

From Emergency to Recovery

Rescuing northern Uganda's transition

Despite the absence of a final peace settlement, a dramatic improvement in security in war-ravaged northern Uganda is allowing displaced civilians to return home and has transformed the humanitarian operating environment. A transition is now under way from a relief effort led by international agencies to government-driven recovery. But that shift is generating new challenges for northern Ugandans and institutional confusion among the actors working to help them rebuild their lives. After decades of conflict and marginalisation, it is critical that the government of Uganda and its international partners bring a peace dividend to the North through an inclusive and co-ordinated recovery process.

Summary

Despite the absence of a final peace settlement, a dramatic improvement in security in war-ravaged northern Uganda is allowing ordinary civilians displaced by conflict to return home and has transformed the operating environment for humanitarian agencies. A transition is now under way from a United Nations-led emergency relief effort to a government-driven process of recovery. But that positive shift is generating new challenges for northern Ugandans and confusion among the multiple actors working to help them rebuild their lives. If reconstruction in the North is to succeed, it must as a matter of urgency be underpinned by a coordinated, inclusive transition strategy and adequate donor funding.

Since the signing of a cessation of hostilities agreement between President Museveni's government and the rebel Lord's Resistance Army (LRA) in August 2006, over half of the 1.8 million internally displaced persons (IDPs) in the region have left the camps to which they have long been confined and have returned to their villages of origin or to transit sites closer to their homes. But the pace of return differs sharply across the North, reflecting concerns about the fragility of the current peace and the poor standard of essential services in return areas.

The effort to adapt to changing circumstances is producing a high degree of mobility between camps and home villages, complicating humanitarian and development interventions. The distinction between returnees and IDPs is being blurred, as those who have left the camps return periodically to access services unavailable in their villages, while camp residents often leave in the daytime to cultivate nearby farmland.

The government and its international partners have committed to a process of voluntary return in which IDPs are able to leave the camps as and when they choose. But in some instances the government is pressuring IDPs to return home even though many still have serious anxieties about security, social services, and livelihoods. Disputes over land are adding further uncertainty, with the most vulnerable members of society – such as widows and orphans – at greatest risk of being denied their rights. The right to voluntary return must remain paramount throughout, and humanitarian aid should not be used as a tool to mobilise IDPs to leave the camps.

Meanwhile, a lack of clarity as to how the recovery should be co-ordinated and financed has resulted in donor hesitancy to fund recovery work and strained relations among partners. The government has developed an ambitious Peace, Recovery and Development Plan (PRDP) for northern Uganda designed to strengthen co-ordination and mobilise resources. But implementation only officially began on 1 July 2008 and it is still not clear what impact the plan will have on the ground. Meanwhile the UN has had difficulty articulating its transition strategy and how its agencies will best support government structures.

Sustainable development in the North will require far greater government ownership and a significant strengthening of its ability to deliver on services, security, and justice for the citizens of the North. International agencies must accept that they cannot retain the same degree of latitude as they did during the emergency and must make enhancing government capacity a priority.

Having suffered the dual effects of a brutal insurgency and forced displacement, northern Ugandans now need to see a tangible peace dividend. This is not only a humanitarian imperative, but the most effective way to break the cycle of conflict in the North.

This paper examines the returns process, new challenges that are arising as a result of it, and efforts on the part of the government and its partners to address the changing needs of the people of northern Uganda. It is based upon interviews with representatives of central and local government, UN agencies, donor governments, and NGOs, and on the findings of a series of focus group discussions held in four IDP camps and transit sites.¹ The research, conducted in May and June 2008, focuses on Acholiland, the area worst affected by conflict and where the pace of return has been slowest.

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Based on consultations with a wide array of actors in Kampala and the North, Oxfam recommends that the government of Uganda and its partners should:

Improve security by:

- Remaining committed to the peaceful resolution of the conflict and continuing to adhere to the cessation of hostilities agreement;
- Launching a programme of comprehensive police reform with technical and financial support from donors that aims at a minimum to:
 - Stamp out corruption and ensure that instances of corrupt practices are investigated and appropriate action taken;
 - Provide adequate training for all police personnel, including special police constables (SPCs), with emphasis on human rights and gender-based violence issues;
 - Ensure timely payment of salaries and provision of adequate resources to all police personnel in support of their duties;
 - Encourage recruitment of female police officers;
- Urgently addressing, through non-military means, concerns relating to peace, development, and rule of law in neighbouring districts.

Support voluntary return by:

- Ensuring that no pressure is exerted on IDPs to move; this includes ensuring that the provision of humanitarian assistance is not used, or perceived by IDPs, as pressure to leave the camps;
- Intensifying efforts to provide essential social services in return sites in line with the 'parish approach', while maintaining services in the camps. Government and NGOs should continue to involve communities in the provision of services, with the goal of creating sustainable facilities;
- Providing resettlement kits that include materials such as seeds, farming implements, and cooking utensils with a view to supporting self-reliance;

- Providing targeted assistance to vulnerable people, including former abductees, orphans, widows, the elderly and the disabled. This could include, but should not be limited to, support for building shelters, creating alternative livelihoods, protecting land rights, and preventing gender-based violence;
- Ensuring the freedom of choice of those IDPs who wish to remain in the former camps and assisting them where possible, in line with the National IDP Policy and camp phase-out guidelines;
- Mitigating the potential for disputes over land ownership by strengthening formal legal mechanisms such as courts and involving traditional clan structures in order to avoid parallel processes, and by providing greater public information about citizens' land rights, especially for women and child-headed households.

