid duplication of efforts and the creation of contradictory positions and actions.
- Adopt special measures to enable children born of war to obtain formal identification documents so that they can benefit from local government programs.
- Provide training on gender- and victim-sensitive approaches in development programming to the people who are tasked with implementing local development programs.
- Coordinate different interventions and programs (such as livelihood interventions and health care improvement), with appropriate layering and sequencing, to promote comprehensive, consistent, and long-term efforts that have the potential to offer sustained benefits for those who are most affected and have the greatest needs.
- Negotiate realistic and manageable terms for grants with donors funding development programs, considering the unique circumstances of victim communities, including their capacity to pay back loans and their ability to join community groups.
- Develop DDEG program-level indicators that specifically measure the targets of PRDP III in order to improve monitoring and evaluation.
- Establish mechanisms that promote the role of beneficiaries and communities in monitoring the delivery and implementation of programs at the community level.

**To local governments:**

- Undertake an assessment of the number of victims, the extent of victimization, and the long-term impacts of the human rights violations on the well-being and lives of victims, and use that assessment to inform the design and implementation of recovery and development programs.
- Accurately tailor services and livelihood assistance to vulnerable victims' situations, including victims with war-related disabilities, formerly abducted people, victims of sexual violence, and children born of war. This involves taking proactive measures to remove obstacles that might prevent victims from benefiting from development programs, such as transportation costs, application fees, and complex application procedures.
- Employ a human-rights-based approach to development, recovery, and livelihood assistance programming by constructively involving vulnerable victims—including formerly abducted women and girls, survivors of sexual violence, people with disabilities, and children born of conflict—in program planning in order to prioritize victims' needs.

- Develop a robust communication strategy and convene regular public dialogues and outreach sessions to disseminate information about development programs, application procedures and requirements, and implementation modalities, and to obtain feedback from communities regarding their priorities and concerns and how to make the programs more accessible and responsive to victims' needs.
- Encourage and monitor the participation of victims, including children born of war and formerly abducted mothers, in all community meetings and decision-making fora in order to give victims the opportunity to share their perspectives on development program implementation and, where possible, to discuss the challenges they face (for example, stigma) and how these can be addressed. Supporting victims' participation in discussions will also promote community cohesion.
- Organize regular community awareness dialogues to educate the larger community about the needs and realities of victims, especially formerly abducted women and their children, in order to eradicate stigma and encourage social acceptance and inclusion, which is vital for trauma healing and access to livelihood opportunities.
- Organize community sensitization dialogues—involving clan heads, area land committee members, and the broader community—on the land rights of victims, including children born of conflict and returnee mothers, while recognizing the important role played by cultural values and practices.
- Provide specialized health services to victims with debilitating physical and psychological injuries, including those with sexual and reproductive complications and with war-related disabilities. Assign trauma experts and counselors to each local government Health Center III and IV and provide treatment and surgery at a subsidized cost for victims nursing physical and trauma-related conflict injuries.
- Increase the capacity of local government to effectively provide and deliver support to the most vulnerable members of the community by increasing funding and human resources in the respective departments, especially community development offices with the mandate to work with vulnerable people. Invest in developing the ability of community development officers (CDOs) to provide sustainable and effective support to vulnerable victims.
- Adopt flexibility across all development programs to allow for victims below the age of 18 to benefit from programs when they are the heads of their families, have returned from captivity with a child, have been abandoned by their families, or have been forced by other conflict-related circumstances to fend for themselves.
- Integrate victims into community groups to limit the stigma that may arise from exclusively targeting them for outreach and support. Center the empowerment of victims and marginalized populations while taking the necessary steps to mitigate the tension with and possible backlash from the community due to victims perceived preferential treatment.
- Support trusted non-governmental organizations (NGOs) and civil society organizations (CSOs) that work with victims and victims' groups to design, prioritize, and deliver interventions that are accessible and beneficial to victims.

- In coordination with the Ministry of Education and Sports, closely monitor the enrollment of children born in captivity in free government education programs, such as Universal Primary and Secondary Education, and ensure that teachers in schools with a large population of children affected by war have specialized training in psychosocial support, trauma management, and empathy. This is essential to creating a safe learning environment for children and young people affected by conflict.
- Implement structures of supervision during beneficiary selection to prevent both nepotism and duplication. Establish feedback and grievance mechanisms to enable communities to raise concerns regarding the design and implementation of different programs and to provide suggestions to improve programs and enhance benefits. Set up desk offices at district levels where community members can anonymously report the challenges they face in accessing development programs.

**To civil society:**

- Strengthen civic education efforts with victim communities to inform them about their rights and responsibilities as citizens and, specifically, about the role they can play in holding local governments accountable. Provide information about the local government platforms victims can rightfully access to provide their perspectives on the implementation of the development programs.
- Provide data on children born of conflict-related sexual violence and their mothers to local governments for planning purposes, complementing the ongoing exercise to register children born in captivity.
- Regularly document past and current atrocity crimes, with the goal of identifying victims and connecting them with the local government for support.
- Provide information and data on victims to the government of Uganda and other development partners and assist in planning and developing targeted interventions that cater to the most affected people.



## CHAPTER 1: Introduction

It has been over a decade since the end of active armed conflict in Northern Uganda. The impact of this war persists, however, particularly in the lives of victims who have not received any form of reparations from the government. Little has been done by the state to acknowledge victims and survivors or by providing them with reparations.

The 2007 Juba Agreement on Accountability and Reconciliation between the government and the Lord's Resistance Army (LRA) recognized the need for reparations that “may include a range of measures such as: rehabilitation, restitution, compensation, guarantees of non-recurrence and other symbolic measures such as apologies, memorials and commemorations. The agreement provides that priority shall be given to members of vulnerable groups.”<sup>2</sup> It further states that reparations may be collective or individual and may be ordered as part of the penalties and sanctions resulting from accountability proceedings. Appropriate reparations for children are also identified.

The government of Uganda's 2019 Transitional Justice Policy acknowledges that reparations are integral to the recovery and reintegration of victims,<sup>3</sup> stipulating that “the Government shall establish and implement a reparations programme for victims affected by conflict. In doing this, the Government shall consider interim, short term reparations.”<sup>4</sup> Despite the clear legal and policy commitments to reparations, however, the government has yet to establish a functional reparations program, and the official discourse about reparations remains vague with the concept poorly understood by policymakers. Reparations are often conflated with development and reconstruction programs. Development programs can have reparative value if they address the urgent needs of victims and make substantial improvements in their lives, but they are not a substitute for reparations because they are not specifically designed for victims of human rights abuses, nor are they intended to redress gross human rights violations.<sup>5</sup>

The government has implemented a series of development and recovery programs in Northern Uganda, particularly in areas hardest hit by conflict. In the absence of a reparations program that explicitly recognizes and provides redress to victims of gross human rights violations, this study proposes ways the existing development initiatives can be leveraged to provide some form

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2 UN Security Council, *Agreement on Accountability and Reconciliation between the Government of the Republic of Uganda and the Lord's Resistance Army/Movement*, 2007 (New York: Official Record S/2007/435, 2007), Clause 9, p. 9, [https://peacemaker.un.org/sites/peacemaker.un.org/files/UG\\_070629\\_AgreementonAccountabilityReconciliation.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/UG_070629_AgreementonAccountabilityReconciliation.pdf)

3 The Republic of Uganda Justice Law and Order Sector, “The National Transitional Justice Policy for Uganda” (2018), 20.

4 *Ibid.*, 20.

5 Roger Duthie, “Toward a Development-sensitive Approach to Transitional Justice,” *The International Journal of Transitional Justice* 2 (2008): 292-309.

of interim relief to victims until a reparations program can be established. The report identifies substantive and practical considerations that local authorities and policymakers should take into account when designing and implementing development and reconstruction programs in order to make them more accessible and beneficial to victims.

Providing targeted support to victims of conflict through development programs does not override the state's legal obligation to provide adequate and prompt reparations to victims of human rights violations.<sup>6</sup> Rather, maintaining a focus on victims in development programs, pending the establishment of comprehensive reparations programs, provides interim relief to victims and survivors, mitigating the enduring consequences of conflict-related harms and protecting their rights and dignity. By embedding a victim focus in ongoing development programs or the delivery of government services and by consulting affected communities about the ways to most effectively target development assistance, the government can leverage these programs to promote socioeconomic inclusion<sup>7</sup> and address the urgent needs of victims of gross human rights violations. If they are appropriately designed, local recovery and reconstruction programs can form a foundation upon which reparative approaches can be based and built in the future.

## Methodology

In order to assess the development programs implemented by the Ugandan government and identify ways in which they could more effectively benefit victims, the research team took a two-pronged approach. They carried out a desk review of documents on national and international development programs and compared approaches to reparations that have been undertaken in other post-conflict contexts. They also conducted extensive interviews in both Kampala and Northern Uganda, in particular the districts of Gulu, Omoro, Lira, and Oyam.

These four districts were chosen as focus areas for the study because they have a significant number of victims of conflict-related human rights violations. Participants in focus group discussions were selected based on their gender, location, age, role in the community, experience with conflict and victimization, and prior engagement with government programs. They represented the diversity of victims, including women affected by conflict, children born of war, victims of sexual and gender-based crimes, young people, people with disabilities, and former abductees, among other community members. Separate discussions were held for women survivors and children born of war to provide them with the opportunity to articulate their concerns without the worry of being revictimized based on their conflict experiences.

Overall, the research team conducted 28 interviews with key informants (11 women and 17 men). Participants included policymakers in Kampala; local government leaders; civil servants from Gulu, Omoro, Lira, and Oyam; and members of civil society organizations (CSOs) working with victims of the conflict in Northern Uganda. In addition, nine focus group discussions were conducted in Gulu, Omoro, Lira, and Oyam Districts in 2018, with a total of 105 participants (45 men and 60 women).

Interviews with central, district, and subcounty officials as well as CSO representatives were conducted in English. Discussions at the community level were primarily conducted in Luo (Acholi and Lango), the local language of the area, unless the study participants preferred to use English.

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6 UN Women and UNDP, "Reparations, Development and Gender: Report of the Kampala Workshop 1–2 December 2010" (2011), 5, [www.unwomen.org/~media/Headquarters/Attachments/Sections/Library/Publications/2012/10/O6A-Development-Gender.pdf](http://www.unwomen.org/~media/Headquarters/Attachments/Sections/Library/Publications/2012/10/O6A-Development-Gender.pdf)

7 Kristin Kalla, "Advancing Justice and Making Amends through Reparations: Legal and Operational Considerations," in *The Oxford Handbook of Gender and Conflict*, eds. Fionnuala Aolain, Naomi Cahn, Dina Francesca Haynes, and Nahla Valji (Oxford: Oxford University Press, 2018), 261.

The study was carried out by a team with a good understanding of the conflict context in Northern Uganda and experience working and interacting with victims of the conflict. Focus group discussions were held in familiar community environments selected by the study participants. Discussions with children born in captivity were also attended by parents, who provided consent on behalf of the young participants, and a representative of Watye Ki Gen, a community-based organization that works with children born of war in Acholi subregion. The adults did not participate in the discussion; their presence was intended to assure the children that they were in the company of trusted parties and to safeguard their well-being.





## CHAPTER 2: Legacies of Conflict

Uganda's post-independence struggles can be traced back to the British colonial divide-and-rule approach that polarized the country along ethnic, political, and religious lines. Following independence, Uganda suffered several military coups, dictatorships, and armed rebellions. These include the political repression and violence under Uganda's first post-independence president, Milton Obote (1966–1971 and 1980–1985); the authoritarian rule and state violence under Idi Amin's regime (1971–1979); and the National Resistance Army/Movement bush war (1980–1985) that followed political disputes over the flawed 1980 elections.

