

**THE RIGHT TO ADEQUATE FOOD IN UGANDA:
A CASE STUDY OF INTERNALLY DISPLACED
PERSONS IN UNYAMA CAMP, GULU DISTRICT**

BY

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(2004/HD03/1163U)**

**A DISSERTATION SUBMITTED IN PARTIAL
FULFILMENT OF THE REQUIREMENT FOR THE
AWARD OF THE DEGREE OF A MASTERS OF ARTS IN
HUMAN RIGHTS OF MAKERERE UNIVERSITY**

FEBRUARY, 2008

DECLARATION

I, KIPWOLA JOAN, DECLARE THAT THIS IS MY ORIGINAL PIECE OF WORK
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Date:.....

This research report has been submitted with the approval of my supervisor

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DEDICATION

I dedicate this thesis to my dear parents, Simon Ongom Oola and Doreen Keri Ongom; my sister, Patsy Lanyero; my brothers, Emmanuel, Andrew and Peter; and to my dear nephew, Frank who endured my absence during the course of this Masters Programme and all those who made me what I am.

ACKNOWLEDGEMENT

Many people have been instrumental in assisting me to complete the requirement of the programme of which this dissertation is part. In the first place, I would like to give special thanks to my supervisor, Dr A.B Rukooko, who supervised, mentored and guided me during all the research work.

My thanks also go to the entire lecturers for their academic advice and support. I am especially grateful to Rev Fr.Dr Lajul Wilfred of the Faculty of Arts, Makerere University and Dr Sango Mwanahewa of the Faculty of Arts, Makerere University; Mr Abola James, Mr Odongkara Fred and Mr Olara Steven Evans for their encouragement and advice on the planning and writing of this thesis. They deserve sincere acknowledgement. I would like to thank the German Academic Exchange programme (DAAD), who sponsored my Study, the management and Staff of Gulu University and the staff of the United Nations Office of the High Commissioner for Human Rights for providing a conducive academic environment.

Finally, special recognition and gratitude go to all who assisted in the collection of data and to all the respondents who gave their time so generously to share their views and experiences. To you all, I am immensely grateful

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LIST OF ABBREVIATIONS AND ACRONYMS

ACF	Action Contre Faim
ACHPR	African Charter on Human and Peoples Rights
CSB	Corn Soya Blend
FAO	Food and Agricultural Organization
FGD	Focus Group Discussion
FNP	Food and Nutrition Policy
GC	General Comment
HH	Household
ICESCR	International Covenant on Economic Social and Cultural Rights
IDPs	Internally Displaced Persons
Info/MOH	Information from Ministry of Health
LRA	Lords Resistance Army
MAAIF	Ministry of Agriculture Animal Industry and Fisheries
MOFPED	Ministry of Finance Planning and Economic Development
MOH	Ministry of Health
NFNC	National Food and Nutrition Council
NGO	Non-Governmental Organization
NRC	Norwegian Refugee Council
OHCHR	Office of the High Commissioner for Human Rights
OPM/DDPR	Office of the Prime Minister/Department of Disaster Preparedness and Refugee
UN	United Nations
WFP	World Food Programme

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ABSTRACT

Uganda is a signatory to many international treaties relating to the right to food, which is also reflected in the 1995 Constitution of the Republic of Uganda. This can also be evident in the many government programmes such as the Poverty Alleviation Action Programme (PEAP), Plan for Modernisation of Agriculture (PMA) among others. Despite all the above, violations of the right to adequate food still exist currently in Uganda. The progressive realization of the right to adequate food is being hampered because of the lack of clear strategies in place to enforce these policies and the situation of internal displacement in northern Uganda, which denies the population physical access to farm land and food in quality and quantity.

This study was carried out between July 2005 and September 2006 in Unyama Internally Displaced Persons Camp Gulu District in Northern Uganda, to assess the implementation of the right to adequate food in Uganda, through the existing local and international policies, hence coming up with feasible recommendations to enhance the realisation of the right to food for all Ugandans. The study used a case study design and employed a predominately qualitative approach in order to gain an in-depth descriptive account of the issue under study. The insecurity coupled with restrictions that negatively impact on the availability, accessibility and adequacy of food for the IDPs, were taken cognisance of in the analysis of this study.

It is therefore suggested that in order to progressively realise the right to adequate food there must be enforceable laws to fulfil the loopholes in the current policies and in conjunction with other stakeholders increase the IDPs food rations as well as encourage programs of providing seeds to ensure food sustainability.

CHAPTER ONE

GENERAL INTRODUCTION

1.1 Introduction

The number of countries facing serious food shortage through out the world stands at 36 with 23 in Africa, 7 in Asia or near east, 5 in Latin America and 1 in Europe. The civil strife in the Sub-Saharan Africa countries like Burundi, the Democratic Republic of Congo, Corte de Ivoire, Liberia, Sudan and Uganda has led to internal displacement and serious food shortage (FAO/GIEW: African Report, December 2004). Recent estimates indicate that about 2.3 million in Eritrea, 2.2 million Ethiopians and more than 4 million people in Sudan are in need of humanitarian assistance. The crisis in Dafur is particularly worrying.

The insurgency in Northern Uganda which has persisted as the main challenge to the enjoyment of full economic, social and cultural rights and freedom in the region. The conflict has deprived the local masses of the right to adequate food, health and education services among others. The conflict has had devastating consequences on the population. Over 1.6 million people have been displaced from their homes (FEWS NET/Uganda, May, 2004). Displacement into camps implies that access to land for cultivation is limited hence leaving the population vulnerable to starvation. Consequently, food production has fallen and much of the population still depends on humanitarian aid including food aid from WFP and other humanitarian agencies. The study assessed the implementation of the right to adequate food in Unyama internally displaced person's camp in Gulu District. The ongoing skirmishes in northern Uganda have resulted in increased levels of food insecurity. Lack of access to land by the local populations has strained the efforts of humanitarian organizations to deliver emergency assistance.

The lack of security in affected areas of Northern Uganda has also prevented any comprehensive assessments of food stocks from being conducted. Food insecurity is likely to increase over the coming months due to the combined effects of people being unable to access their land and lack of rainfall in parts of Kitgum, Gulu and Pader districts.

Kashyap et al (2004) reported that food contribution from IDPs' own production is limited because on average, most households can only access about 0.5 - 0.75 acres of land. From this land, maximum production can provide only two - three months of the 'grain equivalent' requirement for an average household of seven people. Various income-earning opportunities exist in the region with the most widespread activity in Gulu being the exchange of labour and sale of natural resource-based products in Kitgum and Pader.

1.2 Background to the Problem

In the past two decades, Ugandans have made promising economic gains while achieving a degree of civil stability. Relative peace and greatly improved economic policies have fostered substantial growth in manufacturing, services, and certain parts of the agricultural sector, yet abject poverty; poor health, physical insecurity, and recurrent food shortages persist. Nearly 90 percent of the population derives most food and income from small-scale food- and cash-crop agriculture (USAID, 2006). The civil insecurity, drought, and underlying poverty, have made the people of Northern Uganda not food secure. Over 440,000 MT of cereals and 56,000 MT of vegetable oil have come into Uganda as food aid during the past decade to ease food insecurity. On the whole, such emergency food aid has been provided in response to localized production shocks caused by drought or civil insecurity. Over 1.6 million IDPs in camps in northern Uganda currently receive food aid.

In general, Uganda has the ability to cover aggregate food needs, although it is difficult to get a clear picture of the situation because the data on agricultural production and trade are very poor. There are few published analyses of food availability in Uganda and in particular Northern Uganda. Estimates by the different institutions- Ministry of Planning and Economic Development, FAO and WFP, and FEWS differ in specifics over a period of time. The immediate cause of violation to the right to adequate food in Northern Uganda is not food shortage but rather the lack of access to that food to many people in the IDP camps who neither grow enough food to feed their families nor earn enough to buy. As a result of persistent poverty, the effective demand for food runs behind generally accepted standards of need.

The biggest triggering factor to the violation of the right to adequate food in Northern Uganda is the civil unrest, particularly in the northern Districts of Kitgum, Pader, Lira and Gulu. Civil insecurity greatly has exacerbated the problems caused by weather, because it has caused displacement and reduced access to land, as well as the loss of farm equipment and other productive resources. Poverty and despair have breed disaffection, and drought, low productivity, and civil unrest feeding off one another in a vicious circle. Although the proportion of the population (1.6 million) living in insecure districts is small, a sense of risk has permeated the country.

The 19-year-old war in Northern Uganda has had disastrous repercussions on civilians living in Northern Districts of Uganda and has resulted in massive displacement of rural people in Northern Uganda. According to Deng (2004), more than 1.6 million people have been displaced within Uganda. Many people in Northern Uganda shelter in 140 squalid camps as

the government struggles to come to a peace settlement with the rebels to end an era of senseless killing, abduction and enslavement of children and burning of villages. Gulu District has been heavily affected by the nineteen years of conflict generated by the rebels Lord's Resistance Army (LRA). The district has 462,850 registered IDPs (118, 338 households) in 53 camps. Most of the displacement occurred during 1996 with added smaller displacement during 2002. Ninety percent (90%) of Gulu district population is displaced. Food production and household economy have been severely affected because of limited accessibility to garden and movement restrictions in the area.

On the basis of human rights, Uganda followed tread of other countries which observe human rights by ratifying the following international human rights treaties:

- a) CAT : Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1986)
- b) CEDAW : Convention on the Elimination of All Forms of Discrimination against Women (1985)
- c) CERD : Convention on the Elimination of All Forms of Racial Discrimination (1980)
- d) ICCPR : International Covenant on Civil and Political Rights (1995)
- e) ICESCR : International Covenant on Economic, Social and Cultural Rights (1987)
- f) CRC : Convention on the Rights of the Child (1990)
- g) CRC OPAC: Optional Protocol to the CRC on the Involvement of Children in Armed Conflict (March 2002) - entered into force on 12 February 2002.