Support sustainable government-led recovery by:

- Ensuring that central and local government have greater ownership over the recovery process including by:
 - The alignment and co-ordination of international agency and NGO activities with central and local government priorities, as outlined in the PRDP and district development plans;
 - Building the capacity of central and local government so that it is in a position not only to co-ordinate activities but also to provide essential services, with an emphasis on attracting qualified civil servants;
 - Ensuring adequate, flexible and timely donor funding for humanitarian and recovery programming;
 - Clarifying the UN's transition strategy, improving internal co-ordination of recovery activities, and prioritising enhancing government capacity.

Promote national reconciliation by:

- Remaining committed to and implementing the agreements signed during the Juba peace process;
- Holding to account security personnel who commit human rights abuses.

1. Introduction

For over two decades, northern Uganda has experienced a brutal conflict between the Ugandan government and the rebel Lord's Resistance Army (LRA) that has caused immense suffering and the displacement of 1.8 million people.

In November 2003, the United Nations Under-Secretary-General for Humanitarian Affairs, Jan Egeland, described northern Uganda as 'the biggest forgotten, neglected humanitarian emergency in the world today'.² In the wake of that declaration, international agencies steadily expanded their presence on the ground, building schools and health clinics and providing other basic services in overcrowded and often squalid government-run camps for internally displaced persons (IDPs).

This humanitarian relief effort took place in an environment characterised by chronic insecurity. The LRA's insurgency directly targeted the civilian population through indiscriminate murder, mutilation, the abduction of thousands of children, and other atrocities classified as war crimes by the International Criminal Court. Despite the deployment of the Ugandan army to the camps, the LRA continued to terrorise the population. Government forces too were accused of committing human rights violations, with some perpetrators brought to trial and punished.

After years of stop-start peace negotiations, a new round of talks between the Ugandan government and the LRA opened in the southern Sudanese capital of Juba in July 2006. Shortly afterwards, the sides signed a landmark cessation of hostilities agreement. Over the next two years, further agreements were reached on comprehensive solutions, reconciliation and accountability, and disarmament. But despite this substantial progress, the LRA's elusive leader Joseph Kony failed to show up in April 2008 for the signing of a final peace agreement. The government has since indicated that it is again considering military means of dealing with the LRA.

Although the Juba process faltered at the final stage, it produced important agreements which, if implemented, could help build lasting peace. Above all, it ushered in a period of significantly improved security for the citizens of northern Uganda. The new security environment has allowed the government to lift restrictions on freedom of movement; as a result many IDPs are returning home, while those still in camps are able to cultivate land nearby. Humanitarian agency staff no longer need to travel with a military

escort and access to the communities they work with has been greatly enhanced.

However, the movement of IDPs out of the camps is generating new challenges and needs on the ground, while the shift from relief to recovery has brought about considerable confusion among the array of actors involved in northern Uganda. The roles and responsibilities of central and local government, UN agencies, national and international non-governmental organisations (NGOs), and donors are changing; but, these institutions are showing varying degrees of success in making the necessary adjustments. A great deal of energy has been expended in discussing transition strategies and clarifying multiple co-ordination mechanisms. It is now critical that the government and its international partners exercise leadership to consolidate the considerable gains made in the North since the onset of the Juba talks.

2. The complex returns process

Since the August 2006 signing of the cessation of hostilities agreement, close to 900,000 of the total estimated IDP population of 1.8 million have returned to their original villages, and some 460,000 have made the initial move to transit sites, smaller camps closer to return areas.³ However, a neat definition of 'return' as one-way physical movement from IDP camp to village of origin does not capture the complexity of the returns process in northern Uganda.

The pace of return differs markedly across the sub-regions of the North. In Lango sub-region, all IDP camps have been officially closed and the vast majority of people have returned home.⁴ In Acholiland, the area worst affected by the conflict, only 24 per cent of people have returned to their villages of origin.⁵ The uneven pace of return means that, although overall humanitarian needs are declining, traditional emergency programming in camps has to occur simultaneously with community-based recovery activities in return sites.

There is also a high degree of mobility between villages, transit sites, and camps. People who remain in the camps often leave during the day to cultivate land in or near their home villages. A recent United Nations Office for the Coordination of Humanitarian Affairs (OCHA) study suggests that a majority of camp locations are less than 5km or 50 minutes walk from pre-displacement residences.⁶ The close proximity of return sites to camps may make it an attractive option for IDPs to return to farm in their original homes, while maintaining a presence in the camp where services continue to be concentrated.⁷

Services outside the camps are often poor, so traffic also moves in the opposite direction. Residents of villages and transit sites continue to visit camps in order to access basic services such as clean water and health care. The absence or low quality of schools in return areas are causing the separation of family members as children are left behind to continue their education in camp schools, leading to serious child protection concerns. The perceived fragility of the current peace has also led some recent returnees to retain a residence in the camps as insurance against a resumption of the conflict, as most perceive the camps to be relatively safer than return sites.

The mobility of the population has blurred the distinction between IDPs and returnees, which in turn has complicated interventions by the government and by humanitarian agencies. How, for example, should an individual who has returned to his or her home village but can only access services in the camps be characterised? Similarly, how should a camp resident who has chosen to buy or rent land in the camp so as to be permanently based there be classified? A Gulu-

based NGO staffer described trying to target such a mobile population as a 'logistical nightmare'. Local government and its partners will need to co-ordinate their efforts to avoid omitting or double-counting beneficiaries. Moreover, attention must be paid not only to the number of returnees as compared with camp residents, but also to the degree to which these populations are moving back and forth, and why.

Bringing services to the villages

Thus far, recovery actors have not been able to keep up with the pace of return, meaning that conditions in return areas are often worse than in the camps. According to an internal UN document, recent mapping assessments 'show an appalling lack of basic services in transit sites and return areas'.⁸ In many villages, for example, schools have not been rehabilitated and classes are taught under mango trees. Indeed, in Oxfam-facilitated focus group discussions, residents frequently mentioned the lack of services in return sites, in particular safe water, as a reason for delaying their departure from the camps.