Though Uganda has attained some economic and political stability under Yoweri Museveni's National Resistance Movement government, the country remains polarized by regional and ethnic cleavages. Starting when Museveni took power in 1986, Northern and parts of northeastern Uganda experienced prolonged and protracted conflicts involving the Uganda People's Democratic Army, the Holy Spirit Movement of Alice Lakwena,<sup>8</sup> Severino Lukoya's Lord's Army, and the Lord's Resistance Army (LRA) rebels of Joseph Kony. During this time, the Karamojong cattle raiders also destabilized parts of Northern and eastern Uganda, raiding cattle and attacking, killing, abducting, and displacing people. The LRA conflict was the longest in the country's history (1986–2006) and had enduring impacts in Acholi and Lango, the two subregions most heavily affected by conflict, and field sites for the research for this report.<sup>9</sup>

After 1986, most parts of the country experienced relative peace, stability, and significant economic growth. However, parts of Northern and Northeastern Uganda were beset by ongoing conflict and insecurity. Northern Uganda was the site of a series of conflicts perpetrated by the Holy Spirit Movement,<sup>10</sup> which evolved into the Lord's Resistance Army<sup>11</sup> and the Uganda National Rescue Front,<sup>12</sup> which devastated large parts of the region for over two decades.<sup>13</sup> The exact motives behind these conflicts remain unclear; some reports indicate that they were started largely to address the growing north–south divide in the country stemming from disparate social, economic, and

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8 Tim Allen, "Understanding Alice: Uganda's Holy Spirit Movement in Context," *Journal of the International African Institute* 61, no. 3 (1991): 370–399.

9 David Lanz, "The ICC's Intervention in Northern Uganda: Beyond the Simplicity of Peace vs. Justice" (2007), [https://reliefweb.int/sites/reliefweb.int/files/resources/EC66215A0071F156C12573910051D06D-Full\\_Report.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/EC66215A0071F156C12573910051D06D-Full_Report.pdf)

10 Allen, "Understanding Alice."

11 Lanz, "The ICC's Intervention in Northern Uganda."

12 See Republic of Uganda, "Peace Agreement between the Government of the Republic of Uganda and the Uganda National Rescue Front II" (Dec. 24, 2002), [www.peaceagreements.org/masterdocument/649](http://www.peaceagreements.org/masterdocument/649)

13 United Nations Office for the Coordination of Humanitarian Affairs, "Uganda Humanitarian Update: July–August 2010" (2010).

development policies.<sup>14</sup> Although peace has returned to Northern Uganda since late 2006, the legacy of conflict remains.

### Immediate Impacts of the Conflict on Victims and Communities

As is the case in many conflict situations, the armed conflict in Northern Uganda resulted in a large number of gross violations of international human rights law and serious violations of international humanitarian law. In a 2011 report, “The Dust Has Not Yet Settled,” the Uganda Human Rights Commission (UHRC) and the United Nations (UN) Office of the High Commissioner for Human Rights (OHCHR) categorized 11 serious violations that respondents believed should carry the right to reparation.<sup>15</sup> These included killing, torture, and cruel, inhumane, and degrading treatment; forced recruitment; slavery and forced marriage; mutilation and war injuries; sexual violence; psychological harm; forced displacement; and the pillaging, looting, and destruction of property. The number of LRA abductions was estimated to be at least 66,000 in Acholi areas alone, with over one-third of young people reporting having been abducted for at least a day by the LRA.<sup>16</sup> Abductions also took place in Lango, Teso, and parts of West Nile Region. Significant numbers of people remain unaccounted for, although precise numbers have not been systematically collated.

In a 2007 survey in eight districts in Acholi, Lango, and Teso, over 76 percent of respondents reported having had at least one family member killed during the conflict.<sup>17</sup> The LRA used cruel acts of torture to terrorize the population in general as well as to punish certain communities. The acts of torture included maiming, rape, and other forms of sexual violence and the practice of forcing people (particularly the abducted) to kill other people, including close relatives. In the same survey, one-fourth of respondents reported having been beaten by the LRA, and 5 percent said that they had been maimed by the LRA. Just over 6 percent of respondents reported that they had been beaten by the Uganda People’s Defence Force (UPDF; previously known as the National Resistance Army). Others reported seeing someone sexually violated by the LRA (8 percent) or by the UPDF (1 percent).<sup>18</sup>

At the height of the conflict in 2005, nearly 2 million people were living in over 240 internally displaced persons (IDP) camps—approximately 90 percent of the population of Acholi and one-third of the population of the Lango subregion. The camps were characterized by a widespread lack of basic services, severe deprivations, and rates of morbidity and mortality above UN emergency threshold levels.<sup>19</sup> Because the people in the IDP camps were predominantly from agro-pastoral and subsistence agriculture communities, their displacement cut them off from their primary source of livelihoods—agricultural lands and traditional homesteads. This had a devastating impact on their economic status, livelihoods, and social and cultural well-being.<sup>20</sup>

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14 Advisory Consortium on Conflict Sensitivity (ACCS), “Northern Uganda Conflict Analysis” (2013), [www.refugeelawproject.org/resources/briefing-notes-and-special-reports/13-conflict-and-tj-special-reports/sprpts-ctj-accs/33-accs-northern-uganda-conflict-analysis](http://www.refugeelawproject.org/resources/briefing-notes-and-special-reports/13-conflict-and-tj-special-reports/sprpts-ctj-accs/33-accs-northern-uganda-conflict-analysis)

15 Uganda Human Rights Commission (UHRC) and the UN Office of the High Commissioner for Human Rights (OHCHR), “The Dust Has Not Yet Settled: Victims’ Views on the Right to Remedy and Reparation: A Report from the Greater North of Uganda” (2011), [www.ohchr.org/Documents/Press/WebStories/DustHasNotYetSettled.pdf](http://www.ohchr.org/Documents/Press/WebStories/DustHasNotYetSettled.pdf)

16 Jeannie Annan, Christopher Blattman, and Roger Horton, UNICEF, “The State of Youth and Youth Protection in Northern Uganda: Findings from the Survey for War Affected Youth” (2006), <https://chrisblattman.com/documents/policy/sway/SWAY.Phase1.FinalReport.pdf>

17 University of California Berkeley Human Rights Center, Tulane University Payson Center for International Development, and the International Center for Transitional Justice, “When the War Ends: A Population-Based Survey on Attitudes about Peace, Justice, and Social Reconstruction in Northern Uganda” (2007), [www.ictj.org/sites/default/files/ICTJ-Uganda-Justice-Attitudes-2007-English\\_o.pdf](http://www.ictj.org/sites/default/files/ICTJ-Uganda-Justice-Attitudes-2007-English_o.pdf)

18 *Ibid.*

19 World Health Organization, “Health and Mortality Survey among Internally Displaced Persons in Gulu, Kitgum and Pader Districts, Northern Uganda” (2005).

20 UHRC and UN OHCHR, “The Dust Has Not Yet Settled.”

Abuse of civilians within and outside the IDP camps by the UPDF was also regularly reported, with minimal government response.<sup>21</sup> The conflict was thus a prime factor in the destruction of the economy of Northern Uganda and the resulting impoverishment of its communities.<sup>22</sup>

From 2006 to 2008, the Ugandan government and the LRA engaged in peace talks, developing the Agreement on Accountability and Reconciliation, which outlines transitional justice measures intended to promote reconciliation, prevent impunity for serious crimes, and deliver justice to victims of gross human rights violations. But, 11 years later, victims continue to suffer from the legacies of the past, and minimal progress has been made to address the causes and consequences of violations and abuses or to deliver reparations.

### Long-Term Impacts on Victims and Society

Despite the restoration of relative peace, conflict-related atrocities have had a long-term impact both on the lives of victims and on society more broadly. Many victims continue to live with a deep sense of loss, resulting from the loss of loved ones, property, and livelihoods. Many live with untreated physical and psychological wounds due to the absence of appropriate health care services. Untreated health complications such as fistula often lead to social exclusion and stigma. According to a series of studies, victim populations are affected by high levels of post-traumatic stress disorder and anxiety.<sup>23</sup>

Physical and psychological injuries limit victims' ability to work and earn a living. For example, victims with debilitating physical disabilities are unable to engage in livelihood activities, thus becoming entirely dependent on members of their household.<sup>24</sup> Moreover, the lack of specialized therapeutic services in government facilities compels victims with physical disabilities, psychological impairments, and other war-related health complications to seek health care services in expensive private health facilities, placing a strain on the meager resources they have.

A major gendered consequence of conflict for women in Northern Uganda is motherhood resulting from diverse forms of sexual and gender-based violence. Formerly abducted mothers struggle physically, psychologically, and economically due to the ongoing effects of sexual violence and the stigma resulting from discriminatory cultural norms and taboos associated with sexual and gender-based violence.<sup>25</sup> The harms and disadvantages these women and girls face are intergenerational, passed from the mothers to their children, who themselves are stigmatized and denied their basic rights to education, health care, and citizenship.<sup>26</sup> Formerly abducted mothers and their children have heightened vulnerability to poverty and marginalization.

### Impacts on Services

The conflict in Northern Uganda destroyed essential services such as health care and education. Thousands of children were denied their right to education due to the brutal attacks on schools

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21 See, for example, Justice and Reconciliation Project, "The Beasts at Burcoro: Recounting Atrocities by the NRA's 22nd Battalion in Burcoro Village in April 1991" (2013), [http://justiceandreconciliation.com/wp-content/uploads/2013/07/Burcoro-Final\\_SM-2013-07-25.pdf](http://justiceandreconciliation.com/wp-content/uploads/2013/07/Burcoro-Final_SM-2013-07-25.pdf)

22 See Sverker Finnström, *Living with Bad Surroundings: War, History, and Everyday Moments in Northern Uganda* (Durham, NC: Duke University Press, 2008); UHRC and UN OHCHR, "The Dust Has Not Yet Settled."

23 Dyan Mazurana, Anastasia Marshak, Jimmy Hilton Opio, Rachel Gordon, and Teddy Atim, Secure Livelihoods Research Consortium, "The Impact of Serious Crimes during the War on Households Today in Northern Uganda" (2014), <https://securelivelihoods.org/publication/the-impact-of-serious-crimes-during-the-war-on-households-today-in-northern-uganda-2/>

24 Simon Levine, Secure Livelihoods Research Consortium, "Livelihood Recovery in Post-conflict Northern Uganda" (2016), <https://securelivelihoods.org/wp-content/uploads/Livelihood-recovery-in-post-conflict-northern-Uganda.pdf>

25 Mazurana et al., "The Impact of Serious Crimes."

26 Virginie Ladisch, International Center for Transitional Justice, "From Rejection to Redress: Overcoming Legacies of Conflict-related Sexual Violence in Northern Uganda" (2015), [www.ictj.org/publication/rejection-redress-overcoming-legacies-conflict-sexualviolence-northern-uganda](http://www.ictj.org/publication/rejection-redress-overcoming-legacies-conflict-sexualviolence-northern-uganda)

and rampant abductions by the LRA. When the war ended, displaced populations returned home from the camps to communities with no schools or health facilities. According to population surveys, there is a strong perception at the community level that one of the most serious long-term losses resulting from the conflict was that children and young people were denied access to education of an acceptable quality.<sup>27</sup> Missed education opportunities continue to affect victims' ability to be more productive, earn a better living, compete favorably in the job market, and enjoy a better quality of life. Although a number of schools have been rebuilt through recovery and reconstruction programs, many victims cannot afford to keep their children in school because they do not have the resources to purchase scholastic materials or pay school fees.