Despite the terms outlined in the UN IDP Guiding Principles (1998) and the various treaties that Uganda has ratified, those residing in the camps in Northern Uganda are not receiving

adequate assistance. The insecurity and displacement into the camps has presented a greater challenge of reduced food security of the household, community and district levels as well as other opportunities for meaningful livelihood option. Given the fact that majority of the population depend on agriculture have lost access to their land including economic activities. WFP has since 1996 been providing food for the IDPs in the camps. The food aid being delivered consists of Corn Soya Blend (CSB), Maize grain, Vegetable Oil, Cereals, beans and peas. According to the World Hunger note by Mayer (2004), IDPs wholly depend on ration donated by industrialized nations .The component of the food distributed may vary depending on the availability and this sometimes causes shortfalls in rations. The distribution cycle is after every 30 days although sometimes may be interrupted by insecurity.

Malnutrition has become increasingly noticeable among the population in IDP camps in Gulu District especially children under 5 year old and in lactating or pregnant mothers. A rapid nutritional assessment conducted in January, 2003 by WFP and MOH in Pabbo and Anaka IDP camp showed acute global malnutrition of 18% and 30% respectively (info/MOH). The MOFPED (2002) study concluded that Gulu, once a leading producer of food and cash crops, and having the economic potential for the region prior to the break of war, is now one of the poorest areas in the country having an absolute poverty level of 66%.

In order to fulfill its responsibility, the government of Uganda through the Office of the Prime Minister, Department of Disaster Preparedness and Refugees, 2004(OPM/DDPR) has formulated the National IDP Policy to address the needs of the IDPs. Chapter three (3) sub-sections 3.8 of the policy looks into the aspect of food security. The National IDP Policy is

inclusive of most rights highlighted by the Guiding Principles. This is a positive development at the national level although it has not been effectively implemented.

1.3 Statement of the Problem

Despite the existence of relevant international instruments and in spite of Uganda being a signatory to the different international instruments for the progressive realization of the right to adequate food, there is still a high prevalence of hunger and malnutrition among the IDPs in the Uganda. Millions of people, who have been displaced due to armed conflict, have abandoned their homes and gardens for fear of being killed, raped or abducted by LRA rebels. Food production and household economy have been severely affected because of limited accessibility to arable land and free movement forcing the population to depend on food rations. According to the World Food Programme (2005), more than 800,000 displaced people in Northern Uganda are experiencing food shortage. Restricted movement has also placed limitation of the ability for IDPs to collect outside food as complements to their monthly food ration.

1.4 Definition of the Key Terms

In order to analyze the right to adequate food, it is important to be clear about the definitions of certain of the key terms:-

Accessibility: Food should be accessible in ways that are sustainable and that do not interfere with the enjoyment of other human rights.

Availability: refers to the possibilities either of feeding oneself directly from productive land or other natural resources, or for well functioning distribution,

processing and market systems that can move food from the site of production to where it is needed in accordance with demand.

Food Security: Food security exists when all people, at all times, have physical and economic access to sufficient, safe and nutritious food to meet the dietary need and food preference for an active and healthy life.

Household: These are family units in a community.

Hunger: This refers to not getting enough of the right kind of food to meet our needs. The signs of hunger includes; People saying they are hungry, People eating fewer meals, little food in the home and children growing slowly.

Internally displaced persons (IDPs): These are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations violation of human rights and who have not crossed an internationally recognized state boarder.

Right to adequate food implies:

- a) Every man, woman and child alone or in community with others have physical and economic access at all times to adequate food or means for its procurement.
- b) The availability of food in quantity and quality sufficient to satisfy the dietary needs of individuals, free from diverse substances and acceptable within a given culture.
- c) The availability of such food in a way that are sustainable and do not interfere with the enjoyment of other human rights.

- d) There should be physical and economic access at all times to adequate food or means for its procurement.
- e) The availability of measures both private and public to ensure food safety and prevent contamination of food staffs through adulteration, poor hygiene or inappropriate handling at different stages through out the food chain.
- f) Cultural and consumer acceptability –There is need to take into account, as far as possible, the perceived non-nutrient based values attached to food and food consumption and informed consumer concern regarding the nature of accessible food supplies. That is to say acceptable to given culture may differ in different cultural circumstances

For the purpose of this study, the right to adequate food means one's entitlement to have physical and economic access to food at all times. This includes availability in quantity and quality. The operational concept of the Right to Food as used by Food and Agricultural Organization (FAO), is that of Food Security which says 'food security' exists when all people, at all times have physical and economic access to sufficient, safe and nutritious food to meet their dietary need and food preference for an active and healthy life.

Obligation to protect: means that the state has to ensure that non-state actors do not deprive other individual or group of other individuals or groups of their access to adequate food

Obligation to facilitate: The state must be proactive in strengthening people's access to food and utilization of resources and means to access food.

Obligation to provide: Means that states must fulfill the right directly when ever individuals or group is unable, for reasons beyond their control, to enjoy the right to adequate food with the means at their disposal.

Violation of right to food: refers to the situation when the state fails to ensure the satisfaction of, at the very least, the minimum essential required to be free from hunger.

Rwodi Keri- Refers to the traditional set up under the leadership of the chiefdom. Literally the “chiefs of the hoe”

1.5 Scope of the Study

The study assessed the implementation of the right to adequate food in Unyama IDP camp. Unyama Internally Displaced Person’s camp is located 7 kilometers East of Gulu Town, with a population of 12,776 and a total of 3,380 households. The study was conducted over a period of 6 months in Gulu District to highlight the Violation of the right to adequate food of the IDPs. The study also identified and assessed the relevant human rights instruments pertinent to the Promotion and Protection of the right to adequate food in Unyama IDP camp and further highlighted the causes of violation of the right to adequate food of the IDPs. Unyama IDP camp was chosen as the focal area of study because it is accessible and has a fair representation of the situations of IDPs in Gulu District. Over seventy respondents were interviewed.

The study timeframe is 1999 to 2006. The year 1999 witnessed gravity of human rights violations of the LRA insurgency in northern Uganda, which resulted into communities therein like Unyama in Gulu district to resort to IDP status for human security. It was during this peak of the LRA insurgency that both international and local humanitarian agencies

suspended food to the IDPs leading to great starvation and consequent violation of the realization of the right to food for the war victims like those in Unyama IDP camp. The year 2006 was selected for this study to provide an updated state of affairs as far as the realization of the right to food had progressed, in view of the relative peace that had enabled the IDPs to access land near the camps to embark on subsistence farming to supplement the rations provided by humanitarian food agencies like WFP.

1.6 Overall objective of the Study

To assess the implementation of the right to adequate food in Uganda

1.6.1 Specific Objectives

- i) To identify and assess the relevant human rights instruments and laws relating to the promotion and protection of the right to adequate food.
- ii) To analyse the situation of the right to adequate food in the IDP camps in Northern Uganda , using Unyama camp as a case study
- iii) To highlight the causes of violation of the right to adequate food in the areas of study.
- iv) To draw lessons for Uganda; and suggest strategies which if implemented, might enhance the right to adequate food in the country

1.7 Research Questions

- a) What human rights instruments and laws are in place for the promotion and protection of the right to adequate food?
- b) What are the national programmes and policies Uganda follows in achieving the right to food of the IDPs?
- c) What are some of the challenges to the right of adequate food in IDPs?

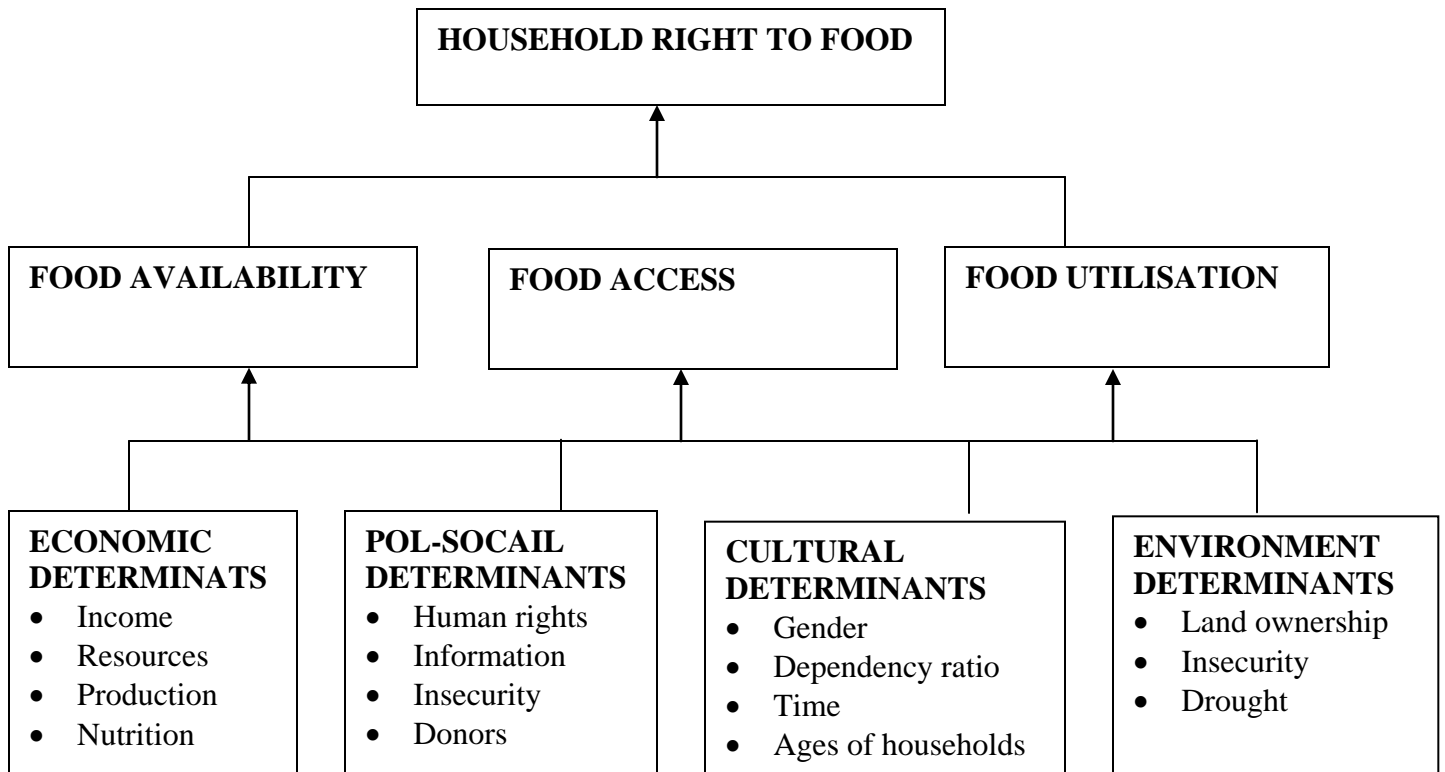
- d) What strategies are in place to progressively realize the right to adequate food in Uganda?