Poor social service delivery in villages has already had alarming consequences: in the Lango sub-region, where almost all former IDPs had completed their return by the end of 2007, the returnee population suffered an increase in malnutrition and mortality as a result of insufficient food and reduced access to basic services.⁹ The experience of Lango shows why it is vital that the government and its partners intensify efforts to provide services. Particular attention should be paid to the needs of women and children, with adequate funding and resources devoted to maternal care. That Uganda has one of the highest fertility rates in Africa, with an average of seven births for each rural woman, makes the focus on women's health all the more important.¹⁰

A paradox of camp life is that, despite the harsh conditions, many residents became accustomed to accessing a standard of social services that they did not necessarily have prior to displacement. In villages, the closest safe water source, for example, may have been a considerable distance away; in the camp, services were concentrated, significantly reducing walking and queuing times. Together with the priority objective of providing service delivery in return areas, efforts should be made to sensitise communities about the level of services they are likely to find in their home villages and future development plans. It is important that NGOs continue to involve communities in the provision of services with the goal of creating sustainable, locally-run facilities.

Maintaining services in the camps

Many IDPs interviewed by Oxfam said that living conditions in the camps had got worse in recent months. This deterioration can in part be explained by the departure of camp residents responsible for running services and shifting priorities. But with some three-quarters of Acholiland's IDP population remaining in camps or transit sites,¹¹ it is important that essential services are maintained in those areas. Upholding services in camps while rebuilding services in return sites makes for a difficult balancing act that requires flexible donor funding.

Security: an uncertain peace

The past two years have seen a marked improvement in security, with no serious LRA attacks in Uganda. There was broad consensus during the focus group discussions held by Oxfam in June 2008 that security had improved. 'Life has got better. We can move freely, we can go to the fields to dig, and we don't hear gunshots at night any more,' said a young man at Mucwini camp – remarks that were echoed by almost all respondents.

At the same time, however, there continues to be a deep sense of unease among the IDP population as to whether this period of calm will hold. The failure of Joseph Kony to sign a final peace agreement in April was a bitter disappointment for northern Ugandans. When asked if there was peace in the region, the most frequent response from focus group respondents was that 'Kony had not signed' and that as a result there was 'only relative peace'.

The prospect of a regional military strike against the LRA – which the government threatened following the breakdown of the Juba process – has further heightened anxieties. During a focus group discussion held on 5 June, just as news broke of the possible offensive against the LRA, the distress of the community was evident. One woman said: 'The security is better but we heard yesterday [on the radio] a serious war might start again and some people are thinking of returning to the camp.'

On radio and in visits to camps, local government officials insist that the LRA is no longer a threat and that it is safe to move home. But the residents of northern Uganda have experienced a cycle of failed government/LRA peace talks followed by upsurges in violence, and the message is treated with scepticism. A man in Paicho camp explained: 'In the late 1990s, we were told that Kony had gone far and couldn't come back easily. But he did come back and started killing again.'

Moreover, an absence of LRA activity does not automatically translate into a sense of security for a deeply traumatised people. The Acholi people have suffered the dual effects of the brutal LRA insurgency and forced displacement. According to a recent study conducted by the London School of Hygiene and Tropical Medicine and Gulu University, the IDPs of northern Uganda have the highest level of post-traumatic stress ever recorded among displaced populations, with women at particularly high risk of mental distress.¹²

Returning to scattered homesteads deep in the bush could increase anxiety levels for many. A recent returnee in Kitgum district told Oxfam, 'I am happy to be back. But I was abducted by the LRA and now I fear it could happen again... I haven't slept well since I returned to the village.' A female resident of Mucwini camp said, 'It may be difficult to return because all your children were killed at the village and you don't want to be reminded of the memories.'

The government and its partners need to take into consideration the impact of this mental distress when devising programmes to support the returnee population, as well as adjust their expectations of how quickly former IDPs will be able to rebuild stable communities and livelihoods, given their psychological trauma.

Police reform

The government has taken important steps towards improving security, such as carrying out de-mining activities in return areas. The PRDP further sets out commendable targets for strengthening the police force and judiciary in the North.¹³

At present, however, the police are under-resourced and understaffed, and have been accused by monitoring groups of corruption.¹⁴ The government has sought to bolster the civilian police force in the North through the deployment of special police constables (SPCs), who now outnumber the regular police. But the SPCs receive as little as one month's training and their salaries frequently arrive late, which means they inspire little confidence among the population.¹⁵ Referring to the SPCs, a woman at Mucwini camp said, 'The police are not trained well. They will throw their guns and run at the first sign of trouble.' Mistrust in the police reflects a broader lack of faith in the instruments of the state, which in the past have often been sources of abuse rather than protection.

The weakness of law enforcement mechanisms in the North makes comprehensive police reform an urgent priority that requires financial and technical support from donors. At a minimum, adequate training for all police officers and the timely payment of

their salaries should be guaranteed. In view of the high levels of violence against women, the police must be equipped to deal sensitively with cases of gender-based violence, and the recruitment of female officers should be encouraged. If the trust of citizens in the North in state law enforcement is to be restored, improving the quality as well as increasing the numbers of security personnel is critical.

Protection: the most vulnerable are always left behind

Displacement and camp life have eroded community support networks that in the traditional rural setting helped to ensure that the most vulnerable were cared for. Moreover, many of the protection mechanisms that existed in camps, where NGO-trained community groups were active, are being disrupted as returns intensify. Meanwhile, the government has disbanded camp leadership structures, leaving a vacuum that local authorities have not yet been able to fill. In return areas, local government protection mechanisms are in their infancy; at the same time, it is difficult for NGOs to provide the same level of protection monitoring to a more dispersed population.