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<sup>27</sup> UHRC and UN OHCHR, "The Dust Has Not Yet Settled."

## CHAPTER 3: Reparations and Development

Under international law, victims of human rights and humanitarian law violations have a clearly established right to an effective remedy.<sup>28</sup> The elements of the right to reparation are outlined in the 2005 UN Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and International Humanitarian Law (UN Basic Principles).<sup>29</sup> According to the UN Basic Principles, victims of human rights violations have the right to

- equal and effective access to justice;
- adequate, effective, and prompt reparation for harms suffered; and
- access to relevant information concerning violations and reparation mechanisms.<sup>30</sup>

The UN Basic Principles outline the following five forms of reparations: (1) restitution: restoration of a victim's rights, property, and citizenship status; (2) rehabilitation: psychological and physical support; (3) compensation: provided for economically assessable damage proportional to the gravity of the violation; (4) satisfaction: acknowledgment of guilt, apology, and construction of memorials; and (5) guarantees of non-repetition: reform of laws and civil and political structures that led to or fueled violence.<sup>31</sup> Effective reparations should be “proportional to the gravity of violations and harms suffered.”<sup>32</sup>

The right to reparation is also contained in regional conventions, including the African Charter on Human and People's Rights.<sup>33</sup> In Uganda, it is covered in various provisions of the constitution,<sup>34</sup>

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28 This right is contained in Article 2(3) of the International Covenant on Civil and Political Rights (ICCPR); Article 14 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Article 39 of the Convention on the Rights of the Child; Article 24 of the International Convention for the Protection of All Persons from Enforced Disappearance; and Articles 68 and 75 of the Rome Statute of the International Criminal Court.

29 UN General Assembly, Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, A/RES/60/147, Dec. 16, 2005.

30 *Ibid.*, Principle 11.

31 *Ibid.*, Principle 9.

32 *Ibid.*, Principle 15.

33 African [Banjul] Charter on Human and Peoples' Rights (OAU Doc CAB/LEG/67/3, adopted June 27, 1981; rev. 5, entered into force Oct. 21, October 1986), Arts. 1 and 7.

34 The Constitution of the Republic of Uganda, 1995. Website: <https://washington.mofa.go.ug/data-smenu-71-The-Constitution-of-Uganda.html>

the Juba Peace Agreement on Accountability and Reconciliation,<sup>35</sup> and the recently approved Transitional Justice Policy.<sup>36</sup>

Reparations can be administered individually or collectively and can be material or symbolic. Material reparations are often in the form of service packages, including health care, education, housing, cash, or other material goods with pecuniary value. Symbolic reparations can include official acknowledgment and apologies; naming of public places; proper (re)burials; identification of the dead and missing and the provision of information on those who are still missing; and commemorations and memorials. The two forms of reparation are complementary and will realize their purpose more effectively when linked to other transitional justice measures.<sup>37</sup> The provision of reparation confirms the state's obligation and commitment to victims, their families, and communities to redress the harms that have been suffered and to help establish trust between citizens and the state.

Delivering reparations in a context with massive numbers of victims of human rights violations and widespread poverty is a daunting challenge. Post-conflict states are often faced with two potentially competing obligations: delivering reparations to a significant population of victims of gross human rights violations, on the one hand, and addressing mass poverty and the devastating legacy of conflict on the other. The conflict in Northern Uganda led to the destruction of vital infrastructure, such as schools, health facilities, and roads, and caused substantial material losses for the population in the affected areas. The Uganda National Household Survey of 2016/2017 found a 33 percent poverty level in the north, significantly higher than the national average of 21.7 percent.<sup>38</sup>

Poverty levels in Northern Uganda are high, but victims of serious human rights violations are often in an even worse position than the rest of the population. They have particularly limited access to food and essential services such as health care, social protection, education, and economic opportunities, and they are more vulnerable to chronic poverty because the harms that they suffered affect their ability to access livelihood opportunities. Vulnerable victims, especially those with war-related disabilities, victims of sexual violence, and children born of war, therefore require targeted livelihood support to address their needs and enable them to enjoy their full rights.<sup>39</sup>

## Reparation Versus Targeted Development Assistance

There is a clear distinction between reparations and development programs. Reparations are a form of “redress for systematic violations of human rights,”<sup>40</sup> whereas development is “the process by which a society increases the general and individual prosperity and welfare of its citizens.”<sup>41</sup>

35 Agreement on Accountability and Reconciliation between the Government of Uganda and the Lord's Resistance Army (2007); Annexure to the Agreement on Accountability and Reconciliation between the Government of Uganda and the Lord's Resistance Army, <https://peacemaker.un.org/uganda-accountability-reconciliation2007>

36 The Republic of Uganda Justice Law and Order Sector, “The National Transitional Justice Policy for Uganda” (2019).

37 The International Center for Transitional Justice, “Reparations in Theory and Practice” (2007), 2, <https://ictj.org/sites/default/files/ICTJ-Global-Reparations-Practice-2007-English.pdf>

38 Uganda Bureau of Statistics, “Uganda National Household Survey 2016/2017 Report” (2018), xv, [www.ubos.org/wp-content/uploads/publications/o3\\_20182016\\_UNHS\\_FINAL\\_REPORT.pdf](http://www.ubos.org/wp-content/uploads/publications/o3_20182016_UNHS_FINAL_REPORT.pdf). See also Republic of Uganda, “State of Uganda Population Report 2018” (2018), 33-34, <http://npcsec.go.ug/wp-content/uploads/2013/06/SUPRE-2018-.pdf>

39 Teddy Atim, Anastasia Marshak, and Dyan Mazurana, Tufts University Feinstein International Center, “Assessment of Victim Participant Population in Prosecutor v. Dominic Ongwen” (2018).

40 UN Women and UNDP, “Reparations, Development and Gender: Report of the Kampala Workshop 1-2 December 2010” (2011), [www.unwomen.org/-/media/Headquarters/Attachments/Sections/Library/Publications/2012/10/O6A-Development-Gender.pdf](http://www.unwomen.org/-/media/Headquarters/Attachments/Sections/Library/Publications/2012/10/O6A-Development-Gender.pdf)

41 Naomi Roht-Arriaza and Katharine Orlovsky, International Center for Transitional Justice, “A Complementary Relationship: Reparations and Development,” (2009), <https://ictj.org/sites/default/files/ICTJ-Development-Reparations-ResearchBrief-2009-English.pdf>

Further, “development is not a ‘substitute’ for reparation. While development is a right for all, reparation is a right for a specific subset of people: those who have been victims of human rights violations. Reparation has intrinsic value in that it restores victims.”<sup>42</sup>

Development programs are initiatives intended to improve the socioeconomic conditions of all citizens; they extend beyond the promotion of economic growth and distribution to include measures that address social, institutional, and political factors that could impinge on citizens’ economic well-being.<sup>43</sup> Development may therefore cover support for livelihoods, economic empowerment, educational opportunities, health services, access to justice, and other public services.

The intrinsic value of reparations lies in their ability to help victims specifically. Development assistance, in contrast, primarily focuses on supporting the socioeconomic needs of the broader society, with no particular focus on victims of conflict. Still, while the objectives and nature of reparations and development are distinct, there is much potential overlap between the two concepts (see figure 1). Reparations are consistent with the framework of the UN Sustainable Development Goal 16, for example, which calls for the promotion of peaceful and inclusive societies by providing access to justice for all and building effective, accountable, and inclusive institutions at all levels. Furthermore, reparations are unlikely to have much effect without an adequate infrastructure: health care for victims can only be effectively provided if there are health care centers, for example, and children who lost their parents in the war can only make effective use of scholarships if there are schools. It is therefore important to identify the ways in which reparations and development complement and reinforce each other.

In his analysis of the links between transitional justice and development, Pablo de Greiff points to the development benefits victims may derive from transitional justice processes, such as when they are awarded reparations in the form of compensation, which they can use to start income-generating projects.<sup>44</sup> Development, which is a right afforded to all citizens,<sup>45</sup> can also contribute to addressing inequalities that resulted from or were reinforced by conflict by targeting particularly affected areas. Development programs in these areas can help victims of serious human rights violations because reparations on their own may not be enough to restore victims’ rights if they are surrounded by poverty. In addition, development and reconstruction programs can provide mechanisms for the effective delivery of reparations programs.

To illustrate, victims who receive educational scholarships as reparations need a nearby functioning school with an adequate number of teachers in order to fully benefit. Similarly, victims who are granted rehabilitation and medical support require health care centers with specialized services and medical workers who are qualified to treat trauma.<sup>46</sup> Victims who wish to invest financial compensation require an enabling business environment, with good roads, electricity, and access to water sources.<sup>47</sup> As such, development assistance and reconstruction programs in post-

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42 Ruben Carranza, Director of Reparative Justice Program, International Center for Transitional Justice, quoted in UN Women and UNDP, “Reparations, Development and Gender: Report of the Kampala Workshop 1-2 December 2010” (2011), [www.unwomen.org/-/media/Headquarters/Attachments/Sections/Library/Publications/2012/10/o6A-Development-Gender.pdf](http://www.unwomen.org/-/media/Headquarters/Attachments/Sections/Library/Publications/2012/10/o6A-Development-Gender.pdf)

43 Pablo de Greiff, “Articulating the Links between Transitional Justice and Development: Justice and Social Integration,” in *Transitional Justice and Development: Making Connections*, eds. Pablo de Greiff and Roger Duthie (New York: Social Science Research Council, 2009), 33, [https://s3.amazonaws.com/ssrc-cdn1/crmuploads/new\\_publication\\_3/%7B1ED88247-585F-DE11-BD80-001CC477EC70%7D.pdf](https://s3.amazonaws.com/ssrc-cdn1/crmuploads/new_publication_3/%7B1ED88247-585F-DE11-BD80-001CC477EC70%7D.pdf)

44 Ibid.

45 See the example of Uganda’s 1995 Constitution, Principle 9 of the National Objectives and Directive Principles of State Policy, on the right to development.

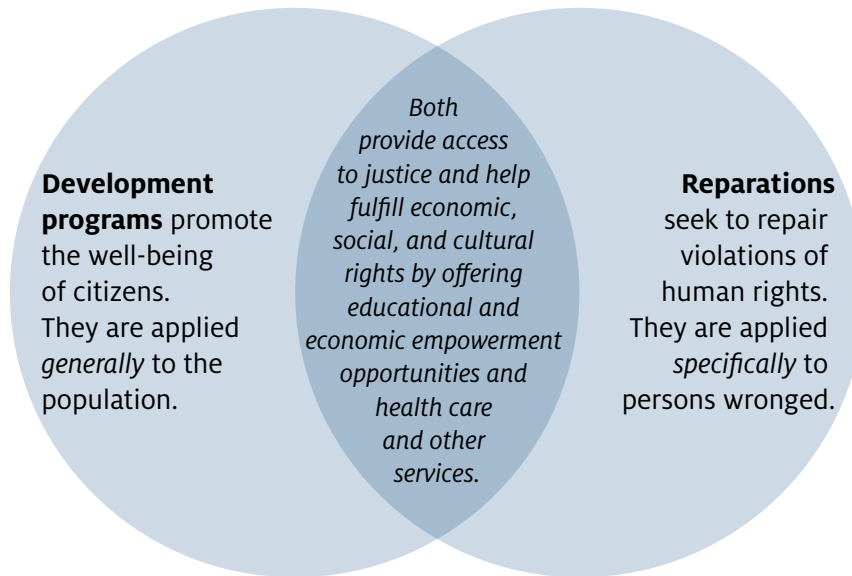
46 Cristian Correa, “Integrating Development and Reparations for Victims of Massive Crimes” (South Bend, IN: University of Notre Dame Center for Civil and Human Rights, 2014), 21.