1.8 Justification for the Study

There have been numerous studies carried out related to nutritional status of IDPs in Northern Uganda. A rapid nutritional assessment conducted in January, 2003 by WFP and MOH in Pabo and Anaka IDP camp indicated acute global malnutrition of 18% and 30% respectively (Info/MOH). ACF also conducted a follow up district wide survey in May, 2003 of 900 households in 21 out of 32 camps in Gulu district indicated malnutrition rate of 10-13% but was unable to provide a camp status for targeted intervention. Each of these studies have had a particular focus on nutrition yet the lack of access to food, limited implementation and enforcement of policy frameworks regarding the right to adequate food in the camps seems to have deeper impact on the IDPs other than just hunger. This presented itself as a gap and therefore justifying a new study on the continued infringement of the right to food of the IDPs and its underlying impact that goes beyond hunger.

1.9 Conceptual Framework on the Right to adequate food

A human based rights approach was used in conducting data relevant to this research as shown in the diagram below:



When we talk about the right to adequate food for households, certain issues must be raised to the question whether the government of Uganda, local community and the international community could command enough food to meet the aggregate requirements of its people (internally displaced camps). Special attention was given to economic, social-political, cultural and environment aspects which are the determinants to food availability, food access and food utilization.

For the case of Unyama camp the right to adequate food can be seen from three dimensions availability, accessibility and utilization. For example, accessibility and availability to food in Unyama camp is greatly determined by time or the security situation in the area. Attacks on villages by the LRA, determines the time (cultural determinant) that these IDPs spend in the field tending to their land (environmental determinant) or the other hand insecurity

(environmental determinant) in the area will determine how people move to get food distributed by the international agencies (political- social determinants).

With the level of food utilization, great attention could be paid to the ability of coping with shocks to utilization. For example, to what extent has the international community helped in fulfilling the right to adequate food or the time constraints on women in Unyama camp. The researcher looked at the willingness and the ability by the international agencies to provide food to the rightful beneficiaries. In a cultural context, the researcher looked at the gender biases in the community, whether women can own or utilize land, whether the distribution policy of food-cards is gender sensitive. Anything that raises women's status within the household, thereby contributes towards sharpening their perceived self-interest which will enable women to cope more effectively with health-related shocks and, in turn, will enable households to cope more effectively with shocks to their right to food.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This chapter reviews some of the available and relevant literature about the subject and is basically geared towards the relevant human rights instruments pertinent to the protection and promotion of the right to adequate food. Many scholars prior to our coming extended energies trying to study several aspects of the right to adequate food.

2.2 The Concept of Human Rights

According to UNOHCHR (2006) human rights are universal legal guarantees protecting individuals and groups against actions and omissions that interfere with fundamental freedoms, entitlements and human dignity. It further states that human rights law obliges governments (principally) and other duty bearers to do certain things and prevents them from doing others. The UDHR (1948) makes clear that human rights of all kinds-economic, political, civil, cultural and social, are of equal validity and importance. This fact has been reaffirmed repeated by the international community, for example in the 1986 Declaration on the Right to Development, the 1993 Vienna Declaration and Programme of Action.

Peterson et al (1999), look at human rights as indivisible and unchanging on one hand because they reflect inalienable privileges that people possess by virtue of being human, yet the list of fundamental rights on the other hand is continually expanding as is the array of groups who claim such rights as occurring in four generations.

Issa (1989) States that:

Because of atrocities caused against humanity, governments demanded for setting standards of treatment of people by the state hence the UN charter of 1945 based on the universally acceptable principles of human dignity.

The former Secretary General, Koffi A. Annan, (2002) once stated that Human rights are the foundation of human existence and coexistence. They are universal, indivisible and interdependent

According to FAO (1998):

The Universal Declaration of Human Rights (UDHR) as ... a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance.

There is no disagreement that the right to food and nutrition is a core human right. On the occasion of the 1998 World Food Day (16 October), the President of the United States, Bill Clinton, referred to the right to food as the most basic human right. Freedom from want is one of the four fundamental freedoms referred to by an earlier United States President, Franklin D. Roosevelt, in his famous "four freedoms" address in 1941, which sparked the preparation of the Charter of the United Nations and later the Universal Declaration of Human Rights. The states parties to the International Covenant on Economic, Social and Cultural Rights have recognized that freedom from hunger is a fundamental human right, and have undertaken to take the necessary steps, to the maximum of their available resources, to eliminate hunger.

And yet more than 800 million people do not have food to meet their basic nutritional needs. This is a frighteningly high number, and hard to reconcile with the expressed commitment by States to ensure the enjoyment of human rights by everyone. There is a vast task to be completed before everyone can enjoy this fundamental human right. It is necessary, therefore, to examine the existing gap between the human rights commitments and the reality of today.

2.3 Relevant Human Rights Instruments

According to Eide (2001), the right to adequate food is one of the essential components of the right to an adequate standard of living. He further discussed that adequate food has been understood in international law as the minimum standard of nutrition necessary for each individual both in terms of quantity and quality.

The right to adequate food is enshrined in several international human rights treaties and other legal documents. The most important provision on the right to adequate food is Article 11(1) and (2) of the ICESCR. Article 11(1) of the ICESCR states that:

State parties to the present covenant recognizes that the right of everyone to an adequate standard of Living for himself and his family including adequate food, clothing and housing and to the continuous improvement of Living conditions. The state parties will take appropriate steps to ensure the realization of this right to recognize to this effect essential importance of international cooperation based on free consent.

Paragraph 2 of the ICESCR is more precise as it demands States Parties to the present Covenant guarantee the fundamental right of everyone to be free from hunger, and ask them to take, individually and through international co-operation, the measures, including specific programmes, which are needed:

- (a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;
- (b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.

Furthermore the preamble of the FAO Constitution (1965), states that:

The Nations accepting this Constitution, being determined to promote the common welfare by furthering separate and collective action on their part for the purpose of: raising levels of nutrition and standards of living... and thus... ensuring humanity's freedom from hunger.

The UN Convention on the Rights of the Child (CRC), 1989, goes beyond hunger and addresses the issues of child nutrition. According to Article 24 (1) of the CRC, States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States parties shall strive to ensure that no child is deprived of his or her right of access to health care services. Paragraph 2 states the fact that state parties shall pursue full implementation of this right and, in particular, shall take appropriate measures: ...

- c. To combat disease and malnutrition, including within the framework of primary health care, through, *inter alia*, the application of readily available technology and through the provision of adequate nutritious foods.
- d. To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition.

Under CRC Article 27, "states parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development".

The Convention on Economic, Social and Cultural Rights, General Comment (GC) No. 12 (1999) is considered to be the most authoritative interpretation of the right to adequate food.

Paragraph 6 of the GC 12 states that:

The right to adequate food is realized when every man, women and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement...The right to adequate food will be realized progressively. However, states have a core obligation to take necessary actions to mitigate and alleviate hunger as provided for in Paragraph 2 of article 11, even in the times of natural disaster or other disasters.

General Comment No.12 paragraph 7 further states that: The concept of adequacy is particularly significant in relation to the right to food since it serves to underline a number of factors, which must be taken into account in determining whether particular foods or diets that are accessible can be considered the most appropriate under given circumstances for the purposes of article 11 of the Covenant.

The notion of sustainability is intrinsically linked to the notion of adequate food or food security, implying food being accessible for both present and future generations. The precise meaning of "adequacy" is largely determined by prevailing social, economic, cultural, climatic, ecological, and other conditions, while "sustainability" incorporates the notion of long-term availability and accessibility.

General Comment No.12 (8), the Committee considers that the core content of the right to adequate food implies: The availability of food in a quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture; The accessibility of such food in ways that are sustainable and that do not interfere with the enjoyment of other human rights.

The notion of availability as set out in GC 12 includes:

- a) Feeding oneself directly from the productive land or other natural resources.
- b) a well-functioning process and distribution system that can move food from the site of production to where it is needed in accordance with demand.

Eide (2001) argued that, it is not enough for the foodstuff to be physically available.

They also have to satisfy the following criteria in order to qualify as adequate:

- a) satisfy the dietary needs (energy and nutrient including micronutrients like iron vitamin and iodine;
- b) Be safe (free of toxic elements and contaminants); and
- c) Be good quality (in terms of, for example taste and texture).

The General Comment 12 Paragraph 15 sets out the obligations of the state that:

The right to adequate food, like any other human right, imposes three types or levels of obligations on States parties: the obligations to respect, to protect and to fulfill. In turn, the obligation to fulfill incorporates both an obligation to facilitate and an obligation to provide. The obligation to respect existing access to adequate food requires States parties not to take any measures that result in preventing such access. The obligation to protect requires measures by the State to ensure that enterprises or individuals do not deprive individuals of their access to adequate food. The obligation to fulfill (facilitate) means the State must proactively engage in activities intended to strengthen people's access to and utilization of resources and means to ensure their livelihood, including food security. Finally, whenever an individual or group is unable, for reasons beyond their control, to enjoy the right to adequate food by the means at their disposal, States have the obligation to fulfill (provide) that right directly. This obligation also applies for persons who are victims of natural or other disasters.

This has been further explained by Eide (2001), who states that; the state should, at the primary level “respect the resources owned by individual and the individual's freedom...” and at the secondary level also be obliged to provide active protection against other more assertive or aggressive subjects, in particular against more economic interest. With regard to the obligation of the state to fulfill this incorporates both the obligation to facilitate and to provide.