As people return home, it is the most vulnerable camp residents – widows, orphans, elderly people, and the sick – who are left behind. Some are physically unable to walk back to their villages, while others, in particular widows and orphans, may be actively denied access to their land or may not know the location of their original homesteads.

Moreover, many children who do have parents still face protection issues, because they are being left in the camps unsupervised in order to continue their education in camp schools, while parents return to their villages to cultivate land. Unsupervised children are vulnerable to sexual abuse or exploitation for casual labour. Older siblings are sometimes forced to drop out of school to care for younger children.

In both camp and return sites, women and children heads of households are often at the greatest risk of exploitation and face big challenges in building sustainable livelihoods. To survive, some women are breaking with traditional roles and seeking alternative ways to make money. Typically, women in the camps have resorted to brewing and selling alcohol, making them unwilling participants in the cycle of alcohol-related violence.

In Acholi culture, construction of the traditional grass-thatched homestead is a task reserved for men. Unmarried women and widows who want to return to their villages must therefore rely on

male relatives to build their homes, and are expected to provide food and/or money in return. The poorest of these women may be forced to build the huts themselves, even though this is not culturally acceptable.

Mechanisms must be put in place to ensure that the most vulnerable receive the necessary support and protection. At the same time, initiatives that separate women from men or target selected individuals in isolation from the community risk fuelling resentment, leaving the vulnerable even more exposed. Moreover, the breakdown of traditional gender roles creates practical and psychological challenges for men, as well as women, to which recovery actors should be attuned.

Land disputes

As northern Ugandans return home, land is becoming a major source of tension, and it is the most vulnerable members of society – women, children, former abductees – who will suffer most.

The majority of land in northern Uganda is held by customary tenure i.e. through informal rules enforced by traditional clan structures. Under customary tenure, the concept of land 'ownership' is misleading, because future generations are considered to have rights to the land. People are 'custodians' rather than owners of land. But to function as it should, the system of customary tenure is reliant on social cohesion and stable family units. It has difficulty accommodating the breakdown in social order, the greater number of children born out of wedlock, and the increase in cohabitation that conflict and displacement have produced.

Northern Uganda's population is extraordinarily young, with a median age of 14 for females and 13 for males.¹⁶ With many young people having grown up in the camps, knowledge of customary land law has diminished, including about the rights of widows and orphans, who under Acholi customary law are granted access to land.

Cases of trespassing on land are also widespread. An elderly man at Acholibur camp lamented: 'You may have lived on the land for 60 years and when you return somebody else is digging there. It can end in fighting and someone getting killed.'

Formal structures for dealing with land disputes, such as local council courts, are weak and often corrupt. Efforts should be made both to strengthen formal legal structures and to integrate the traditional clan system and knowledge within those structures, for example by calling elders to sit as witnesses on local council courts during cases involving land.

Prior to the conflict, the Acholi people kept large numbers of cattle, which were a source of wealth and pride. Because much of the livestock was wiped out and virtually all other assets destroyed during the conflict, land has become the only resource for many. Restocking cattle populations could reduce the pressure on land. This is one of many policy tools that will need to be employed if future land disputes are to be mitigated.

‘Voluntary’ return?

In 2004, the Ugandan government adopted a highly progressive national IDP policy that promoted the right of voluntary return in safety and dignity.¹⁷ But messages emanating from some local government officials suggest that commitment to voluntary return and understanding of the concept varies considerably across government.

In each of the three Acholi districts in which focus group consultations were held, camp residents said that local officials were pushing for returns to be speeded up, including by threatening imminent demolition of huts or levelling of the camp. ‘We heard on the radio that the government would send a grader [large tractor] to demolish the camp,’ said a woman in Paicho camp in Gulu district. One local government official later told Oxfam that the government would soon be using a ‘language of compulsion’ in relation to return. Another echoed this, saying the government would rely on tactics described as ‘professional force’, i.e. measures such as the halting of food aid distributions in camps, to ensure people left.

Such threats are generating anxiety amongst the camp population. ‘On the one hand, they [the government] say we must go to the village willingly but on the other hand, they say we will go forcefully – it is confusing us,’ said a community leader at Mucwini camp. A woman at Paicho camp called on the government to ‘behave responsibly... First the government used force to bring us here and now it is forcing us to leave.’ Focus group participants in Mucwini camp also recounted several incidents of camp homesteads being demolished before the owners’ had established a permanent residence in return areas.

After years of displacement and reliance on humanitarian assistance, the government is understandably concerned that a dependency syndrome may exist amongst some sections of the IDP population. As a result, there appears to be an attitude among officials that assertive language and actions are required to push people to return home.

When apprised of the focus group participants’ reasons for delaying their departure from the camps – namely security, services, lack of housing materials, and absence of resettlement kits – the majority of officials consulted by Oxfam dismissed these complaints and called the IDPs ‘lazy’. They added that, after years of exposure to NGOs, the population knew what kind of excuses would sound credible; some NGO and UN officials seemed to hold similar views. It is undeniable

that some camp residents would find it more convenient to continue receiving World Food Programme (WFP) food rations than depart the camps and rebuild livelihoods from scratch; some admitted as much during focus group discussions.

But simply dismissing IDPs' concerns is not helpful. The issue of aid dependency should be addressed through constructive engagement with IDP communities, rather than using aggressive language and forcible means to push them out of the camps. The UN Refugee Agency (UNHCR) and government authorities must uphold the right to voluntary return, including by ensuring that, wherever possible, homesteads are demolished with their owners' consent.¹⁸

Supporting return

The role of humanitarian assistance, and World Food Programme (WFP) distributions in particular, have generated controversy as the transition from emergency to recovery has gathered pace. In dozens of interviews, Oxfam observed considerable misinformation as to when and how the WFP was planning to phase out its distributions. For example, some government officials in Gulu were adamant that the WFP was no longer distributing in camps, when in fact distributions are ongoing both in camps and at parish level. Mucwini camp residents thought that distributions would stop in August. In reality, the WFP and its partners are conducting an assessment of emergency food requirements that will determine future distributions. Once this assessment is complete, clear and consistent information should be disseminated to beneficiaries on how and when the phase-out will take place.