47 Ibid.



conflict areas must be designed and administered with a view to complementing and reinforcing reparations programs. If reparation programs are implemented without supportive development policies, they may not have the desired impact.

**FIGURE 1: The Overlap Between Reparations and Development**



### The Reparation-Development Link: Comparative Examples

Depending on the context, reparations and development assistance programs may be implemented simultaneously. They are both informed by the need to address issues related to social and economic exclusion.<sup>48</sup> Several post-conflict countries, such as Peru, Chile, Indonesia, and East Timor, have linked their transitional justice efforts to broader development activities, demonstrating how development projects can be tailored to respond directly to the dire needs of victims and improve their lives. For example, in 1991, the government of Chile established within the Ministry of Health a “Program for the Integral Repair of Health and Human Rights,” which focused on treating torture victims, relatives of the disappeared, and former political prisoners.<sup>49</sup> The program included free general medical care, social services, psychological counseling, and other services tailored to the needs of the designated categories of beneficiaries. Over the years, the program faced funding and staffing challenges,<sup>50</sup> but being integrated into the Ministry of Health guaranteed state funding that continues to this day. Incorporating targeted assistance into ongoing development service delivery proved crucial to the sustainability of the program.<sup>51</sup>

In Peru, the 1980–2000 internal armed conflict strongly affected the education sector and contributed to the increasing marginalization of affected communities. The Peruvian Truth and Reconciliation Commission recommended poverty alleviation and educational policies directed

48 Kristin Kalla, “Advancing Justice and Making Amends through Reparations: Legal and Operational Considerations,” in *The Oxford Handbook of Gender and Conflict*, eds. Fionnuala Aolain, Naomi Cahn, Dina Francesca Haynes, and Nahla Valji (Oxford: Oxford University Press, 2018), 261, [www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199300983.001.0001/oxfordhb-9780199300983-e-20](http://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199300983.001.0001/oxfordhb-9780199300983-e-20)

49 Gráinne Kelly and Mari Fitzduff, University of Ulster/United Nations University, “Government Strategies on Victims in Post-conflict Societies” (2002), 15, [www.incore.ulster.ac.uk/publications/pdf/Government\\_Strategies.pdf](http://www.incore.ulster.ac.uk/publications/pdf/Government_Strategies.pdf)

50 *Ibid.*

51 Cristian Correa, *Integrating Development and Reparations for Victims of Massive Crimes* (South Bend, IN: University of Notre Dame Center for Civil and Human Rights, 2014), 17.



at regions affected by the conflict and with large numbers of survivors, as well as indigenous populations that were historically marginalized and most affected by conflict. These policies were not part of reparations, which were only awarded for particular violations such as killings, disappearances, torture, and sexual violence.<sup>52</sup> The use of a geographically targeted approach to poverty alleviation efforts, however, is an example of how development programs can help victims.<sup>53</sup>

In Indonesia, following the end of the conflict in Aceh, the BRA-Kecamatan Development Programme, also known as the Community-Based Reintegration and Assistance for Conflict Victims Program, was implemented to provide support and assistance to conflict-affected villagers.<sup>54</sup> The success of this conflict response program was credited to its community participation and decision-making approach. The community held the power to determine who was eligible to benefit, how they would benefit, and what the benefit amount would be. Their assessment criteria considered multiple factors: the degree of conflict-affectedness, the economic needs, and past receipt of economic assistance.<sup>55</sup>

Timor-Leste, like Northern Uganda, underwent extended periods of conflict. In recognition of the protracted nature of conflict in the country, the national development plan prioritized development projects focused on addressing mental health and trauma associated with the conflict.<sup>56</sup> It dedicated resources to improving access to health facilities and treatment for mental illness or epilepsy for all people; providing acute care facilities at referral hospitals for mental health patients; introducing a comprehensive multidisciplinary team of psychiatrists, psychiatric nurses, psychologists, and appropriately skilled mental health technical professionals and with specific standards of training; and increasing community awareness and understanding of mental illness and epilepsy through advocacy and education.<sup>57</sup> The initiative was not without challenges, however, as rural populations continue to report very low levels of access to and use of health services, while poverty, hunger, and associated ill health fundamentally inhibit households from making the investments that are necessary to access good health care.<sup>58</sup>

These examples provide learning opportunities for local governments in Northern Uganda to identify strategies and measures to eliminate barriers and increase victims' access to ongoing development and post-conflict reconstruction programs. A closer look at Uganda's development initiatives reveals areas where this link is not exploited, leading to missed opportunities. There are also a few positive examples that can serve as inspiration for future programming.

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52 Ibid., 5.

53 Ibid., 21.

54 Adrian Morel, Makiko Watanabe, and Robert Wrobel, "Delivering Assistance to Conflict-affected Communities: The BRA-KDP Program in Aceh" (2009).

55 Ibid.

56 Democratic Republic of Timor-Leste, "Timor-Leste Strategic Development Plan 2011–2030" (2011), <http://timor-leste.gov.tl/wp-content/uploads/2011/07/Timor-Leste-Strategic-Plan-2011-20301.pdf>

57 Ibid., 38.

58 World Bank, "Timor-Leste Economic Report" (2018), 19.



## CHAPTER 4: Development and Recovery Programs in Northern Uganda

The Juba Agreement on Comprehensive Solutions, signed between the government of Uganda and the LRA in 2007, recognized regional disparities in socioeconomic and infrastructural development between the conflict-affected areas and the rest of the country. It also called upon the government to implement measures to counter these imbalances and to take affirmative action in favor of groups that were marginalized on the basis of gender, age, disability, or any other factor related to history, tradition, or custom.<sup>59</sup>

To address the recovery needs of both conflict-affected regions and the rest of the country, the government launched various development programs, such as the Northern Uganda Peace, Recovery and Development Program (PRDP), implemented in three phases (I, II, and III), and the Northern Uganda Social Action Fund (NUSAF). These programs were designed to promote peace and recovery using socioeconomic approaches driven by community demand. They focused on rebuilding key sectors such as health, education, and water, which had been destroyed during the conflict.

The PRDP had four strategic objectives: (1) the consolidation of state authority; (2) the rebuilding and empowering of communities; (3) the revitalization of the Northern economy; and (4) peacebuilding and reconciliation. The development of the PRDP was seen as an important step forward in increasing financial transfers to conflict-affected areas. The majority of PRDP resources were to be channeled through local governments in the areas affected by conflict and to serve as supplements to existing conditional grant mechanisms, rather than as resources retained and used by the central government. A major criticism of the PRDP I and II, however, has been that the phases focused on infrastructure development rather than social repair and recovery.

The NUSAF, in contrast, was an International Development Association credit from the World Bank to the government of Uganda that began operations in early 2003. Its objective was to empower communities in Northern Uganda by enhancing their capacity to systematically identify, prioritize, and plan for their needs and, ultimately, to improve economic livelihoods and social cohesion. The program remains active and is praised for closely involving the community in its operations.

In 2016, the government of Uganda consolidated various recovery and development efforts—including the Local Government Management Service Delivery Program (LGMSD); the Peace,

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59 “Agreement on Comprehensive Solutions between the Government of the Republic of Uganda and Lord’s Resistance Army/Movement, Juba, Sudan” (2007), [www.ucdp.uu.se/downloads/fullpeace/Uga%2020070502.pdf](http://www.ucdp.uu.se/downloads/fullpeace/Uga%2020070502.pdf)

Recovery and Development Plan (PRDP); the Luwero-Rwenzori Development Program (LRDP); and the Uganda Support to Municipal Infrastructure Development (USMID)<sup>60</sup>—into the Discretionary Development Equalization Grant (DDEG).<sup>61</sup> These programs had been designed to improve socioeconomic conditions and access to services in regions that lagged behind national averages. The DDEG has further objectives of distributing resources more equitably among local governments so that less well-off districts are able to catch up with others (as per Constitution Article 193), and increasing the discretion of local governments to allocate resources to priority local development needs that are within their mandate and are consistent with national priorities. Under the DDEG guidelines, 65 percent of the grant goes to the subcounties and 35 percent is retained at the district level. The target districts under PRDP receive a slightly higher allocation.<sup>62</sup>

In the 2017–2018 fiscal year, 97 billion shillings was allocated to PRDP districts, of which 40 billion was allocated to the districts and 57 billion to subcounties. Of the grant allocated to the districts, 70 percent was used to fund social infrastructure in the health, water, and education sectors, and the portion allocated to subcounties was used to support investments and projects that improve livelihoods. The collapse of PRDP III into the DDEG makes it difficult to monitor the progress in achieving the objectives of the third phase; there is no monitoring framework linked to these objectives, so local governments and stakeholders are unable to keep track of which individual projects or programs are funded by PRDP III.

The second National Development Plan, which commenced in 2015–2016 and expires in 2019–2020, recognizes that while the national percentage of people living in abject poverty has declined, the highest levels of poverty in the country remain in Northern Uganda.<sup>63</sup> The first National Development Plan, despite its failure to note the high level of poverty in Northern Uganda, did highlight the importance of community empowerment and recovery programs such as NUSAF and PRDP to offer health, education, water, and livelihood support.<sup>64</sup>

The National Development Plan is complemented by Uganda Vision 2040, which was launched in 2013 and is intended to guide the transformation of Uganda from a peasant society to a modern and prosperous country within 30 years.<sup>65</sup> Vision 2040 recognizes the need to provide assistance to people who are vulnerable because of age, social class, location, disability, gender, disaster, or lack of income. Furthermore, under the Vision 2040, the government has a duty to ensure that a human-rights-based approach to development is integrated into policies, legislation, plans, and programs.<sup>66</sup> This approach is meant to strengthen the capacity of duty bearers to respect, fulfill, and protect human rights and the ability of rights holders to know, claim, and realize their rights.<sup>67</sup> Additionally, it emphasizes that priority will be given to interventions that respond to the needs of vulnerable and marginalized groups in society.<sup>68</sup>

The implementation of these different mechanisms and programs by the government is not without challenges. Obstacles include funding delays and shortfalls; poor targeting of conflict-related impacts in the design and implementation of recovery programs; insensitivity to gender-

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60 Ibid.

61 Republic of Uganda, “Discretionary Development Equalization Grant (DDEG) 2018/19 Grant, Budget and Implementation Guidelines” (2018), 1.

62 Ibid.

63 Republic of Uganda, “Second National Development Plan (NDP II) 2015/16–2019/20” (2015), 4, <http://npa.go.ug/wp-content/uploads/NDPII-Final.pdf>

64 Republic of Uganda, “National Development Plan 2010/11–2014/15” (2010), 368, [https://www.adaptation-undp.org/sites/default/files/downloads/uganda-national\\_development\\_plan.pdf](https://www.adaptation-undp.org/sites/default/files/downloads/uganda-national_development_plan.pdf)

65 National Planning Authority, “Uganda Vision 2040,” <http://npa.go.ug/uganda-vision-2040/>

66 National Planning Authority, “Vision 2040,” para. 323, [www.jlos.go.ug/index.php/document-centre/government-of-uganda-planning-strategies/274-uganda-vision-2040/file](http://www.jlos.go.ug/index.php/document-centre/government-of-uganda-planning-strategies/274-uganda-vision-2040/file)

67 Ibid.

68 Ibid.

youth-, and victim-specific issues in program design and implementation; a top-down approach that limits grassroots participation, prioritization, ownership, and sustainability; inefficiency and corruption; and low absorption capacity due to poor staffing and limited infrastructure.