Eide (2001) maintains that the facilitation may take the form of improving measures of production, convention and distribution of food through complete utilization, technical and scientific knowledge and by developing or reforming the agrarian system. He has also identified the situations in which states must undertake direct provision of food or resources (through direct food aid or social security) such as in emergencies like severe drought or flood, armed conflict or the collapse of economic

activities within a particular region of a country; normal circumstances like unemployment on account of economic recession, old age infirmity, disability, marginalization of a section of population (for example due to structural transformation in the economy and production).

In regards to Violation of the Right to adequate food, the General Comment No.12 states that the violation of the right to food occurs when the state fails to ensure the satisfaction of, at the very least, the minimum essential level required to be free from hunger. Moreover, if a state claim it is unable to fulfill its obligation for reasons beyond its control (for example resource constraints), it has to demonstrate to CESCR that 'it has done everything in its power to ensure access to food, including appealing for support from the international community'. Violation of the right to food includes discrimination in the access to food as well to means and entitlements for its procurement on grounds of race sex colour, language, age, religion, political opinion, national or social origin, property, birth or other status' in a manner that impedes the exercise of economic, soc and cultural rights.

Article 25 (1) of the Universal Declaration on Human Rights asserts that:

Everyone has the right to a standard of living adequate for the health and well being of himself and of his family, including food, clothing, housing and medical care and necessary social services and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

Therefore, the regular reoccurrence of hunger and food shortage in the Sub-Saharan Africa is evidence that the right to adequate food have been infringed, whether wantonly or inadvertently. This may also be due to limited domestication of these rich ideas into our local laws hence making the implementation of the right to adequate to food impossible.

Furthermore, the new voluntary guideline on the right to food sets out some practical steps on how governments can implement the right to food. According to the FAO (2005) , the voluntary guideline contains 19 guidelines which consist of enabling environment, policies and strategies, legal framework, adequate food, vulnerable population and emergencies.

Guideline 1.1 of the voluntary guideline states that:

States should promote and safeguard a free, democratic and just society in order to provide a peaceful, stable and enable economic, social, political and cultural environment in which individuals can feed themselves and their families in freedom and dignity

Article 15 of the African Charter on Human and People’s Rights (ACHPR) states that:

Every individual shall have the right to work under equitable and satisfactory condition and shall receive equal pay for equal work.

The ACHPR (1981) contains no specific provision on the right to adequate food of to an adequate standard of living that covers the right to food amongst others. However the above article is relevant and applicable to the right to food since when people work and are given remuneration for their work, it means that they are able to use the income they receive to meet their basic needs such as food.

The government of Uganda has ratified the international instruments relating to the right to adequate food like the International Covenant on Economic, Social and Cultural Rights (1966), the Convention on the Right of their Children (1983) and the above provisions. The Government of Uganda has a policy framework regulating the right to food, which is found in the 1995 Constitution. Under the General National Objectives and Directive Principles of state policy, section XIV and section XXII highlights some aspects of Right to adequate food. Section XIV (b) states that:

The state shall endeavor to fulfill the fundamental rights of all Ugandans to social justice and economic development and shall, in particular, ensure that all Ugandans enjoy rights and opportunities and access to education, health... adequate clothing food security, pension and retirement benefits.

It is therefore, important to note that the Uganda constitution does not have specific provisions on the right to adequate food except in the General Social and Economic Objectives XXII. This leaves a gap for the attainment of the right to adequate food of the internally displaced persons since these are people who have special needs that might have risen due to the existing conditions and needs that differ from other members of the community who are free to move and access the food required for survival. This is largely viewed as non-justifiable and mere objective hence limited implementation and enforcement.

2.4 Internally Displaced Persons (IDPS) and the Right to Adequate Food

According to Deng (1998), the UN Guiding principles on the Internal Displacement section III, contains principles relating to protection during displacement, which includes the right to adequate food. Principle 18 states that:

- (1) Internally displaced persons have the right to an adequate standard of living.
- (2) At the minimum, regardless of the circumstances and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to essential food and potable water, basic shelter and housing, appropriate clothing and essential medical services and sanitation.

Uganda Government through the Office of the Prime Minister, Department of Disaster Preparedness and Refugees have adopted the National Policy for the Internally Displaced persons (August, 2004) which establishes the principle which will serve as a guide to government institutions, humanitarian and development agencies while providing assistance and protection to internally displaced persons in Uganda. The National IDP Policy is inclusive to most rights highlighted by the UN IDP Guiding Principles. These include

Security; Freedom of Movement; Protection against arbitrary Displacement; Food Security; Shelter; Clothing; Education; Health; Water and Sanitation.

According to the National Policy for IDPs (2004), sub-section 3.8 provides for measures for the realization of the right to adequate food. What is not clear is the degree of implementation of this policy. This Policy on Internal Displacement does not highlight the situation of the Right to adequate food in the IDP camps. It should be noted that despite these rights, the standards of living in camp fall below the standards set out in Uganda's IDP policy. Such commitment on the part of the government of Uganda has been supported by the Rome Declaration on the World Food Security and World Food Summit Plan of Action 1996. The summit adopted a plan of action aimed at reducing the number of undernourished people to half their number by 2015. The plan of action contained seven commitments that were to act as guiding principles to all those involved in formulating the policies to implement the Plan at the national and international levels and spelt out objectives and actions for the implementation of these commitments. Commitment 7 objective 7.4 stipulates the need 'to clarify the content of the rights to adequate food and the fundamental rights of everyone to be free from hunger...'

It also called upon UN Commissioner for human rights to better define the rights related to food in Article 11 of the ICESCR and to propose ways to realize these rights. At this point it is important that we explore possible strategies that can be used to enhance the realization of the right to adequate food in the in Uganda. According to the Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security (2004), the progressive realization of the right to adequate food requires states

to fulfill their relevant human rights obligations under the international law as stipulated in General comment No.12, paragraph 36 and paragraph 23 and 21.

Transporting and guarding emergency food supplies in conflict situations also becomes a chief source of livelihood, vehicles, and arms for would be combatants. Such distortions have led some analysts to argue that food aid prolongs conflicts and should be stopped unless it can be delivered with more oversight. A continuing challenge for donors is how to deliver food and other essential aid in ways that can relieve food shortages and renew productive capacities without refreshing the fighters. Food shortages related to conflicts also can be characterized as entitlement failures where political powerlessness or economic destitution usually both prevent communities, households, or individuals from getting access to food even where it is available. After being stripped of essential assets including tools, livestock, and jewelry, or par laying them into food to meet immediate nutritional needs, people find themselves without further resources. Conflict-related destitution thus creates conditions of chronic food insecurity and shortage for households that otherwise may have been temporarily or seasonally short of food.

According to Robinson (2002), there are challenges facing the realization of the right to adequate food. However, studies have indicated that constraints such as poverty, instability, and lack of access to available food, displacement among others have made millions not to realize their rights to adequate food.

2.5 Categorization of the factors which affect the right to food

2.5.1 Introduction

The various factors which affect the right to adequate food can be put into three categories, namely, social-cultural, economic and political.

2.5.2 Social- Cultural Determinants of the Right to Adequate Food

The CEDAW convention articulately stipulates what governments should do to guarantee that women enjoy their basic human rights. These include; equal rights and representation of women at all levels of political and public life (article 7); rights to equal access to education (article 10); employment (article 11); health care and family planning (article 12); economic and social benefits (article 13) among others. All this necessitates women to be rightly informed. It is very encouraging to see that out of the 53 African countries, 46 governments had by 20th April 1999 ratified the CEDAW convention Uganda inclusive. This is an indication that most governments recognize need to do away with the discrimination of women in their respective societies, thus appreciating the need for women to enjoy their human rights. However, the crucial question that needs to be asked is the extent to which governments have put in place mechanisms to ensure that the provisions of the CEDAW Convention are implemented so that women can benefit from it.

According to Longhurst and Tomkins, 1995 during armed conflict mothers in particular tend to have little time to attend to caring activities, since in many cases the mother has to take a different role to protect her family. Frequently when the husband leaves because of war, becomes disabled or dies, the woman becomes the head of the household, taking on extra responsibilities in decision-making and in the provision of income and food. These added tasks leave little time for breastfeeding, for preparation of weaning foods or for looking after the health needs of the children. School-age children and adolescents are left to take care of

themselves and thus become vulnerable to malnutrition and social vices such as violence, theft or prostitution.

In the aftermath of war, households, especially those headed by women, have more difficulty in performing certain tasks. Women often make up a large proportion of the population after a war. After a peace agreement was signed in Cambodia in 1992, it was estimated that two-thirds of the surviving adult population was female and women headed up to 40 percent of the households; in some areas, this proportion was as high as 69 percent (FAO, 1994). The lack of adult labour, particularly that of males, affects the capacity of the family to engage in agricultural activities and to participate in public works programmes. This problem can be very acute for returnee households, which may need to carry out heavy labour such as breaking land that has not been cultivated for many years.

In the weekly forum for social justice in Africa, Pambazuka news pointed out that it is women who make up 50 percent or more of the population of most African countries and it is women who face growing responsibility - nearly 50 percent in some countries - for heading their households in the face of discriminatory laws, societal prejudice and sometimes violent oppression. A representative of the World Food Programme (WFP): WFP outlined some of the preliminary results obtained from a gender-differentiated study carried out in Cambodia, and WFP's Gender Action Plan for 1999-2000. This study showed that women who head households are "four times poor" (i.e. poor in social power, labour power, material wealth and physical energy), are stigmatized as widows, are rarely consulted about their needs and face additional obstacles in participating in food-for-work programmes.

Despite the women's greater participation in agriculture in Uganda, they have limited control over land, which is the primary resource for agricultural production. The ownership and

allocation of productive resources in Uganda, particularly land and labour, are male dominated. For example, although about 90% of women have relative access to land in terms of rights users, only 8% have leaseholds and only 7% actually own land (Republic of Uganda 1999). In aggregate terms, women own only 5% of the land in the country. This implies that women have limited power in determining household resource allocation, and in some cases use of the proceeds from their own output. This has negative implications for their welfare and the benefit from the household production activities. These differences in the ownership of resources affect participation in economic activities and power relations between women and men.