Humanitarian assistance should be phased out strictly on the basis of need, and not on the location of beneficiaries nor because of political or donor pressure. Humanitarian actors should not be put in a position where they are being asked to create push or pull factors to get residents out of the camps. At the same time, actors such as the WFP should intensify their recovery response by working to support improved agricultural production at the community level.

As the government and its partners work to advance the returns process, they need to ensure that returnees are provided with adequate resettlement kits. Despite government commitments to do so, many IDPs have not received resettlement packages. During his 2006 presidential campaign, President Museveni pledged to provide 30 corrugated iron sheets to each household¹⁹ But very few of those iron sheets have materialised. One sub-county leader said, 'People are still waiting for the iron sheets... we are advising them it was just a campaign promise and won't happen.' And since the Acholi people traditionally live in grass-thatched huts, it is not immediately obvious

why the government has focused on iron sheets as the main form of resettlement assistance.

With a view to supporting self-reliance, resettlement kits should include materials such as farming implements, fast-growing seeds, and cooking utensils. They should be accompanied by practical information such as the location of services in return sites.

Throughout the returns process, local authorities and local NGOs are best placed to ensure that IDPs receive the necessary information that minimises confusion and allows them to make informed decisions.

Free to stay? Resettling the IDPs in former camps

The government has committed to the resettlement of IDPs in camps and to the transformation of camps into viable communities in various policy documents, including the National IDP Policy, the PRDP, and recently-issued camp phase-out guidelines. Although these guidelines are short on detail, their release is significant because it reflects the recognition of the need for a longer-term approach. Importantly, they set out three durable solutions for IDPs, to be achieved under local government leadership: voluntary return, resettlement in the camp, and relocation to another part of the country.²⁰ The PRDP meanwhile contains a commitment to promote 'integration of the camps and IDPs into urban areas'.²¹

Much of the camp land is privately owned, putting in conflict two sets of competing rights: the right of landowners to reclaim their land and the right of IDPs, forced onto the land in the first place, to remain there if they so wish. While on paper the government upholds the right of IDPs to resettle in camps, in practice it appears to be pushing for return as the only viable solution. A central government official explained that 'facilitating return home is the most desirable because it has the least financial, political, and social implications'. Moreover, the government appears to consider the rights of the landowners as taking precedence over those of the IDPs. 'Landowners can demolish houses by force and take you to the police. The police support the landowner because the government has said it's time to move,' a resident of Acholibur camp told Oxfam.

As part of camp closure activities, efforts are under way to rehabilitate land degraded and compacted by high-density residences, so that owners are able to use it again for farming. But little, if anything, is being done to protect or assist IDPs who may be evicted by landowners.

The camp phase-out guidelines state that IDPs remaining in former camps may 'be assisted to formalise their stay through the due

process of law'.²² In reality, this means that landowners and IDPs are left to negotiate an arrangement on a case-by-case basis. And since formal land arbitration mechanisms are still weak and easily manipulated, it is unlikely that they will be able to provide IDPs with the necessary protection in land disputes.

The government has effectively ruled out compensation for landowners. An official from the Office of the Prime Minister explained, 'We should not provide compensation for something we did not start.' Since the creation of the camps was government policy, the logic is questionable, but it is undeniable that compensation would be costly, complicated, and could cause further tensions.

However, alternative measures being discussed by UNHCR could help to protect IDPs in disputes with landowners.²³ These include strengthening land arbitration mechanisms and providing free legal assistance to IDPs; setting ceilings on the sale and rent of land to minimise exploitation of IDPs; and acquisition of land by local government to be rented out to IDPs. Such measures should be encouraged, expanded, and codified – and information about land rights should be disseminated to the IDP population. Transforming camps into sustainable communities will also require a degree of urban planning which hitherto has been lacking.

3. Institutional responses to the transition

A transition from insecurity to relative stability, from humanitarian relief to development, and from displacement to return is inherently complex: competing needs overlap and actors must adjust to new roles. But northern Uganda's transition has been characterised by avoidable institutional confusion and weak leadership. There has been a lack of clarity from the government and from the UN as to how recovery activities should be defined, co-ordinated, implemented, and financed. At this critical juncture for northern Uganda, donor funding for recovery has not been forthcoming,

A historical lag in accepting that a humanitarian crisis existed in the first place partly explains the slow start to planning for the transition away from it. The Ugandan government was long reluctant to acknowledge and respond to the humanitarian disaster in the North, only launching an Emergency Humanitarian Action Plan for the region after the situation there was discussed at the UN Security Council in early 2006. And because of relatively impressive national economic growth rates and reductions in poverty, the international donor community has consistently lauded Uganda as a 'success story' in spite of the conflict, displacement, and marginalisation of the North.²⁴

It is now incumbent on the government and its partners to seize the opportunity created by the Juba peace process and the subsequent improvement in security to consolidate substantial gains already made in the North. Sustainable development will require far greater government ownership, improved co-ordination of state, UN, and NGO activities, and adequate donor funding.