## Key Findings

This study found that government-implemented development programs such as the PRDP, NUSAF, DDEG, and Operation Wealth Creation (OWC) are oblivious to the unique experiences and needs of victims of gross human rights violations. Across the different focus group discussions, participants complained of long and cumbersome application procedures and requirements, the mismanagement of various government programs by “corrupt” local government officials, and a lack of transparency in the selection of beneficiaries. In most cases, marginalized and vulnerable community members, such as victims, who do not have powerful social networks were left out of these programs.

The study further established that the failure to meet victims’ basic needs and provide them access to essential services limits their ability to benefit from development programs and to recover from conflict-related human rights violations. The situation is worse for certain groups of victims, especially those who were severely harmed, such as victims of war-related disabilities, victims of sexual violence, and children born of war. These groups require intentional, targeted assistance and support to address their unique needs; otherwise, they may not benefit from ongoing programs. They are also likely to face more impoverishment, discrimination, and violations than others, which undermines the enjoyment of their full rights.<sup>69</sup>

In light of the intrinsic link between development and reparation, efforts to integrate victims’ special needs in ongoing development and post-conflict recovery programs must be sensitive to victims and built on an understanding of the conflict’s impact, the nature and extent of the violations that were suffered, the effect of the violations on those affected, and the support that is required to overcome victims’ experiences and harm. These efforts must also consider how men, boys, women, and girls experienced and were affected by the conflict, which is often influenced by different aspects of gender relations and determines how these groups can best be included in programs. Below is a detailed discussion of the key findings of this study.

### Program Design and Eligibility Requirements

The design and delivery of recovery and development assistance programs determine whether or not victims of conflict and other vulnerable populations in Northern Uganda benefit from those programs. Most development livelihood programs require applicants to possess a national identity card, complete an application form, pay application fees, organize into community groups, have a bank account, and own or have access to land. As discussed in detail in the following subsections, these eligibility requirements pose significant obstacles to vulnerable populations seeking to access and benefit from the programs.

#### *Identification Requirements*

Recovery and development programs operating in Northern Uganda require beneficiaries to prove that they are citizens of Uganda. This is usually done through the presentation of a national identity card issued by the National Identification and Registration Authority. There are some variations in the ID requirement: some programs, such as NUSAF and OWC, reportedly accept only national identity cards, while other programs, such as the Youth Livelihoods Programme

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69 Atim et al., “Assessment of Victim Participant Population.”

(YLP) and Uganda Women's Entrepreneurship Programme (UWEP), allow a range of types of identification documents, including introductory letters from local leaders.

Discussion group participants noted that the rigid identification requirements lead to the exclusion of victims, especially formerly abducted people—including women survivors of conflict-related sexual violence and their children born of war—who have difficulty obtaining official identification documents and are therefore unable to prove their citizenship. The case of children born of war is particularly complex: being born in captivity, outside Ugandan territory, and with an unclear family history (lineage is a key requirement for obtaining a national identification document) renders it harder for them to legally obtain a national identification document and be recognized as citizens. As a result, they are not able to benefit from some government programs, like OWC.

Ongoing recovery and development programs in Northern Uganda should make provisions for simplified and flexible identification requirements for victims of the conflict. This approach is based on the understanding that many women affected by conflict, children born of war (some of whom are now adults), and some households headed by children because of the conflict have difficulties obtaining official identification due to their victimization. OWC and other programs could learn from YLP and UWEP, which accept, among other things, introduction letters from local leaders as a form of identification. However, these efforts should also ensure that victims of the conflict are not revictimized by being singled out for differential treatment, which could unintentionally increase the stigma they face and impede their reintegration. For example, flexible identification requirements should apply not just to victims of human rights violations but to all vulnerable categories, including people with disabilities and families headed by children.

#### *Landownership Requirements*

Both discussion participants and interviewed government officials stated that government programs such as OWC require potential beneficiaries to own land for proposed agricultural activities. The officials acknowledged that this requirement ignores the discriminatory cultural norms that often deny women and girls the right to own land. Widows whose husbands were killed or disappeared, for example, are often driven off the land by their in-laws and neighbors.<sup>70</sup> A local government official from Omoro District explained: "When a person expresses interest in a project, the first question they are asked is: do they have land? Some of the victims are being chased away from land and they end up not benefitting from these programs."<sup>71</sup>

A program that requires landownership as one of its eligibility conditions risks excluding the most vulnerable and needy members of the community, including victims; particularly affected are formerly abducted women who returned with children born of war, who suffer ongoing stigma related to their conflict experiences and are denied access to land by their families or communities. Formerly abducted women from Ongako subcounty, Gulu District, reported in the focus group discussions that they often experience violence at the hands of family members, especially their male siblings and sisters-in-law, over their attempts to secure a portion of family land. One woman noted: "For us who are returnees from abduction, some of us returned with children and so we face a lot of challenges at home because of land. Our brothers deny us land and then our children are unwanted by our families.... The government is not considering our vulnerability."<sup>72</sup>

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70 Dyan Mazurana, Teddy Atim, Ariane Brunet, and Hellen Kezie-Nwoha, "Making Gender-just Remedy and Reparation Possible: Upholding the Rights of Women and Girls in the Greater North of Uganda" (Kampala: Isis Women's International Cross-Cultural Exchange and Tufts University Feinstein International Center, 2013), 40.

71 Interview with local government official, Omoro District, Nov. 26, 2018.

72 Female participant in focus group discussion, Ongako subcounty, Omoro District, Nov. 25, 2018.

Some of the officials who were interviewed suggested that OWC programs should encourage individuals without access to land to undertake other enterprises such as poultry, piggery, or mushroom-growing, which require little space or land to implement.<sup>73</sup> However, this is a temporary solution that does not tackle the underlying social and cultural factors and discriminatory practices that deny female victims and their children access to land. It may also serve to entrench their vulnerability by confining them to less productive enterprises offering limited returns and minimal improvements to their livelihoods and well-being, despite their significant needs.

Recovery and development programs operating in post-conflict Northern Uganda should therefore be mindful in their design and delivery to avoid the marginalization of victim populations, thus contributing to their further exclusion and discrimination. These programs should also be built on an understanding of both the gender dynamics and the long-term impacts of human rights violations, including associated stigma and trauma. Often, the impact of conflict on victims extends to their ability to adapt and take advantage of ongoing recovery and development programs. In this case, women and girl victims must be explicitly identified and approached through appropriate and multipronged government programs. For example, an agricultural program like OWC should include a legal aid component to enable women and girl victims to secure their land rights and should be complemented by programs that target land reforms to promote equitable access to land for women and girls.

#### *Complex and Protracted Application Process*

The complex application process for most government programs requires applicants to belong to organized community groups, present proof of landownership (discussed in subsection b), and submit application forms. While an application process is necessary to ensure program delivery is systematic and standardized, it also complicates access for marginalized members of the community, such as women, young people, and victims of the conflict who are illiterate or people with disabilities who cannot complete the forms. Many participants in focus group discussions reported that the application process and supporting requirements are a source of frustration. Furthermore, the lack of information about the necessary steps in the process adds to the confusion and limits their ability to access and benefit from the programs.

In order to form a community group, interested applicants must mobilize potential members and conduct a series of meetings to regularize the group—that is, to create a group constitution and leadership structure and register the group with the subcounty and district offices. Each step of the process requires some degree of literacy, yet most participants in rural settings, especially women, tend to have very low levels of education and literacy.

Local government officials and discussion participants acknowledged that marginalized people, including victims, with little education are often intimidated and frustrated by the laborious application processes. Most formerly abducted people and children raised in IDP camps missed significant education opportunities during their time in captivity or camp, and on their return to their community, many have not been able to catch up or return to school. Young women returning with children born of war do not rejoin school because of their child care responsibilities. To illustrate, women from Ongako subcounty, Gulu District, who had been abducted noted in discussions that they had had to rely on the help and guidance of an educated person to complete their registration and application. Similarly, a group of formerly abducted women in Aromo subcounty, Lira District, shared the challenges they faced in the group registration and application process. One participant explained: “The form for applying to become a group is difficult to understand. We had to ask the CDO [community development officer] to help us

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73 Interview with OWC official, Gulu, Nov. 29, 2018.

### BOX 1: Process of Applying for Support

- Step 1:** Organize groups of 10 to 15 people from same village or parish
- Step 2:** Elect leaders
- Step 3:** Develop constitution
- Step 4:** Register group members with the district or subcounty
- Step 5:** Obtain and complete the subcounty's "Project Interest Form"
- Step 6:** Return completed Project Interest Form to subcounty
- Step 7:** Attend verification meeting convened by beneficiary selection committee and local council
- Step 8:** Upon successful verification, participate in the project or enterprise selection process
- Step 9:** Submit project proposal, budget, and business plan for the selected enterprise to subcounty
- Step 10:** Subcounty Technical Planning Committee (STPC) appraises project proposal
- Step 11:** After appraisal, subcounty chief forwards projects recommended for funding to the district
- Step 12:** District Technical Planning Committee (DTPC) reviews project recommended by STPC
- Step 13:** Projects approved by the DTPC are submitted to the line ministry for funding
- Step 14:** After meeting with officials, training is conducted, account is opened, and money is withdrawn

SOURCE: Youth Livelihood Program, "Project Funds Access Criteria," <http://ypl.mglsd.go.ug/Publications/YLP%20ACCESS%20CRITERIA.pdf>

to fill it." Because CDOs are overstretched, however, it is unrealistic to expect them to assist all illiterate applicants to fill out the application forms, in addition to their other responsibilities.

Focus group discussion participants also noted that as part of the registration and application process, they needed to travel regularly to distant subcounty offices to track their applications, which most vulnerable victims do not have the resources to do. Furthermore, visiting government



offices can be intimidating for female victims due to their low literacy rates, their lack of knowledge of administrative procedures, and the patriarchal influence over their freedom of movement and access to resources.

Without support to navigate the complexity of the application processes and requirements, victims and other marginalized community members have difficulty benefiting from local programs. Measures must be established to offset these challenges. Formerly abducted people in Acet subcounty remarked that a one-on-one engagement with a trusted CDO had helped their group negotiate the necessary steps of registration and application, with positive results. Programs should therefore include a budget line for a community liaison and work with identified trusted local-level officials and community members who can clearly explain the requirements and processes to victims and other groups in the community. Local governments could host regular information sessions on the application process and provide a forum for questions to be answered.

#### *Intentional Exclusion of Former Abductees*

A significant number of formerly abducted women who took part in the discussions observed that they are often excluded from livelihood programs by community and local governments due to perceptions that they—unlike the rest of their communities—are already receiving assistance from non-governmental organizations (NGOs) and other humanitarian actors. During a discussion in Gulu, for example, women who had been abducted during the conflict complained of being barred from government programs in their communities because they received NGO assistance, despite the assistance being insufficient.<sup>74</sup> NGOs do not have the resources to meet the welfare needs of an entire community. Furthermore, when NGOs deliver services that are meant to be provided by the state, such as education, health care, and welfare programs, they enable the government to abandon its responsibility to deliver public services. NGOs therefore have a responsibility to ensure that their interventions do not undermine the political accountability of the government.