Using the 1996/7 monitoring survey data for Uganda, Newman and Canagarajah (2000) report that about 92% of female headed households work in the Agriculture sector as their main activity compared to about 75% for males. About 58% of the female-headed households and 35% of the male-headed indicated that agriculture as their secondary activity. Interestingly Newman and Canagarajah found that poverty among female-headed households is significantly lower and falls more rapidly over time among those households that participated in non-farm activities. This would suggest that participation in non-farm activities raises household incomes, with a strong potential for increased savings, implying that in order to increase savings by women it is important to promote their participation in off-farm activities, by providing them the required skills, tools and credit facilities.

In the peasant households, women often do most of the onerous tasks, including ploughing, fending for household-cooking, fetching water, gathering firewood and the day-to-day maintenance of the household. Again in the typical agrarian households, women usually specialize in the production of food crops, the output of which is to support the family.

Occasionally women engage in cash crops production and off-farm wage labour. In Uganda for example, although the gender division of labour varies by region and farming system, some tasks are almost exclusively undertaken by men. Other wise activities such as sowing, harvesting, drying crops, rearing goats and poultry are undertaken by women. A few activities such as weeding, bagging, and storage of crops are undertaken almost equally by both women and men.

At the household level, production, consumption and saving and investments decisions are still influenced and determined by the cultural and traditional factors and norms, which are largely retrogressive to development. These factors limit women's ownership of productive resources and do not permit their participation in decision-making, even in matters that affect their live hood. For example, according to the cultural and traditional norms of the Acholi, women are not supposed to own land, or to inherit property from their parents or husbands, which limits their productive capacity as they cannot for example secure loans because of lack of collateral. Despite the fact that there are no specific statutes preventing women from acquiring property, customs dictates that property acquired by women during marriage belongs to the husband (Mugenyi, 1998).

The CEDAW Convention noted that during armed conflicts it is impossible for any women whether elite or illiterate to think of advocating for her human rights. It is during such times that women face untold torture, and other cruel inhumane or degrading treatment or punishments. The social and economic rights are beyond their reach let alone the standard of living, food, clothing and medical care. In northern Uganda in the IDP camps there reported cases of violation of human rights of women and young girls when they go to tilt the fields.

Insecurity and fear to tilt the fields has led to malnutrition and food shortage to many households in Unayma and general food insecurity in the region- northern Uganda.

The world statistics indicate that:

Over the last several decades, women around the world have made significant gains in areas such as health, work, and education. Since the 1960s, women's participation in the labor force has risen from 33 percent to 54percent. Since the 1970s, literacy rates for women have risen from 54 percent to 64percent. And since the 1980s the gap between girls and boys enrolled in secondary school has narrowed, from 80 girls to 90 girls enrolled per 100 boys. (UN International Conferences on Population and Development ICPD, 1994)

The above statistics is the overall global picture. However, the situation in Africa is still bleak especially for the women living in rural areas and armed conflict areas who still face significant social, cultural, economic and political disadvantages. Lack of accessibility and availability of adequate information is among the many reasons attributing to this violation of the right to adequate food and human rights in general.

2.5.3 Socio- Economic Determinants of the Right to Adequate Food

Norwegian Ministry of Foreign affairs et al in their September 2005 report noted that even today, it is sometimes mooted that economic and social rights are merely inspirational and not "real" rights, as they are fundamentally different from civil and political rights. For this reason, there were two separate international Covenants- one for economic, social and cultural rights and one for civil and political rights- with each Covenant employing different wording as to states' obligations. Many national Constitutions also separate economic and social rights in different chapters from civil and political rights, to the effect that the former are not intended to be directly justifiable.

The international working group for the elaboration of the set of voluntary guidelines to support the progressive realization of the right to adequate food in the context of national food security also pointed out another frequently- voiced objection to the justifiability of the

right to food and other economic and social rights, is that these rights are too vague, and the obligations too ill- defined, for a judicial or quasi-judicial body to be able to determine whether or not there has been a violation. Such arguments on ‘vagueness’ are, however, receding through the work of legal scholars, General Comments and evolving practice at the national , regional and international level. These efforts have clarified the obligations involved and have developed methodologies to address socio-economic rights, as for example, the South Africa Constitutional court did in the Grootboom Case, and the African Commission in Ogoin Case.

The recognition that economic and social rights, including the rights of food, are justifiable assists in clarifying the contents of such rights through the practice of courts and quasi-judicial organs. In this regards it should be noted that jurisprudence has, and continues to play, a powerful role in clarifying the meaning of civil and political rights which, in the beginning, were no less imprecise than the right to food is perceived to be at present. Constitutional rights are in most cases proclaimed in an equally vague manner, as they are in human rights treaties; jurisprudence and practice clarifies their meaning over time. The perceived vagueness of right to food, therefore, should not prevent it from being recognized as justifiable.

Despite a generally positive perception of the IDP policy, the primary problem rests with implementation. There is inadequate funding for the structures provided for in the policy, and co-ordination and accountability at a district level, and between the district and central government, remain confused. In addition, all District Disaster Management Committees (DDMCs) complained of lack of training in disaster management as well as lack of resources. There is lack of flexibility by the central government to provide flexible funding

mechanisms in order to facilitate the transfer of funds from the central budget to affected districts. In addition, all DDMCs have not received enough training in disaster management with support from the international community.

USAID in their report *Northern Uganda Internally Displaced Persons Profiling Study* stressed that most IDP populations are poor and marginalized but rarely does one come across a population with so few resources as IDPs in Acholiland. This is quite likely a consequence of the long time that the conflict has lasted. It is reasonable to assume that when the IDPs first moved into the camps most households had more resources and also access to more resources (both material and immaterial) than what is currently the case. As food is scarce and income opportunities few, household have sold off their assets or not been able to maintain their physical equipment and human capital in the Internally Displaced camps.

Here, we must also keep in mind that nobody expected that people would stay in camps as long as they have. When the IDPs first came to the camps, they must have seen this as a temporary situation, and therefore it made sense to sell certain assets in order to make it through a situation that nobody assumed would last very long. Food scarcity has forcefully or voluntarily the IDPs to survive on hand-outs, waiting for the food and non-food items distributed by the WFP and agencies. Yet, even if the economic opportunities in the camps are few, people still negotiate their everyday existence by brokering the few deals that can still be made. The typical IDP is a mixture of a “beggar, and broker” leaving many to become economically marginalized.

2.5.4 Socio- Political Determinants of the Right to Adequate Food

International human rights law requires governments to put in place measures that ensure everyone is free from hunger and to be able to enjoy the right to adequate food. FAO (2005)

Voluntary Guideline 3 on strategies states that:

States as appropriate and in consultation with relevant stakeholders and pursuant to their national laws, should consider adopting human rights based strategy for the progressive realization of the right to adequate food in the context of national food security as part of an overarching national development strategy, including poverty reduction strategy, where they exist.

Guideline 3 advocates for adopting a national human rights based strategy for the right to food, with a thorough assessment of the institutional, legal and policy frameworks. It further emphasizes the need to incorporate a human rights perspective into existing strategies, which should be transparent, inclusive and comprehensive, and elaborate in a participatory manner.

In addition, the FAO (2005) voluntary guideline 18 (1) states that:

States that have as a matter of national law or policy adopted a rights –based approach, and national human rights institution or ombudspersons, may wish to include the progressive realization of the right to adequate food in the context of national food security in their mandates. States that do not have national human rights institutions or ombudspersons are encouraged to establish them. Human rights institutions should be independent and autonomous from government in accordance with the Paris principles. States should encourage civil society organisations and individuals to contribute to monitoring activities undertaken by the national human rights institutions with respect to the progressive realisation of the right to adequate food

The above guideline suggests that national human rights institutions should be independent and autonomous and should include the right to food in their mandates. States that do not have those institutions are encouraged to establish them. Uganda’s policy framework regulating the right to food is found in the National Objectives and Directive Principles of state policy in the 1995 Constitution of Uganda (Objective No XXII, the PEAP, PMA, Draft food and Nutrition policy and MAAIF Development Strategies among others.

According to the Ministry of Finance, Planning and Economic Development (MFPED, 2000; MFPED,2001(a)), the Government of Uganda designed the Poverty Eradication Action Plan

(PEAP) in 1997 as a Policy Framework for fighting poverty over a twenty –year period. The PEAP (1997) had a two-prolonged strategy consisting of:

- a) Measures to increase income of the poor –focusing on Road, Land, Agriculture, Rural Market, employment and Labour productivity, rural credit and financial services and micro and small scale enterprise ; revised the Policy in 2000 to incorporate the emerging development challenges.
- b) Measures to improve the quality of life of the poor-focusing on improvement of provision of basic services-Primary Health Care, Primary Education, Water and Environment as well as Disaster Management which enhances welfare and quality of life of the affected people.

According to the MFPED 2001(b) and the Poverty Reduction Strategy paper progress report (2002). The Government of Uganda revised the PEAP to incorporate the emerging development challenges. This looks at four pillars which include:

- a) Rapid and sustainable economic growth and structural transformation. This involves improved technology in all sectors and in all sizes of enterprises, backed as necessary by scientific knowledge, macro economic incentive for competitive economic growth and social, physical and human infrastructures of economic growth among others.
- b) The second pillar is good governance and security. This includes promoting human rights, regional and domestic conflict resolution, promoting accountability and disaster management among others.
- c) The third pillar of PEAP is to increase ability of the poor to raise their income. This look at ensuring access to information, advisory services and markets, access to appropriate technology for the poor, access to productive assets (land, capital and

savings) and enhancing the control of both men and women over productive resources.

- d) The last pillar of PEAP is enhanced quality of life of the poor. This can be directly affected by the following activities; promoting education and literacy, delivering effective psycho-social support to isolated stigmatized or disoriented groups including IDPs, people with disabilities or mental illness, ensuring access to safe and convenient water supply, increasing access to information, promoting adequate nutrition and ensuring the voices of the poor are heard in decisions which affect their lives among others.