The Ugandan Government's Peace, Recovery and Development Plan

The government has developed an ambitious three-year recovery programme for northern Uganda known as the Peace, Recovery and Development Plan (PRDP). The PRDP encompasses four core strategic objectives: consolidation of state authority; rebuilding and empowering communities – under which return and resettlement of IDPs is included; revitalisation of the northern economy; and peacebuilding and reconciliation.²⁵

The launch of the PRDP in October 2007 – after repeated delays – was accompanied by considerable confusion. It was not clear if the PRDP was meant to be a new initiative that would create parallel

implementation structures, a prioritised list of objectives already contained in Uganda's national Poverty Eradication Action Plan (PEAP), or a co-ordinating framework. Likewise, at the time of its launch the PRDP did not contain a clear funding mechanism, and official implementation did not begin until July 2008.

There was further uncertainty as to whether the PRDP represented additional funds to the North on top of existing central government transfers, or the total cost of recovery in the North (in which case, the estimated \$606m cost of financing the PRDP would have been a big underestimate).²⁶

Before committing funds to the PRDP, donors, who already provide substantial budgetary support, wanted an indication of the central government's own financial commitment and preparedness to increase transfers to the districts. For its part, the government first wanted to know how much the donors were considering giving, before putting a number on its own planned contributions. A painful waiting game thus ensued. The funding relationship between the PRDP and the UN's Consolidated Appeals Process (CAP) was also initially ambiguous, giving rise to the perception that the PRDP and the CAP were competitors. Donors were left unsure as to whether, where, or how to channel money.

The government has since made concerted efforts to elucidate the objectives of the PRDP, emphasising that it is 'not a separate project' but 'a coordination framework for all programs and projects in the north'.²⁷ The Ministry of Finance meanwhile has clarified the PRDP's funding mechanisms, confirming that in addition to budgetary support, funds for projects that are aligned to PRDP objectives but which do not pass through government coffers will be included in its financing.²⁸ This is important, because it should eliminate the perception that the CAP and the PRDP are competing against one another and allow off-budget donors, such as USAID, to contribute to the PRDP.

Although the government and donors have devoted long hours to discussing financing and implementation modalities, a cloud of uncertainty still surrounds the PRDP, especially at the district and sub-county levels. But if the PRDP is to deliver, information sharing and communication flows will need to improve between key central government departments (namely the Office of the Prime Minister (OPM), the government unit responsible for PRDP co-ordination, and the Ministry of Finance); between central government and local authorities; and between government and international agencies.

Local government officials interviewed by Oxfam in June 2008 were, for example, unsure as to whether the PRDP would result in any additional funds flowing directly to the district budget. Central government should intensify efforts to provide local authorities – the main implementing organs of the PRDP – with the necessary information relating to the plan. Donors meanwhile should lend technical assistance to the OPM to strengthen its capacity to effectively fulfil its co-ordinating and oversight role.

There is almost no knowledge of the PRDP among its intended beneficiaries. In focus group discussions in camps, only a handful of respondents had heard of it, and what they knew was vague or incorrect. ‘I think it is only for Gulu people. People who return will be given enough money to buy one cow,’ offered a resident of a transit camp in Kitgum. Raising awareness of the PRDP is important, and can only help to increase confidence among northerners that the government is working to improve their situation and to address their historic marginalisation.

The ‘parish approach’

In consultation with OCHA, the government has developed what is known as the ‘parish approach’ to help ensure that a minimal level of basic services is provided in LRA-affected areas. The basic idea is that social service provision should be determined on the basis of the overall population of the parish, regardless of whether the population includes fully returned home, transit, or IDP populations.²⁹

The parish approach is an important indicator of the government’s commitment to the provision of service delivery in the North and provides a useful conceptual framework for recovery actors.

National reconciliation

An important concern raised about the PRDP is its focus on technical solutions at the expense of the underlying political dynamics of the conflict.³⁰ The government does not, for example, accept any degree of responsibility for the marginalisation of the North. Moreover, the PRDP’s fourth objective – on peacebuilding and reconciliation – is neglected both in terms of funding and analysis: this critical objective is dealt with in only seven pages and is allocated just 2.7 per cent of the overall budget.³¹ The PRDP also defines the North as 40 districts – almost half the country – rather than focusing on LRA-affected regions, which raises concerns about how the recovery effort will address the specific needs and grievances of the Acholi people. If there is to be lasting peace in northern Uganda, the government and its partners must pay greater attention to the imperative of country-wide reconciliation.

United Nations: difficulty in making the transition

The UN has had difficulty in spelling out its strategy for transitioning from an emergency relief effort to one centred around recovery and reconstruction. This can be attributed to a number of causes. As part of a global-level UN humanitarian reform agenda, Uganda was one of six pilot countries chosen for the implementation of a 'cluster approach'. With a view to strengthening the co-ordination, capacity, and accountability of the humanitarian response, the UN's cluster approach is premised on identifying an organisational leader to co-ordinate the efforts among UN agencies and NGOs in a sector in which there are identifiable gaps. UNHCR, for example, has been designated the global 'cluster lead' for camp co-ordination and management, UNICEF leads on water, sanitation, and hygiene, and so on.³² On early recovery, responsibility falls to UNDP.

While Oxfam supports the objectives of the cluster approach, there have been difficulties in the way it was rolled out in northern Uganda. The clusters were introduced at the end of 2005 without first adequately explaining what they were all about, which meant that from the outset there was limited buy-in both from government and NGOs. And since the cluster system is perceived to be in part based on the assumption that in any humanitarian emergency a functioning central authority is lacking, questions were raised as to whether Uganda, where there is a strong central government, was the most appropriate country for piloting the approach.

OCHA subsequently launched a cluster information campaign and pushed, with mixed success, for greater government involvement in the system. Central and local government officials are increasingly chairing or co-chairing cluster meetings in Kampala and in the North. But government officials do not systematically attend cluster meetings – an indication perhaps that they have not been convinced of the utility of the approach as well as of government understaffing. There are in particular concerns over the capacity of district governments to fully take over coordination responsibilities and stand alone once the clusters have been phased out.