Formerly abducted women are also excluded from government programs as a result of the stigma and community resentment related to their perceived association with the LRA rebels, who caused untold suffering in the communities.

#### *Top-Down Approaches*

Although the local government development guidelines promote a bottom-up approach to planning, design, and implementation,<sup>75</sup> interviewees described most government programs as top-down in practice. Interventions are designed and implemented with minimal input from the communities and populations that are meant to benefit from them, and consequently, they fail to address the needs and challenges of the affected communities. For example, the OWC program supports particular predetermined enterprises even though many members of the local population question their value and relevance. As one discussion participant put it, “Most of the things they bring do not benefit community members. They bring them and pile them under that tree because they bring them in the wrong season.”<sup>76</sup>

Discussion participants further noted that community members’ complaints about the operation of programs like OWC are often ignored.<sup>77</sup> Community members are rarely consulted, and their views are not considered during the conceptualization, design, or implementation of programs.<sup>78</sup>

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74 Focus group discussion, TaK Center, Gulu, Nov. 24, 2018.

75 Republic of Uganda, “The Local Government Development Planning Guidelines” (2014), 13.

76 Male participant in focus group discussion, Myene subcounty, Oyam District Nov. 27, 2018.

77 Focus group discussion, Myene subcounty, Oyam District, Nov. 27, 2018.

78 Focus group discussion, Lakwana subcounty, Omoro District, Nov. 24, 2018.

## BOX 2: NUSAF Approach

NUSAF uses the participatory rural appraisal approach, which gives communities a central role in naming problems, solutions, and key priorities; in identifying, under the guidance of a facilitator, specific beneficiaries; and in choosing the appropriate NUSAF project to be implemented. It relies on trained and locally based community facilitators to serve as intermediaries between the district and the communities.

Identified individuals are clustered into groups of 15, from which the leaders of a community project management committee and community procurement committee are elected to manage the project's implementation. Resources are sent directly to the procurement committee.

The district only plays an oversight role. Its officials in charge of specific domains, such as agriculture, veterinary services, and business development, are engaged in the project to provide training once the groups have been formed.

Instead, discussion group participants said that most programs seem to operate on assumptions that are not context specific or informed by the realities and needs of the target beneficiaries. NUSAF is the only government program that tries to implement enterprises based on priorities identified by the intended beneficiaries, a fact that focus group discussion participants appreciated.<sup>79</sup>

A synthesis of studies on post-conflict recovery in Northern Uganda found that most recovery programs in that region are not driven by the needs and priorities of the affected communities.<sup>80</sup> For example, reintegration programs in Northern Uganda mainly offer tailoring training for women who returned with children born of war, an approach that is often used in other contexts. Yet most of these women experience constant backaches from carrying heavy loads during their time in LRA captivity. Many said that using the tailoring machine over long periods only further harmed their already ailing bodies.<sup>81</sup> Post-conflict reintegration programs must consider such lifelong changes resulting from the conflict in order to benefit the intended recipients.

### Implementation and Delivery Gaps

#### *Unavailable Data on Number of Victims and Scale of Victimization*

This study revealed that there is limited data on the number of victims and the extent of harm they suffered; this information is needed to provide a baseline for the establishment of targeted programs that resonate with the needs of the different categories of victims. Currently, local governments do not have the names of victims, including missing persons, or information on how people suffered during the conflict.<sup>82</sup> Without such information, it is difficult to design a

79 Focus group discussion, Bobi subcounty, Omoro District, Nov. 25, 2018.

80 See Daniel Maxwell, Dyan Mazurana, Michael Wagner, and Rachel Slater, "Livelihoods, Conflict and Recovery: Findings from the Secure Livelihoods Research Consortium" (2017), [https://securelivelihoods.org/wp-content/uploads/Livelihoods-conflict-and-recovery\\_Findings-from-the-Secure-Livelihoods-Research-Consortium-1.pdf](https://securelivelihoods.org/wp-content/uploads/Livelihoods-conflict-and-recovery_Findings-from-the-Secure-Livelihoods-Research-Consortium-1.pdf); See International Alert, "Monitoring the Impact of the Peace, Recovery and Development Plan on Peace and Conflict in Northern Uganda" (2013) [https://www.international-alert.org/sites/default/files/Uganda\\_PRDPNorthernUganda\\_EN\\_2013.pdf](https://www.international-alert.org/sites/default/files/Uganda_PRDPNorthernUganda_EN_2013.pdf); Advisory Consortium on Conflict Sensitivity (ACCS) "Northern Uganda Conflict Analysis" (2013) <https://www.saferworld.org.uk/resources/publications/762>

81 Atim et al., "Assessment of Victim Participant Population."

82 Lira validation meeting, July 25, 2019.

streamlined response to the needs of victims. While some local governments expressed being open to the idea of supporting victims, many of them referred to the minimal data on who these victims are, which affects the extent to which they can be supported under the current programs. The lack of information is attributed mainly to halfhearted efforts at documentation and to a lesser extent to the fact that some victims are not comfortable disclosing their experiences to state officials.

### *Working in Silos*

Discussion group participants described most development programs currently being implemented in Northern Uganda as uncoordinated, fragmented, and ad hoc in their approach. The programs all target communities in Northern Uganda and are implemented by local government officials in each location. However, officials, particularly at the central government level, focus on their individual programs and make limited or no efforts to strengthen synergies with other, similar programs to maximize their impact. This results in disjointed efforts with high levels of duplication and, in some instances, communities in certain geographical locations benefiting more than others. In the Lakwana focus group, for example, one person had benefited from at least four development programs: OWC in 2009 and 2011, National Agricultural Advisory Services in 2010 and 2011, and the UN Development Programme's Youth Empowerment Program in 2009.<sup>83</sup>

Poor coordination between local and central government authorities often results in contradictions. For example, the Office of the Prime Minister official interviewed for this study noted that a program known as Community Driven Development no longer exists. However, a local government official insisted that the district still receives Community Driven Development grants from the Ministry of Gender, Labour and Social Development.<sup>84</sup>

Without collaboration, individual programs can only offer short-term or one-off assistance, with little or no impact on those who are most in need; in contrast, coordinated programs can give regular and consistent assistance and hence, more benefits. Thus, recovery and development programs should give priority to consistent, long-term, coordinated interventions in order to provide more benefits to victims of the conflict, most of whom require lifelong support. For instance, efforts could be made to link livelihood interventions and health care programs in Northern Uganda.

### *Inadequacy of Recovery and Assistance Programs*

The recovery and livelihood programs in Northern Uganda are not capable of adequately meeting the needs of conflict-affected victims, given the size of this population and the extent of the harms they have suffered. The needs of the large number of victims surpass the resources that are available to implement development programs—an issue that has been acknowledged by the same community members who would be the eventual beneficiaries. According to Secure Livelihood Research Consortium survey findings, most of the immediate needs of war-affected households related to both physical and livelihood recovery are far from being met. Only 16 percent of households reported receiving any type of livelihood services, and a scant 4 percent reported receiving social protection services.<sup>85</sup> As one discussion group participant explained, “The support is indeed brought but the people who require assistance are more than the support they bring so in most cases we do not benefit.”<sup>86</sup>

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83 Focus group discussion, Lakwana subcounty, Omoro District, Nov. 24, 2018.

84 Key informant interview, Office of the Prime Minister, Kampala, Nov. 20, 2018.

85 Mazurana et al., “The Impact of Serious Crimes.”

86 Male participant in focus group discussion, Lakwana subcounty, Omoro District, Nov. 24, 2018.

## Accountability and Transparency in the Implementation of Government Programs

### *Pervasive Corruption*

Poverty levels in Northern Uganda remain adversely high, despite the enormous resources that have been invested in the region. Evidence suggests that a large percentage of recovery funds did not reach the intended beneficiaries.<sup>87</sup> The lack of accountability through appropriate checks and balances is perceived to perpetuate the mismanagement of funds under various programs. Across the different discussion groups, participants complained that ‘corrupt’ local government officials mismanaged the resources of government programs. For example, they observed that beneficiary selection processes are characterized by acts of nepotism and favoritism, with most local government officials selecting their relatives and friends for benefits, excluding vulnerable members of the community.

The processes by which these programs offer support are influenced by bribery and rent seeking, with beneficiaries sometimes having to pay bribes to receive livelihood support and assistance. Community members expressed their frustration over the lack of a complaint mechanism through which they can raise their concerns freely and discreetly, without possible reprisal. In one general focus group discussion, participants only spoke frankly about the high levels of corruption after the attending subcounty leaders who implement the programs were asked to form a separate group.

### *Cycle of Blame and Lack of Accountability*

The research indicates that development programs are afflicted by a cycle of blame with no center of accountability. Those who were interviewed tended to blame other parties or other levels of government. Communities blame the overall government and especially their local leaders for not delivering programs that meet their needs. Lower-level leaders blame district leaders for corruption; district leaders in turn blame policymakers at the central government level for their inflexibility and failure to listen to feedback. This cycle of diverting culpability frustrates many victims and members of affected communities because there is apparently nobody within the structure they can hold accountable for lapses and shortcomings in the development programs.

In addition, local leaders suggest that a certain amount of blame falls on the victims and potential beneficiaries themselves, who, leaders assert, demonstrate a considerable lack of effort or initiative to follow up on the status of programs or attend relevant community meetings. One leader claimed that “the majority of the people have the information, however, they do not want to attend meetings because of lack of allowances and often blame leaders for not mobilizing.”<sup>88</sup> At the same time, communities hold the government responsible for not considering their views during the implementation of the programs: “The problem with the meetings is that the leaders do not record the views that we put forward. When we expect our views to be put forward, the leaders put their own things.”<sup>89</sup>

### Capacity to Implement Government Programs

Most districts have notable human resource gaps in their planning and community service departments, with staffing levels observed to be far below requirements. For example, the community service department mandated to provide social protection services, particularly for

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<sup>87</sup> According to the 2010 auditor general’s report, close to \$15 million in PRDP II funds, designated for the reconstruction of Northern Uganda, were embezzled. Nelson Wesonga, “Donors’ Aid Suspension Starves Districts of Funds,” PRDP Journal, Sept. 12, 2013, [www.deniva.or.ug/docs/CSO\\_Research/PRDPJOURNAL.pdf](http://www.deniva.or.ug/docs/CSO_Research/PRDPJOURNAL.pdf)

<sup>88</sup> Local leader in focus group discussion, Myene subcounty, Oyam District, Nov. 27, 2018.

<sup>89</sup> Focus group discussion, Bobi subcounty, Nov. 25, 2018.

the most vulnerable populations in Gulu, was reportedly underfunded.<sup>90</sup> In most cases, the CDOs can only do so much, depending on the resources available to the department; departments, in turn, rely heavily on NGO support to deliver on their mandate. Low staffing levels imply that available staff members are overwhelmed, and undoubtedly impeded in their ability to effectively implement and monitor government programs.<sup>91</sup> Although embedding development and recovery programs within existing government departments promotes the integration of various initiatives, this effect is counteracted by low staffing levels and overstretched workers.

The only exception is the NUSAF program, which has a coordinator in every district who works collaboratively with district officials to implement the program. The NUSAF approach is distinct from that of most government programs, which rely on the overloaded CDOs for their implementation. The NUSAF instead hires staff who are responsible for the program from inside existing departments at the district or center, which helps to improve coordination between different levels of government: center–district, district–subcounty, and subcounty–community. The NUSAF program also set up an online information management system that provides easy access to information on beneficiaries’ status and well-being.<sup>92</sup>

One option to overcome the capacity challenge faced by most government programs is establishing partnerships with trusted NGOs and the private sector. Some NGOs have close contact with victims’ groups and vulnerable members of the community and could ensure that programs target those who are most in need, including victims of the conflict. In addition, some NGOs have enough information regarding the context to offer valuable insights to the programs. By working jointly, NGO interventions and government programs could complement each other rather than competing or duplicating efforts.