It should be noted that PEAP is a prerequisite for achieving the Right to Adequate Food. According to the Uganda Human Rights Commission Report (UHRC) 2004, there are several elements of PEAP which are in line with the progressive realization of the right to adequate food. The Pillars of PEAP can create an enabling environment for which people would be self-sufficient to acquire food for them-selves. The pillar and principle are designed to raise income, increase and improve the quality of life of everyone. The PEAP programmes and the national legal framework however do not effectively cater for people whom for some reasons beyond their control can not acquire food for themselves like the Internally Displaced Persons hence not guaranteeing such people the rights to food as elaborated in General Comment No.12. Timmer et al (1983) point out that developing an effective domestic food policy depends on creating an environment in which alleviating poverty is a major function of the economy. Therefore all the four pillars of PEAP are about creating an environment for poverty eradicating.

The Government of Uganda in 2000 formulated the Plan for Modernization of Agriculture (PMA); largely a rural development strategy because of its multi-sectoral approach to development and to operationalise the PEAP objectives to increasing the ability of the poor to raise their income. According to the Ministry of Agriculture Animal Industry and Fisheries (MAAIF) and Ministry of Finance, Planning and Economic Development (MFPED) 2000, the PMA is a poverty- focused rural development framework focusing on agriculture, the main activity of the poor. The main objectives of PMA are to:-

- a) To increase income and to improve the quality of life of the poor subsistence farmers through increased agricultural productivity and increased share of marketed production
- b) Improve household food security through the market rather than emphasizing self-sufficiency.
- c) Provide gainful employment through the secondary benefits of PMA implementation such as agro-processing factories and services.
- d) Promote sustainable use and management of natural resources by developing a land use and management policy and promotion of environmentally friendly technologies (MAAIF and MFPED, 2002).

According to the UHRC report (2004), the PMA answers various requirements for the fulfillment of the right to adequate food; Its programmes spells out measures that can lead to more food productions, processing and storage at the household level. The PMA priority areas are agriculture, advisory services, education, financial services, improvement of markets for produce, meet the obligation to enable people access resources that can make

them able to feed themselves, PMA identifies causes of food insecurity and strategies for dealing with them.

The UHRC report (2004) however points out the PMA failures that food is not recognized by PMA as a right since there is no reference to the International human rights obligations as well as local laws that specifically grant the right to adequate food thus the need for PMA to spell out these Obligations. Another National policy is the Draft Food and Nutrition Policy (FNP) which was produced in 2002 by the National Food and Nutrition Council (NFNC). The overall goal of the draft FNP is;

“To ensure food security for, and adequate nutrition of all the people of Uganda for their health as well as their social and economic wellbeing”.

According to the National Food and Nutrition Council (NFNC) (2002: P4), the policy and strategies are within the context of International Treaties, Conventions and Resolutions to which Uganda has expressed commitment. The Policy is divided into sections which set out goals, specific objectives, principles and strategies for implementation. The overall policy objective as drafted by the NFNC 2002 is to; promote the nutritional status of the people of Uganda through multi-sectoral, coordinated and sustainable food security, nutrition and increased income interventions. The draft Food and Nutrition Policy has twelve (12) focus areas intended for the achievement of its goals. These include; food supply, accessibility, food processing and preservation, food storage, marketing and distribution, external food trade, Food Aid, nutrition, health, education information and communication, gender, food and nutrition, food and nutrition surveillance and research.

The UHRC report (2004) states that the draft FNP was formulated with the PEAP in mind and its success depends on the overall PEAP and PMA objectives of eradicating poverty in Uganda. The draft FNP has clear stated goals, objectives and strategies for the implementation of the RTF. Its implementation would meet much of the core content of the right to adequate food which is to ensure availability and accessibility of food in a quality and quantity sufficient to satisfy the dietary needs of individuals, free from adverse substances.

The UHRC report (2004) further states that the draft FNP like the PEAP and PMA is not rights-based in its approach since it does not spell out the legal obligations set out in International Conventions and Treaties thus the need for Uganda to adopt a framework law as a major instrument in the implementation of the National strategy on the right to adequate food as required in the General Comment No. 12. The framework laws would set out relevant human rights obligations, indicators and benchmarks which are vital for monitoring the implementation of the obligations. In a nut shell PEAP, PMA and NFP are government Programmes and Policies that has elements for progressive realization of the right to adequate food but only lack legal obligations.

2.5.5 Social-Environmental Determinants of the Right to Adequate Food

The FAO (2005) Voluntary Guideline to support the progressive realization of the right to adequate food, guideline 6 states that:

Recognising the primary responsibility of the states for the progressive realization of the right to adequate food, states are encouraged to apply a multi-stakeholders approach to national food security to identify the roles of and involve all stakeholders, encompassing civil society and the private sector, drawing together their know-how with view to facilitating their efficient use of resources

This guideline encourages a multi-stakeholders approach to food security, with the full participation of civil society and private sector.

According to one NGO worker, the security situation continues to be precarious because the UPDF have not clearly defined their roles and responsibilities, and thus have not prioritized IDP protection. Without a specific focus on protecting IDPs – the rationale for creating the camps – rather than on confronting the LRA, the UPDF are unable to limit the capacity of the LRA. Responding to a similar question, another informant painted a grimmer picture of the security situation of IDPs: “security” is provided according to political reasons. The more rural you go, the younger the soldiers and less trained. It would be quite easy to overrun a UPDF detach with just a few soldiers”.

There perception of being insecure has not improved, whereas the IDPs freedom of movement has decreased significantly. The size of the security zones around each camp varies a lot , from 300 meters to many kilometers, but generally movement is only allowed between nine in the morning and five in the in the afternoon. And those who venture outside of the security zone run the double risk of either being attacked by the LRA or accused of being a rebels or a rebel collaborator by the UPDF.

This is by any standard a sad life. They are poor, hungry, have insufficient supplies (water) and services (health), and many have lived this way long time.

Despite the rumours about Vincent Otti, the second in command in LRA, seeking asylum in the Democratic Republic of Congo, the camp population does not seem to trust the claim from the Government of Uganda that the LRA soon will soon be defeated – “the last kick of a dying horse’ as the UPDF commanders prefer to call it. They have heard this too many times during the years the war has lasted. People are therefore arguing that the UPDF cannot

defeat the LRA; at least it should offer them better protection. People would like to see improvements in the security situation in the camps, and when they leave the camps to cultivate, or when searching for firewood. Many also argue that the UPDF should escort people back to their land so that they can bury their deceased.

2.5.6 Implementing a Rights Based-Approach to food

According to the United Nations High Office of the Commissioner for Human Rights (2006), a human rights based approach is a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights. It seeks to analyse inequalities which lie at the heart of development problems and redress discriminatory practices and unjust distributions of power that impede development progress.

Mary Robinson (2002) points out that a human rights approach adds value because it provides a normative framework of obligations that has legal power to render government accountable. A rights- based approach to development explicitly focuses on the attainment of minimum conditions for living with dignity.

Therefore a rights-based approach to development is based on a framework of rights and obligations. The U.N. Development Program issued a “Statement of Common Understanding” in May 2003, explaining that “in a human rights-based approach, human rights determine the relationship between individuals and groups with valid claims (rights-holders) and State and non-state actors with correlative obligations (duty bearers). It works towards strengthening the capacities of rights-holders to make their claims, and of duty bearers to meet their obligations.”

In addition, the International Human Rights Internship Program and Asia Forum for Human Rights and Development (2000) flesh out this idea further that:

A rights-based approach is founded on the conviction that each and every human being, by virtue of being human, is a holder of rights. A right entails an obligation on the part of the government to respect, promote, protect, and fulfill it. The legal and normative character of rights and the associated governmental obligations are based on international human rights treaties and other standards, as well as on human rights provisions in national constitutions. Thus, a rights-based approach involves not charity or simple economic development, but a process of enabling and empowering those not enjoying their ESC [economic, social and cultural] rights to claim their rights.

According to the United Nations Office of the High Commissioner for Human Rights (UNOHCHR), 2005, a rights-based approach should encompass the full range of indivisible, interdependent and interrelated rights (i.e., civil, cultural, economic, political and social rights). This in turn requires a framework that reflects internationally guaranteed rights, such as those related to health, education, housing, justice, personal security and political participation. By definition, such an approach would be incompatible with development policies, projects or activities that have the effect of violating rights. In other words, trade-offs between development and rights should never be made.

Charlotte McClain-Nhlapo (2004) adds that that right to food is a crosscutting issue. It presents a perfect example of indivisibility, interferences and interconnectedness of economic and social rights. Conversely, when people enjoy food security, they are also better able to participate in civic life of their community and nation. Notwithstanding the rights, because without adequate food and nutrition, human survival and development are at risk

A rights-based approach focuses on raising levels of accountability and transparency in the development process by identifying rights-holders (and their claims) and corresponding duty-bearers (and their obligations). The approach thereby addresses both the “positive”

obligations of duty-bearers (to recognize, respect, protect, promote and provide rights) and their “negative” obligations (to abstain from rights violations). Significantly, a rights based approach to ensuring adequate food is empowering poor people and those who are food insecure to claim their rights thus provides a basis in law from which claimants could seek administrative and or legal recourse

UNOHCHR (2005) further states that:

A rights-based approach also provides for the development of adequate laws, policies, institutions, administrative procedures, practices and mechanisms for redress and accountability that can ensure the realization of entitlements and respond to the violation of rights. It calls for the “translation” of universal standards into locally determined benchmarks for measuring progress and enhancing accountability.

Another critical feature of a rights-based approach is that it requires a high degree of participation. According to the U.N. Declaration on the Right to Development (1986), such participation must be “active, free and meaningful.” In other words, a mere formal or ceremonial contact with beneficiaries is not sufficient. A rights-based approach emphasizes access for rights-holders to development processes, institutions, information and mechanisms for redress and complaints. In the context of development work, this means that the partners in and beneficiaries of development have access to a development project’s mechanisms. Rather than development agendas that pursue externally conceived “quick fixes” and imported technical models, the norm would be to adopt process-based development methodologies and techniques. A right- based approach identifies the poorest of the poor, seeks people’s participation and promotes good governance; it empowers local communities to participate in decision making and in holding the state accountable for its obligations.