Phasing out or merging clusters into government institutions

Clusters are not intended to be permanent co-ordination mechanisms. As the shift is made to recovery, clusters are being phased out or merged into the appropriate sector working group at the central level and district technical department at the local level.

Each cluster should have its own internal timeline for phase-out/absorption, depending on the needs on the ground and local government capacity; similarly, an individual cluster may be phased out or merged at different times in different districts. As the clusters prepare their exit strategies, it is critical that efforts are made to build up central and local government capacity.

Co-ordinating recovery

Among international agencies, there has been particular frustration with the workings of the UNDP-led early recovery cluster, which in theory represented the obvious vehicle for providing direction on how the UN would transition from relief to recovery. A widespread sentiment among UN, NGO, and donor representatives interviewed for this paper was that the early recovery cluster was, in the words of an NGO worker, 'missing in action'.

Some of the international officials interviewed by Oxfam suggested that the cluster's problems were due to the weakness of UNDP in Uganda, whose 2008 CAP funding requirements were at the time of writing entirely unmet, even though they have been reduced from \$10m to \$2m.³³ Others pointed to a conceptual cause. Early recovery, as defined by the UN, occurs in parallel with humanitarian activities with the aim of establishing the foundations of longer-term recovery.³⁴ Given this definition, it is not clear why a separate institutional mechanism should exist for an approach that should be hardwired, from the beginning of an emergency, into the day-to-day activities of all clusters. In an effort to clarify its mandate and fill in gaps, the early recovery cluster restyled itself as the 'Governance, Infrastructure, and (non-agricultural) Livelihoods' cluster, but it was slow to get off the ground.

In the absence of a clear recovery leader or funding mechanism, it was left to the 2008 CAP to pick up some of the early recovery and transition programming. Donors have been reluctant to finance early recovery activities through the CAP, as it is designed to be a vehicle for mobilising funds for humanitarian rather than for recovery or development activities. At the time of writing, less than 30 per cent of the requested funding for CAP early recovery and recovery projects had been covered.³⁵ Such activities, designed to stabilise displaced and returning populations, are critically needed to help bring a peace dividend to the North.

The confusion over the early recovery cluster is symptomatic of a broader lack of direction at the UN in Uganda over the transition. In part, this is attributable to an asymmetry between the humanitarian and development architecture at the global UN level. On the humanitarian side of the UN house, there is a clear organ for facilitating coordination: OCHA; a clear mechanism for mobilising resources: the CAP, which also provides a degree of analysis; and the presence of the Inter-Agency Standing Committee (IASC), which brings together humanitarian donors, the UN agencies and cluster leads, and NGO representatives (five in the case of Uganda, including Oxfam).

On the development side of the house, there is no vehicle for mobilising funds i.e. no CAP counterpart; nor is there an obvious counterpart to the IASC, so it is not clear where the NGOs would sit in relation to the UN. The Resident Coordinator (RC)'s office normally, but not always, takes on OCHA's co-ordination role.

This institutional uncertainty forms the background against which long deliberations as to the UN's transition strategy have taken place in Kampala. But, despite forward thinking from humanitarian actors, that strategy has still not been fully articulated. It is envisaged that OCHA will gradually phase out its presence over the coming years and transform into a smaller humanitarian unit. The RC's office will subsequently oversee the recovery, but that office has a tiny staff compared with OCHA; if it is to play an effective co-ordination role, its resources will need to be strengthened. A further complication is that Uganda's RC is also the Humanitarian Coordinator and the head of UNDP; such a triple-hatted responsibility raises issues of capacity and potentially of conflict of interest. Whichever UN co-ordination mechanism is eventually decided upon, the UN in Uganda must prioritise the goal of enhancing government capacity.

Working with local government

If the North's recovery is to be sustainable, the promotion of strong and accountable local government will be critical. Local authorities must be able to deliver services, maintain law and order, contain land disputes, and guarantee protection and justice for the most vulnerable members of society. This is a formidable task and one which will require concerted support from central government and the international community.

While Uganda has a decentralised, sophisticated system of local government, after two decades of conflict its structures are weak and under-developed. District and sub-county offices lack computers, transportation, and most importantly, qualified staff. The difficulty in

recruiting civil servants and security personnel in the North is directly related to the poor quality of basic services and infrastructure – away from the towns, there is often simply no place for teachers, doctors, and police to sleep.

Together with building up services, the government and development partners should explore creative ways to attract qualified personnel to the North, possibly by providing hardship allowances or by encouraging senior-level management in Kampala to look favourably upon time spent in the North as an important part of professional development.

As the transition has taken place from relief to recovery, tension has crept into the relationship between local government and international agencies, particularly NGOs. Many government officials see international agencies as competitors in the quest for development resources in the North. For example, in 2005/06, key donors cut budgetary support to the government over reported democratic abuses, but publicly stated that the money was not being lost to northern Uganda because it would be channelled to international agencies.

Given the limited capacity of local government, there is no question that UN agencies and NGOs will continue to play a significant role in northern Uganda's recovery and reconstruction. This is especially true if progress is to be made quickly. District officials interviewed for this paper recognised this, and spoke positively of the work being done by humanitarian actors. But they also expressed frustration at what they perceived to be the reluctance of some NGOs to align their activities with district plans.

If a productive partnership is to be maintained between local authorities and international actors, the latter will need to recognise the government's ownership of the recovery process. UN agencies and international NGOs must make strengthening local government capacity a priority and must find practical ways to achieve this goal, such as seconding national and international staff to local institutions, hands-on training, and sharing resources. For its part, the government should focus more on building up its own delivery capacity rather than managing the work of NGOs. In an interview with Oxfam, a local government official acknowledged that his district's planning unit should 'do more than co-ordinate but also substantive thinking and delivery of services.'