In addition, partnerships with the private sector would help to fill gaps where the government is not capable of implementing programs to address expressed needs. The PRDP III policy framework envisages such a role for the private sector and provides guidance on its engagement in Northern Uganda.<sup>93</sup> Approaches that promote corporate social responsibility could leverage investment by the private sector in strategic areas such as health, education, water, environmental protection, and other community service projects that could support the most needy.<sup>94</sup> Local governments in post-conflict regions could take advantage of these opportunities and work collaboratively with the private sector.

Gulu District, local government has held consultations with Bugema University to offer scholarships to promising needy students on the recommendation of the district leadership.<sup>95</sup> Similarly, the government partnered with different banks in a youth capital venture fund to offer loan services to intended beneficiaries, although the effort was fraught with challenges and hampered by the inability of most beneficiaries to access the service. For example, one discussion participant from Bobi subcounty, Omoro District, noted that despite her group applying for funds from Stanbic Bank in May 2018, the group had yet to receive feedback in November 2018.<sup>96</sup> For the youth capital venture fund, the lack of collateral to secure the funds was a major challenge since most young people do not own assets like land. While the private sector can play a positive role to enhance or fill gaps in government programs, it also presents shortcomings that negatively

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90 Interview with CDO, Gulu District, Nov. 24, 2018. The CDO stated that the department is allocated less than 5 million shillings (the equivalent of USD\$1,200) a year for its operation.

91 Key informant interviews with the district planner and NUSAF coordinator, Oyam District, Nov. 26, 2018.

92 Ibid.

93 Republic of Uganda, “Peace, Recovery and Development Plan for Northern Uganda (PRDP): 2007–2010” (2007), 15.

94 Bernedine Bos, Anne-Marie Slaa, and David Katamba, MVO Nederland, “Country Scan CSR in Uganda” (2016), 5, <http://uccsri.com/research-publications/#>

95 Key informant interview with district planner, Gulu District, Nov. 24, 2018.

96 Focus group discussion, Bobi subcounty, Gulu District, Nov. 25, 2018.

affect the community. Local governments across the region should ensure private-sector actors are accountable and sensitive to the context if their efforts are to benefit the most vulnerable people.

### Victim-Centered Approach to Recovery and Development Programs

Government support programs are implemented according to set guidelines and policies that document, among other things, the program objectives, the intended category of beneficiaries, and selection procedures. These guidelines are often generic and broadly directed to all vulnerable community members, with limited consideration of their experiences during conflict.<sup>97</sup> The guidelines of recovery and development programs tend to prioritize infrastructural development over the livelihood support, health, psychosocial, and other immediate and unique needs of victims of the conflict. This focus overlooks the fact that some of the violations suffered during the conflict have lifelong consequences for the victims, affecting their ability to take advantage of mainstream development and recovery initiatives.

In focus group discussions and key informant interviews, participants noted that sometimes assistance that had been provided was sold to pay for other pressing immediate needs like medical care and education. The CDO of Omoro District explained:

Recently I went to the community, I had thought those who received livelihood assistance were doing well, but I was surprised to find that they had sold off the items. I was told the assistance were sold to provide medical care and education needs of the household, even though the money was still very little to cover all the cost.<sup>98</sup>

Without a victim-centered approach in the design and delivery of recovery and development assistance, the needs of the most affected populations are unlikely to be met. Local governments must therefore adopt a proactive approach in which they systematically seek out the views of victims of conflict, such as former abductees and children born in captivity, in order to inform planning and take deliberate measures to enhance the impact of government development programs.

There are opportunities to integrate and ensure victim-centered approaches in the delivery of assistance at the local level. First, there should be a deliberate strategy to integrate victims and other vulnerable people into community groups. This could be achieved by raising community members' awareness of the need to change discriminatory attitudes toward victims and facilitate their acceptance. Incentives could also be given to groups that include a certain percentage of victims. This type of approach could help prevent community backlash and stigma resulting from the exclusive targeting of victims for particular efforts and could promote their successful integration in the community. For example, in Acet subcounty, Watye Ki Gen, a community-based organization, supported the formation of community groups composed of diverse members, including the most vulnerable and marginalized members of the communities, such as people with disabilities, the elderly, young people, and victims.<sup>99</sup>

Second, local governments should capitalize on their flexibility to address victims' specific needs. The Local Governments Act gives lower councils and district councils the power to make bylaws and ordinances that are consistent with the constitution or any other laws made by Parliament or any legally mandated bodies.<sup>100</sup> Such powers can be exercised by local governments to respond

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<sup>97</sup> Republic of Uganda, "DDEG...Guidelines."

<sup>98</sup> Interview, Omoro District, Nov. 28, 2018.

<sup>99</sup> Key informant interview with Watye Ki Gen representative; she noted that her organization successfully formed a group made up of former abductees and other community members as a strategy to address the challenge of stigma. Former abductees are encouraged to intermingle with the rest of the community.

<sup>100</sup> Local Governments Act, Cap. 243, Secs. 39 and 39.

to the needs and challenges of vulnerable members of their community, including victims. For example, Lira District has passed a requirement for every subcounty to ensure that livelihood support provides ox ploughs to women's groups and other groups of vulnerable people.<sup>101</sup>

In addition, the DDEG guidelines promote flexibility at the local level (although not explicitly), granting discretion to local governments to include the needs of vulnerable populations in the design and delivery of assistance. In Lira District, again, the community services department has used its discretion to include in its budget financial literacy training for war victims to enable them to benefit from livelihood programs. The training covers basic information about how to effectively manage resources.<sup>102</sup>

### Civic Engagement in Government Programs

Existing government programs hold government actors responsible for enactment, implementation, and monitoring and evaluation of government programs. Citizens are largely seen as simply the end beneficiaries. In practice, however, the most effective approach to implementing government support programs that reach vulnerable victims of conflict is one that combines the efforts of an active citizenry and a responsive local government.

Local government budget forums at the district and subcounty levels should be tailored to allow room for conflict survivors to engage with their local leaders, gain a better understanding of the development programs being implemented in their communities, and highlight the challenges they are facing in accessing the programs. Such platforms must be given significant visibility and organized in locations that are easily accessible to local communities. This proved valuable in Lira District, where a decision to channel support to a group of community members recovering from mental illness was made following their intervention at a district budget conference, where they highlighted their failed attempts to secure loans that would enable them to engage in productive economic activities.<sup>103</sup>

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101 Interview with local government official, Lira District, Oct. 30, 2018.

102 Ibid.

103 Ibid.







## CHAPTER 5: Conclusions and Recommendations

While there are a host of post-conflict recovery and development programs in Northern Uganda, they have not yet addressed victims' needs for a variety of reasons. One key factor is that the programs lack a victim-centered approach in their design and delivery, and thus do not address victims' most pressing needs. Much has been done in the area of development, but there have been no tangible results or transformations in the lives of victims. Northern Uganda still has terrible social and economic indicators, which are holding the country back. This poor profile is in part due to the ineffective implementation of development programs and the unmet needs of victims. The situation of victims and vulnerable groups can be improved, however, through selected adjustments to the eligibility requirements, delivery, implementation, and oversight of development programs. If victims can access these services in a way that helps them overcome both the economic and the psychological impacts of conflict, they would be set on a path to full recovery and reintegration into the society. Reconstruction and development programs can also lay a foundation for the effective delivery of collective or individual reparations in the future by establishing the infrastructure that will be needed for their delivery.

In light of these findings, the study makes the following series of recommendations to different actors.

### **To the central government:**

- Ensure a victim- and gender-specific approach to development programming by appointing subject matter experts who can advise on appropriate budget allocations and priorities, and gender-sensitive implementation guidelines that take into account the unique challenges faced by victims of conflict and how many victims are in each location.
- Adopt an interministerial approach to development program design, planning, implementation, and monitoring to ensure that all government entities involved in such programs coordinate to avoid duplication of efforts and the creation of contradictory positions and actions.
- Adopt special measures to enable children born of war to obtain formal identification documents so that, among others, they can benefit from local government programs.
- Provide training on gender- and victim-sensitive approaches in development programming to the people who are tasked with implementing local development programs.
- Coordinate different interventions and programs (such as livelihood interventions and health care improvement), with appropriate layering and sequencing, to promote

comprehensive, consistent, and long-term efforts that have the potential to offer sustained benefits for those who are most affected and have the greatest needs.

- Negotiate realistic and manageable terms for grants with donors funding development programs, considering the unique circumstances of victim communities, including their capacity to pay back loans and their ability to join community groups.
- Develop DDEG program-level indicators that specifically measure the targets of PRDP III in order to improve monitoring and evaluation.
- Establish mechanisms that promote the role of beneficiaries and communities in monitoring the delivery and implementation of programs at the community level.

**To local governments:**

- Undertake an assessment of the number of victims, the extent of victimization, and the long-term impacts of the human rights violations on the well-being and lives of victims, and use that assessment to inform the design and implementation of recovery and development programs.
- Accurately tailor services and livelihood assistance to vulnerable victims' situation, including victims with war-related disabilities, formerly abducted people, victims of sexual violence, and children born of war. This involves taking proactive measures to remove obstacles that might prevent victims from benefiting from development programs, such as transportation costs, application fees, and complex application procedures.
- Employ a human rights-based approach to development, recovery, and livelihood assistance programming by constructively involving vulnerable victims—including formerly abducted women and girls, survivors of sexual violence, people with disabilities, and children born of conflict—in program planning in order to prioritize victims' needs.
- Develop a robust communication strategy and convene regular public dialogues and outreach sessions to disseminate information about development programs, application procedures and requirements, and implementation modalities, and to obtain feedback from communities regarding their priorities and concerns and how to make the programs more accessible and responsive to victims' needs.
- Encourage and monitor the participation of victims, including children born of war and formerly abducted mothers, in all community meetings and decision-making fora in order to give victims the opportunity to share their perspectives on development program implementation and, where possible, to discuss the challenges they face (for example, stigma) and how these can be addressed. Supporting victims' participation in discussions will also promote community cohesion.
- Organize regular community awareness dialogues to educate the larger community about the needs and realities of victims, especially formerly abducted women and their children, in order to eradicate stigma and encourage social acceptance and inclusion, which is vital for trauma healing and access to livelihood opportunities.
- Organize community sensitization dialogues—involving clan heads, area land committee members, and the broader community—on the land rights of victims, including children

born of conflict and returnee mothers, while recognizing the important role played by cultural values and practices.