A rights-based approach must give particular attention to issues of discrimination, equality, equity and vulnerability. This means that development efforts must engage vulnerable

groups, such as women, minorities, indigenous peoples and prisoners. Because vulnerable populations vary by context, a rights-based approach requires program designers and other staff to consider local circumstances when identifying vulnerable populations. To do this, the development community needs data that is disaggregated (to the greatest degree possible) by race, religion, ethnicity, language, sex and other categories related to human rights.

In addition Charlotte McClain-Nhlopa (2004) highlights that the principle of nondiscrimination is particularly important for the right to food in that the state's obligations mentioned must be implemented and enforced without discrimination, for example, on the basis of gender or generation. Nondiscrimination on the basis of generation has to include the children, and the aged as well as future generations. As far as children and future generations are concerned, the principle of nondiscrimination calls for sustainability of access to food. This includes concerns about future food production, as many current agricultural production practices are not sustainable. The human rights principle of sustainability entails an obligation of the community of states to address these questions here and now. Present agricultural and other economic practices, which bank on the food resources of future generations, need to be stopped as a matter of human rights.

From the above discussions, the main objectives of a rights-based approach are to:

- Strengthen the understanding of rights, i.e., understanding the location, forms and perpetrators of rights violations; recognizing who is vulnerable and assessing degrees of vulnerability; and recognizing existing power imbalances in society;
- Ensure accountability and transparency by identifying rights-holders (and their entitlements) and corresponding duty-bearers (and their obligations);

- Build capacities for the realization of rights so that rights-holders can make claims and duty-bearers can meet their obligations;
- Facilitate the active and meaningful participation of multiple stakeholders, including people who directly benefit from projects through access to development processes and institutions, improved information, legal redress, and other positive strategies;
- Create a sense of ownership of development processes through strategies of empowerment that focus on rights-holders both directly and through their advocates and civil society organizations; and
- Encourage the expression of rights through different mediums of communication and interaction with people across regions.

2.6. Emerging Gap

A Code of Conduct on the right to food was suggested by the WFS NGO Forum to reduce the weaknesses in the existing human rights instruments, for example, the lack of precise descriptions of the legal concepts contained in the right to food and of corresponding state obligations mentioned in the International Covenant on Economic, Social and Cultural Rights (ICESCR) (Windfuhr, 1998). A Code of Conduct is also expected to ensure that food sovereignty takes precedence over macro-economic policies and trade liberalization as underlined in the final statement of the WFS NGO Forum (re-profit for few or food for all: Food sovereignty and security to eliminate the globalization of hunger).

Most studies reviewed focused on the international instruments, the National policies and institutional framework on the right to food in Uganda in general. Very little or none has been written in regards to the implementation of the right to adequate food in the IDPs

Camps. Most studies carried out in Northern Uganda focused on Nutrition problems in the Internally Displaced Persons Camps. No study appears to have tried to assess the situation of the right to adequate food in the IDPs in Gulu District. The purpose of this study is therefore to assess the implementation of the right to adequate food in Uganda with focus on Unyama IDPs Camps in Northern Uganda and explore possible strategies that can be used to enhance the right to adequate food in the IDP Camps.

Studies reviewed have failed to point out how the right to adequate food is being implemented in areas where people for reason beyond their control can not provide food for themselves. The present study seeks to contribute towards bridging the gaps that have been highlighted above.

CHAPTER THREE

METHODOLOGY

3.1 Introduction

In order to ensure the collection of valid and reliable data, and in an attempt to achieve the objective of the study, a variety of sources of data were appropriate and a combination of method used in the study. This chapter attempts to describe the various methods that were used prior to and during the process of data collection. The study design, study area as well as the study population and sample size are presented. The chapter closes with a presentation regarding the problem encountered and the limitation of the study.

3.2 Research Design

The researcher used a case study design. The design employed a dominantly qualitative approach in order to gain an in-depth descriptive account of the issue under study. Respondents were selected using a purposive approach. Respondents were deliberately selected because they are believed to be having the type of information the researcher is looking for. The major research instrument that was used in this study is the interview guide. Primary sources of data were randomly and purposively selected. Secondary sources of data and relevant documents were also reviewed.

3.3 Research Instruments

The researcher used the following instruments in data collection:-.

Themes were prepared to guide the Focus Group Discussion. They included the different sources of food, the types of food available, the problems encountered while trying to access food, and what can be done to improve the food situation in the camps among others. There were also observation schedule, interview guide and questionnaires used for literate

respondents and this enabled the respondents give answers to sensitive questions or answer questionnaires at their own time.

3.4 Study Area

The study was limited to Unyama IDP camp, Gulu District. Gulu District rural population since September, 1996 was ordered into what was termed “Protected Villages” (see Human Rights Focus 2002; Branch 2005). Unyama IDP camp was chosen as my case study because it is accessible and has a fair representation of the IDPs situation. Unyama IDP camp has a total of 3, 380 households with a total population of about 12, 776. The IDPs at Unyama camp hail from different sub-counties, hence having a diverse background of knowledge and experiences which was vital for this study. Due to the above reasons, the area would yield rich and useful data on the issues under investigation.

Pre-Field Activities

In order to take care of ethical issues, ensure collection of quality data and maximize response rate, the following was done.

(i) Pre-tests

The research instruments were pre-tested with a sample of respondents from Limu Village within Gulu Municipality. The purpose was to ensure that the final research instruments would gather data for intended objectives and corrections were then made accordingly. This activity also provided information that was used in the training of the Research Assistants.

(ii) Recruitment and Training of Field Team

The team consisted of two interviewers, two data entry operators and a supervisor. All the field team members were Acholi speakers and with graduate level education. This was

because the nature of the study required the high level of conceptualization, creation of rapport and recording skills, among others. The research assistants were taken through a two day training exercise prior to the beginning of the data collection. The first day consisted of a common training for all; then more specific training was given to the interviewers on the objectives of the study, the issue under study, the methodology of study and obtaining interviews among others. During this training language training was a crucial point, as the questionnaire was written in English. All questions were discussed until agreement on the appropriate translation into Acholi was obtained.

3.5 Study Population

Different categories of respondents were selected to give information on various aspects of this study. These included Government Officers like Office of District Disaster Preparedness and Management officer, Planning Unit and Agricultural Department officers, the IDP households, IDP Camp leaders, Women, Youth and NGOs operating in Gulu.

CATEGORY	PERSONS	NUMBER
IDP families	HH Head or Knowledgeable persons	40
Key Informants	Camp Leaders, Women, Youth, NGOs, Government officials	20
FGD	Women, Men, Youth (2 boys and 2 Girls)	15

3.6 Sampling Procedures

Qualitative sampling methods were used in order to get useful, detailed and in-depth responses to the research question. A list of House Holds was also obtained from the camp Commander and World Food Programme. Random sampling was used to select seventy five (75) IDP Households. Purposive sample was directed to focus group discussions (Community members both men and women) and key informants. Interviews were also held with key informants who are responsible for the welfare of the IDPs in regards to food, Human Rights Organizations, other NGOs in Gulu District.

3.7 Sources of Data

The study utilized both primary and secondary sources of data. Primary data were derived from respondents in the field. Group discussions and observation were also carried out with the community members and in depth interviews with key informants. Secondary data were got from existing documents related to the study such as reports, newspapers, text books and journals among others. The researcher therefore visited various libraries to obtain data useful to this study.

3.8 Data Collection

Field research for this study took place between Novembers 2005 to October, 2006 in Gulu District of Northern Uganda. The initial part of the research involved interviews with government officials, Human Rights and humanitarian agencies operating in Gulu District. In total 12 agencies were interviewed for this study. The researcher administered questionnaires to forty (75) adult household members who were randomly selected from the 20 out of the

thirty nine (39) *Rwodi Kweri* in Unyama Camp. The interview was conducted in Acholi language based on a structured list of questions in English.

3.9 Data Analysis

After the interviews, the supervisor inspected the questionnaire and the two data entry clerks entered data as soon as possible. Data analysis was carried out using a combination of qualitative and quantitative methods.

3.9.1 Quality Control

In order to ensure the collection of quality data, the following measures were taken:

(i) Translation of the questionnaires into Acholi since they were written in English. All questions were discussed until agreement on the appropriate translation into Acholi was obtained.

(ii) Initial data editing was done while still in the field. Gaps and inconsistencies were identified and rectified.

(iii) The researcher carried note pads in which she noted any issues and observations in the field that would enrich the collected data.

3.10 Study Limitations

- Due to the security problem, the research could not extend to all the thirty nine *rwodi kweri*, 'the chiefs of the hoe' in Unyama Camp.
- Response bias-(due to purposeful under-or over reporting on food problems and Food Aid registration). The researcher had no indication that respondents purposefully modified their responses. The Camp Leader was not informed in advance of the interviewer team arrival; thus, camp visits were a surprise for the community.

Respondents were told clearly that the study was not part of the food registration or distribution effort.

- Non-systematic error due to mistakes in filling questionnaires. The researcher checked questionnaires whenever possible before leaving the camp and discussed any mistakes with the interviewer on the spot.

CHAPTER FOUR

PRESENTATION OF FIELD FINDINGS

4.1 Introduction

As already indicated, the present aim of this study is to assess the implementation of the Right to adequate food in Uganda with special reference to Unyama Internally Displaced Persons Camp in Gulu District of Northern Uganda. The study assessed the existing programmes for the Promotion and Protection of their right to food in Uganda, highlighted the violations of the right to adequate food of the IDPs and explored possible strategies/suggestions that can enhance the Right to Food in Uganda.

This Chapter is devoted to presenting of field findings under the following themes:

- a) Background of IDP camps with particular reference to Unyama IDP camp in Gulu district.
- b) The demographic characteristics of the respondents.
- c) Household access and sources of food.
- d) Household socio-economic activities.
- e) Knowledge on the right to adequate food.
- f) Strategies/suggestions of enhancing the right to adequate food in Uganda.