4. Conclusion

The ingredients exist to make a successful transition from emergency relief to longer-term recovery in northern Uganda: a functioning government, mature government–donor relations, and improving security. The North has some of the most fertile soils in the country, and has the potential to be Uganda’s breadbasket. Despite their immense suffering, the Acholi people have shown remarkable resilience, and many are already farming their land. On the ground, there is a sense of cautious optimism as ordinary civilians begin to rebuild their lives.

Provided a co-ordinated and inclusive transition strategy is put in place, northern Uganda is well placed to capture resources and expertise from both the humanitarian and development communities. It is imperative that the Ugandan government and its partners capitalise on the opportunity that now exists to make real headway towards reconstructing what has been one of the world’s worst conflict and humanitarian disasters in recent times.

As a senior UN official put it: ‘If we don’t achieve certain things with the potential benefit of both humanitarian and development money in the LRA-affected North, in the coming years we won’t be talking about the needs of IDPs or returnees, but the needs of a very poor population, by which time attention may have moved elsewhere.’

Notes

¹ Almost 40 separate interviews were held in Kampala and the Acholiland districts of Kitgum, Gulu, and Pader, as well as focus group discussions involving over 100 IDPs held in four camps in the same districts (Mucwini camp and Akara satellite camp in Kitgum; Paicho camp in Gulu; and Acholibur camp in Pader). For reasons of confidentiality, interviewees are not referred to by name.

² Agence France-Presse (November 2003), available at: www.reliefweb.int/rw/rwb.nsf/AllDocsByUNID/e1f176894430fdeec1256ddb0056ea4c

³ Inter-Agency Standing Committee (IASC) in Uganda, IDP population movement numbers, June 2008. The IASC figures are based on five sub-regions of northern Uganda: Acholi, Lango, West Nile, Toro Bunyoro, and Teso.

⁴ Ibid

⁵ Ibid.

⁶ OCHA (September 2007) 'Waiting for Godot in Gulu: Possible reasons for delay in IDP's returns process', p.5. Available at: [www.reliefweb.int/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/EGUA-78NLRH-Full_Report.pdf/\\$File/Full_Report.pdf](http://www.reliefweb.int/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/EGUA-78NLRH-Full_Report.pdf/$File/Full_Report.pdf)

⁷ Ibid.

⁸ Uganda Consolidated Appeals Process (CAP) Mid-Year Review (MYR), 2008, p.4 (unpublished).

⁹ Ibid., p.6.

¹⁰ See: www.unfpa.org/worldwide/indicator.do?filter=getIndicatorValues

¹¹ IASC, IDP population numbers, op.cit.

¹² For details of the study, see: <http://www.lshtm.ac.uk/news/2008/posttraumaticstress.html>

¹³ Peace, Recovery and Development Plan for Northern Uganda (PRDP), Republic of Uganda, September 2007.

¹⁴ Letter by Human Rights Watch to Major General Kayihura, Inspector General of Police, Uganda Police Force, 2 May 2007. Available at: <http://hrw.org/english/docs/2007/05/21/uganda15971.htm>

¹⁵ Ibid.

¹⁶ 'Uganda: Uncertain future for IDPs while peace remains elusive', Internal Displacement Monitoring Centre, 24 April 2008, p.11.

¹⁷ The National Policy for Internally Displaced Persons, Republic of Uganda, August 2004, p.23.

¹⁸ The relevant UN clusters have taken important steps in this direction by issuing the 'Guidelines for demolition of abandoned structures' (June 2008). Available at www.internal-displacement.org/countries/uganda

¹⁹ IRIN news (March 2006) quoted President Museveni as saying, 'I want to get rid of these *lum* [grass] huts from Acholi. They have been there for long. I want the Acholi people to begin living in decent houses made of *mabati* [iron sheets] like people in other parts of the country.' See: www.irinnews.org/report.aspx?reportid=58291

²⁰ 'Camp Phase Out Guidelines For All Districts That Have IDP Camps', Office of the Prime Minister. Available at: www.internal-displacement.org/countries/uganda

²¹ PRDP (2007), p.63. The PRDP assumes that 'some 30 per cent of IDPs will remain in current residence'.

²² 'Camp Phase Out Guidelines', op.cit.

²³ Draft Camp Phase Out Guidelines (April 2008), passed on to Oxfam by UNHCR (unpublished).

²⁴ A donor document states: 'Uganda is widely characterized as a country that went from "basket case" to "success story,"' Uganda Joint Assistance Strategy (2005–2009), p.2.

²⁵ PRDP (2007) pp.vii-viii.

²⁶ Ibid., p.ix.

²⁷ '14 Frequently Asked Questions About the PRDP', Office of the Prime Minister, June 2008 (unpublished).

²⁸ Funding strategy for the Peace, Recovery and Development Plan (PRDP), Ministry of Finance, Powerpoint presentation (unpublished).

²⁹ Office of the Prime Minister, Joint Monitoring Committee, Transition Approach for LRA Affected Northern Uganda, 24 August 2007 (unpublished).

³⁰ Dr. Chris Dolan (April 2008) 'Is the PRDP a three-legged table?', Keynote speech at seminar for Scandinavian-based INGOs working in Northern Uganda.

³¹ Ibid.

³² For details on on the clusters, see:

www.humanitarianreform.org/humanitarianreform/

³³ According to Reliefweb's Financial Tracking Service, at: www.reliefweb.int/rw/fts.nsf/doc105?OpenForm&rc=1&cc=ugas

³⁴ See:

www.humanitarianreform.org/humanitarianreform/Default.aspx?tabid=80

³⁵ Early recovery and recovery were, respectively, 31 per cent and 26 per cent funded; humanitarian assistance was 59 per cent funded. Uganda CAP MYR, op. cit., p.13.

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