- Provide specialized health services to victims with debilitating physical and psychological injuries, including those with sexual and reproductive complications and with war-related disabilities. Assign trauma experts and counselors to each local government Health Center III and IV and provide treatment and surgery at a subsidized cost for victims nursing physical and trauma-related conflict injuries.
- Increase the capacity of local government to effectively provide and deliver support to the most vulnerable members of the community by increasing funding and human resources in the respective departments, especially community development offices with the mandate to work with vulnerable people. Invest in developing the ability of community development officers (CDOs) to provide sustainable and effective support to vulnerable victims.
- Adopt flexibility across all development programs to allow for victims below the age of 18 to benefit from programs when they are the heads of their families, have returned from captivity with a child, have been abandoned by their families, or have been forced by other conflict-related circumstances to fend for themselves.
- Integrate victims into community groups to limit the stigma that may arise from exclusively targeting them for outreach and support. Center the empowerment of victims and marginalized populations while taking the necessary steps to mitigate the tension with and possible backlash from the community due to victims perceived preferential treatment.
- Support trusted nongovernmental organizations (NGOs) and civil society organizations (CSOs) that work with victims and victims' groups to design, prioritize, and deliver interventions that are accessible and beneficial to victims.
- In coordination with the Ministry of Education and Sports, closely monitor the enrollment of children born in captivity in free government education programs, such as Universal Primary and Secondary Education, and ensure that teachers in schools with a large population of children affected by war have specialized training in psychosocial support, trauma management, and empathy. This is essential to creating a safe learning environment for children and young people affected by conflict.
- Implement structures of supervision during beneficiary selection to prevent both nepotism and duplication. Establish feedback and grievance mechanisms to enable communities to raise concerns regarding the design and implementation of different programs and to provide suggestions to improve programs and enhance benefits. Set up desk offices at district levels where community members can anonymously report the challenges they face in accessing development programs.

**To civil society:**

- Strengthen civic education efforts with victim communities to inform them about their rights and responsibilities as citizens and, specifically, about the role they can play in holding local governments accountable. Provide information about the local government platforms that victims can rightfully access to give their perspectives on the implementation of the development programs.

- Provide data on children born of conflict-related sexual violence and their mothers to local governments for planning purposes, complementing the ongoing exercise to register children born in captivity.
- Regularly document past and current atrocity crimes, with the goal of identifying victims and connecting them with the local government for support.
- Provide information and data on victims to the government of Uganda and other development partners and assist in planning and developing targeted interventions that cater to the most affected people.

## APPENDIXES

APPENDIX 1: List of Focus Group Discussions

DATE	LOCATION		TYPE	NUMBER	GENDER		AGE		PERSONS WITH DISABILITIES
	VENUE	DISTRICT			MALE	FEMALE	> 30 YEARS	< 30 YEARS	
Nov. 24, 2018	Lakwana S/C	Omoro	General	16	9	5	14	2	2
	TAC Center	Gulu	Specialized (children born in captivity)	13	7	6	-	13	-
Nov. 25, 2018	Bobbi S/C	Omoro	General	14	9	5	14	-	-
	Ongako S/C		Specialized (female abductees)	15	1	14	10	5	-
Nov. 26, 2018	Oyam T/C	Oyam	General	15	9	6	10	5	-
Nov. 27, 2018	Myene S/C		General (local leaders)	11	8	3	10	3	2
			General	6	4	2	2	4	-
	Aromo S/C	Lira	Specialized (female abductees)	15	-	15	14	1	-

APPENDIX 2: Background of Development Programs in Northern Uganda

PROGRAM	OBJECTIVES	IMPLEMENTATION	REPORTED ACHIEVEMENTS
<p><b>Discretionary Development Equalization Grant (DDEG)</b></p>	<p>Consolidate former development grants (LGMSD, PRDP, LRDP, and USMID), with the goal of ensuring that allocations are focused on areas where services lag behind the national average standards.</p> <ul style="list-style-type: none"> <li>• Enable local governments to allocate funds to priority local development needs that are within their mandate and are consistent with the national priorities.</li> <li>• Provide local governments with equitable access to development financing to ensure that more disadvantaged local governments receive additional funding to enable them catch up with the rest of the country.</li> <li>• Improve local governments' capacities and systems for the provision of quality services.</li> </ul>	<p>Funds are allocated across thematic areas to ensure that the natures of the PRDP and LRDP projects are maintained.</p> <ul style="list-style-type: none"> <li>• The district level includes PRDP districts, LRDP districts, and LGMSD grant districts. At this level, 65 percent of DDEG resources are allocated to lower local governments and 35 percent to higher local governments.</li> <li>• The urban level includes non-USMID municipalities, USMID municipalities, and town councils. Resource allocation is split 50/50 between municipalities and divisions.</li> </ul>	<ul style="list-style-type: none"> <li>• The grant benefits policymakers because of its focus on mainstreaming and efficiency.</li> <li>• Local governments have the freedom to prioritize vital issues.</li> <li>• The bottom-up approach ensures community involvement in project development and implementation.</li> </ul>
<p><b>Peace Recovery and Development Plan (PRDP)</b> <i>PRDP I (2007–2010)</i> <i>PRDP II (2012–2015)</i> <i>PRDP III (2015–2020)</i></p>	<p>Provide guidance to various stakeholders, including the government, development partners, CSOs, and members of the private sector who may have an interest in contributing to the development of Northern Uganda.</p> <ul style="list-style-type: none"> <li>• Consolidate state authority.</li> <li>• Rebuild and empower communities.</li> <li>• Revitalize the Northern economy.</li> <li>• Promote peacebuilding and reconciliation.</li> </ul>	<p>The plan is coordinated by the Office of the Prime Minister.</p> <p>Local governments are in charge of the planning, coordination, and implementation of interventions at the district and municipality levels.</p> <p>Following its merger into the DDEG, from a technical point of view, the PRDP no longer exists.</p>	<ul style="list-style-type: none"> <li>• The program has largely been credited with the infrastructural development it has funded in Northern Uganda. For example, roads, several schools, health centers, boreholes, and Justice, Law and Order Sector institutions have been constructed using PRDP funding.</li> <li>• Infrastructure development was particularly beneficial as victims were returning to their communities after years of instability and residing in IDP camps.</li> </ul>

(continued)

APPENDIX 2 (continued)

PROGRAM	OBJECTIVES	IMPLEMENTATION	REPORTED ACHIEVEMENTS
<p><b>Northern Uganda Social Action Fund (NUSAF)</b> <i>NUSAF I (2003–2009)</i> <i>NUSAF II (2009–2016)</i> <i>NUSAF III (2016–2021)</i></p>	<p>Provide community development initiatives to finance demand-driven community-based initiatives to construct and rehabilitate the socioeconomic infrastructure on a small scale.</p> <ul style="list-style-type: none"> <li>• Improve access to income-generating opportunities.</li> <li>• Improve access to better basic socioeconomic services (community infrastructure rehabilitation).</li> <li>• Provide effective household income support and build the resilience of poor and vulnerable households in Northern Uganda.</li> <li>• Enhance transparency and accountability in public service delivery in Northern Uganda.</li> <li>• Strengthen the institutional capacity to implement, monitor, and evaluate the project at all levels.</li> </ul>	<p>The plan is coordinated by the Office of the Prime Minister.</p> <p>Local governments are in charge of the planning, coordination, and implementation of interventions at the district and municipality levels.</p> <ul style="list-style-type: none"> <li>• Previously implemented through the group model (10–15 people per group)</li> <li>• Currently implemented through the watershed/catchment areas model through the provision of support to groups and, to a small extent, individuals. (Catchment areas are villages or parishes along a natural water source, which must be protected from exploitation. Interview with Gulu District Official, Nov. 29, 2018.)</li> </ul>	<ul style="list-style-type: none"> <li>• Over 43,084 households have been supported to earn income through employment.</li> <li>• Vulnerable groups (e.g., single mothers, disabled people, elderly people, people living with H.I.V./AIDS, and young people) have been supported.</li> <li>• Infrastructure has been developed.</li> <li>• Direct beneficiary implementation takes place through village management committees.</li> <li>• Beneficiaries were trained on effective business enterprise management.</li> <li>• 11,700 households have been supported with grants for livelihoods.</li> </ul>

(continued)



APPENDIX 2 (continued)

PROGRAM	OBJECTIVES	IMPLEMENTATION	REPORTED ACHIEVEMENTS
<p><b>Operation Wealth Creation (OWC)</b></p> <p>Create a system that facilitates effective national socioeconomic transformation with a focus on raising household incomes for poverty eradication and sustainable wealth creation.</p> <ul style="list-style-type: none"> <li>• Mobilize people to engage in commercial agricultural activities to boost household incomes.</li> <li>• Distribute production inputs equitably and timely to boost production and productivity at the household level.</li> <li>• Facilitate rural technological upgrading to allow smallholder farmers to transform themselves into small-scale industrialists</li> <li>• Stimulate local and community enterprise development across the country.</li> <li>• Facilitate infrastructure development, particularly in rural areas.</li> </ul>	<p>Support is channeled by the UPDF to the community through district and local leaders. The OWC team works closely with the district production department as well as the Ministry of Agriculture, Animal Industry and Fisheries, which recruits extension workers to train community members to receive OWC agricultural inputs.</p>	<ul style="list-style-type: none"> <li>• Planting and breeding inputs have been distributed.</li> <li>• Farmers have received post-harvest and bulk-ing equipment and processes equipment</li> <li>• Recipients of these agricultural inputs report that they have been supported to earn a living through farming to improve their household incomes and overall economic conditions.</li> </ul>	

*(continued)*

APPENDIX 2 (continued)

PROGRAM	OBJECTIVES	IMPLEMENTATION	REPORTED ACHIEVEMENTS
<p><b>Youth Livelihood Program (YLP)</b> <i>UGX 265 billion five-year funding (2014–2019)</i></p>	<p>Empower targeted young people in Uganda to harness their socioeconomic potential and increase their self-employment opportunities and income levels.</p> <ul style="list-style-type: none"> <li>• Provide young people with marketable vocational skills and tool kits for self-employment and job creation.</li> <li>• Provide financial support to enable young people to establish income-generating activities.</li> <li>• Provide young people with entrepreneurship and life skills as an integral part of their livelihoods.</li> <li>• Provide young people with relevant information to support attitudinal change.</li> </ul>	<p>The program is implemented by the Ministry of Gender, Labour and Social Development with the support of local structures such as the office of the subcounty chief, the chairperson of the subcounty youth council, the CDO, and LC one chairperson.</p> <p>Young people (ages 18–30) in youth interest groups of 10 to 15 people are provided with interest-free loans of up to UGX 12.5 million.</p> <p>To ensure gender equity, at least 30 percent of the members in each group must be women.</p>	<ul style="list-style-type: none"> <li>• From the most recent program cumulative report, over 16,169 projects targeting 197,728 young people (107,717 men and 90,011 women) have been finalized.</li> </ul>

(continued)

APPENDIX 2 (continued)

PROGRAM	OBJECTIVES	IMPLEMENTATION	REPORTED ACHIEVEMENTS
<p><b>Uganda Women Entrepreneurship Programme (UWEP)</b> <i>(2016–2021)</i></p>	<p>Contribute to the economic empowerment of women (ages 18–65); unemployed people; and vulnerable groups (e.g., single young mothers, widows, and survivors of sexual and gender-based violence; people with disabilities; people living with H.I.V./AIDS; people living in slums; women living in hard-to-reach areas; and ethnic minorities).</p> <ul style="list-style-type: none"> <li>• Strengthen the capacity of women for entrepreneurship development.</li> <li>• Provide affordable credit and support access to other financial services to enable women to establish and grow their business enterprises.</li> <li>• Facilitate women's access to markets for their products and services.</li> <li>• Promote access to appropriate technologies for production and value addition.</li> </ul>	<p>The program is implemented by the Ministry of Gender, Labour and Social Development through local government structures, including the chairpeople of the Women Councils at both the district and subcounty levels. The community plays a key role in the selection of beneficiaries.</p> <p>Reliance on the group model, whereby beneficiaries must belong to a group in order to benefit from the UWEP program.</p>	<ul style="list-style-type: none"> <li>• As of December 2017, 44,570 women have benefited from the UWEP program.</li> </ul>





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