4.2 Background of the IDP Camps in Uganda- Unyama Camp

Unyama Camp is located 7 kilometres east of Gulu town along Gulu to Kitgum road. The camp was established in September, 1996 in order to protect the civilians from LRA attacks and to facilitate the UPDF's ability to protect the civilian population. During the Focus Group Discussion, it was observed that the respondents in Unyama camp hail from different areas- Paich Sub-County, Cwero Sub-County, Awach Sub-county among other areas- that

the establishment of camps took the form of the establishment of security zones around the IDP camp.

According to the key informants interviewed, in order to avoid unlawful detentions or beatings one has to follow curfew rules, although this is not always possible due to time required to access their fields. It was also noted that very few IDPs report such abuses because of fear of repercussions from the soldiers, so it has become difficult to know how the IDPs pervasive this problem and whether they are aware of their rights. Women and young girls risk sexual assault from both the LRA and some UPDF soldiers whenever they leave the camps or visit the perimeters and this has caused psychological trauma among most women to tend to their fields for food. Some UPDF soldiers provide protection for IDPs while tending to their crops, while others take a portion of harvested food as a form of payment for IDPs use of the land.

According to the report by the International Federation for Human Rights the workshop (2002) on "The Rights of the Internally Displaced Persons in Uganda" took place from 7- 11 May 2001. Solidarity was created among the IDP leaders from the North and the West of Uganda (the main internal conflict zones), and cooperation was strengthened among human rights and humanitarian NGOs, this later led to the creation of the IDP Core Group.

Uganda Government issued a National policy on IDPs in February 2002. The Office of the Prime Minister and the Department for Disaster Preparedness came with this Policy as a guiding document for the protection of the IDPs in Uganda. The Policy has a provision on protection of IDPs against arbitrary displacement. Property rights, family unification, food security, shelter, clothing, education, health, water/sanitation, resettlement kits, rehabilitation of infrastructure and graduated tax are all included in this draft policy. The Policy provides

for a Protection Sub-Committee, which has a joint responsibility with the UHRC to monitor respect for the rights of IDPs. (International Federation for Human rights- 2002).

4.3 The Demographic Characteristics of the Respondents

Unyama IDP camp has a total population of twelve thousand, seven hundred and seventy six (12,776) and a total of three thousand three hundred and eighty (3,380) households. Prior to the war, the Acholi people were organized under chiefdoms. A chief, called *rwot* headed each chiefdom. Therefore Unyama camp is divided under *rwot kweri* ‘chief of the hoe’. The camp has thirty nine (39) *rwot kweri*. (WFP updated register October, 2004).

This research included a male percentage of 67.7%, while 32.3% of female in Unyama camp as shown in figure 1 below:

Figure 1: Sex Distribution among the respondents

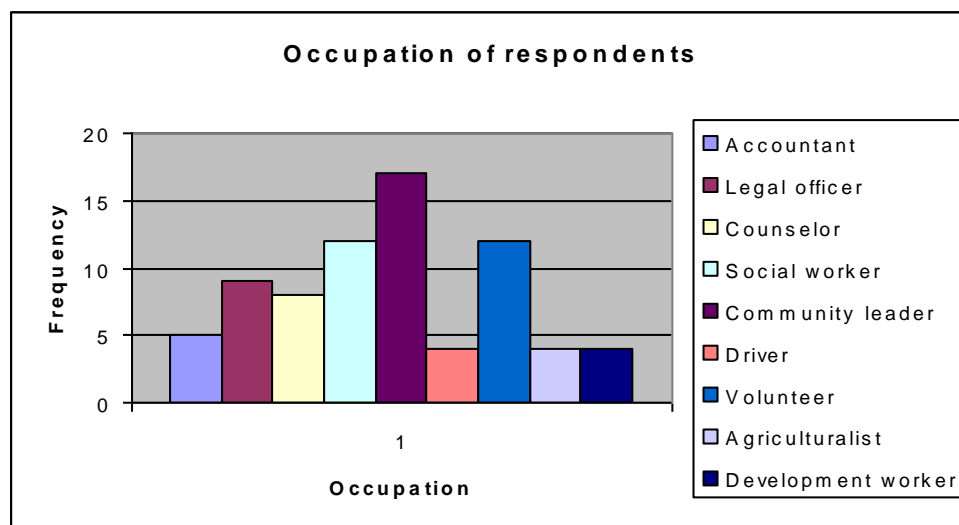


4.3.1 Occupation of Respondents

Figure 2 below indicates that the biggest group of respondents was community leaders with 22.7%. The other occupations captured in the research were: Accountants (6.7%), legal

officers (12%), counselors (10.7%), social workers (16%), drivers (5.3%), volunteers (16%), agriculturists (5.3%), and development workers (5.3%).

Figure 2



4.4 Access and Sources of Food

4.4.1 Rank of Main Food Sources of the IDPs in Unyama Camp

Table 1

Food sources	Mean rank	Mode rank
Grow own food	6.2	10
Buy food/exchange	7.0	6
Relief/ration	12.2	12
Daily labour	6.1	7
Unskilled wage labour	6.3	5
Sale of charcoal	8.1	11
Sale of firewood	2.8	1
Alcohol brewing	1.6	2
Transportation (Boda Boda)	5.3	3
Sale of food aid	6.4	4
Borrow food	9.4	11
Others	6.9	8

Source: Research findings

Although there is not much difference between the mean and mode ranks as indicated in table 1 (above), for simplicity purposes, modes were considered in ranking the different food sources because they were exact and do not overlap unlike means. Therefore basing on the mode ranks, the top three ranked sources of food for the IDP households are: relief/ration, sale of firewood, and borrow food as shown in Figure 2.

One IDPs interviewed stated that:

We buy food from income earned from taking on odd jobs, such as digging or collecting firewood for other people. However, such options are seldom available.

4.4.1.1 Ordered Ranks of Food Sources

Table 2

Food source	Ordered rank
Sale of firewood	1
Alcohol brewing	2
Transportation (Boda Boda)	3
Sale of food aid	4
Unskilled wage labour	5
Buy food/exchange	6
Daily labour	7
Relief/ration	12
Grow own food	10
Sale of charcoal	11
Borrow food	11
Others	8

Source: Research findings

4.4.2 Accessibility to Food

When asked to indicate how often the IDPs had access to food and given the options of: all the time, most times, and rarely or sometimes, no one indicated that they had access to food all the time. The table below summarizes these results:

4.4.2.1 Frequency of Food Accessibility

Table 3

Accessibility	Frequency	Percent
Most times	8	10.7
Rarely or sometimes	67	89.3
Total	75	100

Source: Research findings

Table 3 above indicates that the majority of respondents (89.3%) indicated that IDPs rarely access food. Only 10.7% indicated that there is food access most times. According to the interview with a humanitarian worker on December 15, 2005, the relief food distribution, which is on a monthly basis, is sometimes interrupted by the security situation. It was mentioned that the rebels, the UPDF has limited the movement of IDPs in Unyama camps and Northern Uganda as a whole. Interview with most of the respondents revealed that one common UPDF security strategy is to restrict movement of IDPs, both inside and outside the camp.

The UPDF has imposed an internal curfew. The curfew ranges from 6pm to 9pm in the evening inside the camp. After these curfews, IDPs are not allowed to move from their huts and are often required to remain silent so that soldiers can “differentiate between civilians and the rebels”. However, the IDPs had numerous reasons for moving inside their camps at night such as, accessing latrines and thus having to break the curfew.

One respondent explained his extenuating circumstances for internal movement:

My child was sick at night and I had to look for a doctor or a nurse. When I found the UPDF soldiers I was detained till morning.

One government Official pointed out that UPDF provides a radius of security a head of the IDPs when they walk to their gardens (*Interview with government official November 23, 2005*).

4.4.2.2 Availability of Storage Facilities of the households

Table 4: Availability of Storage Facilities by IDP households

Have storage	Frequency	Percent
Yes	8	10.7
No	67	89.3
Total	75	100

Source: Research findings

When posed with the question of availability of storage facilities in the camps, 89.3% of the respondents replied no. Only 10.7% agreed to the availability of storage facilities.

4.5 Economic Activities or Income

4.5.1 Main Economic Activities of IDPs in Unyama Camps

Table 5

Activity	Frequency	Percent
Cultivating land	17	22.7
Poultry keeping	25	33.3
Petty trade	67	89.3
Brick production	46	61.3
Rock breaking/quarrying	9	12.0
Charcoal production	4	5.3
Boda Boda	16	21.3
Brewing	41	54.7

Source: Research findings

Looking at the percentages of the different activities displayed in table 5 above, the activity that was considered as being most important is petty trade with 89.3% respondents. This is followed by brick production at 61.35% and brewing with 54.7%. If we consider the top three percentages, it implies that the three main activities in the camps are: petty trade, brick production and brewing.

4.5.2 Household Assets Existing in the IDP Camps

Table 6

Asset	Frequency	Percent
Land	10	15.3
Houses	4	5.3
Livestock	16	21.3
Bicycle/motor cycle	25	33.3

Source: Research findings

Bicycles/ Motor cycles were indicated as the most common with 33.3%, followed by livestock at 21.3%. and the least indicated assets were houses at 5.3% Findings indicate that there are many bicycles in Unyama camp because of the security situation that has limited the availability of public transport services.

4.5.3 Accessibility to Farmland by the IDPs in Unyama Camp

Table 7

Accessibility	Frequency	Percent
Access farmland	9	12
Do not access farmland	66	88
Total	75	100

Source: Research findings

According to the IDPs interviewed, majority of the IDPs cultivate land to supplement food distributed by the World Food Programmes which they say is not adequate and always not reliable. 88% of the respondents indicated that they lack land for cultivation as a major factor contributing to their food insecurities in comparison to 12% who had access to farmland as illustrated above. Plots of land in the camps are too small for extensive cultivation and often require payment for rent, while most land outside camps has been destroyed by the war or is too insecure to access.

Respondents claim that on certain occasions both the LRA and the UPDF steal their food supplies when they are returning to the camp. On December 14, 2005 while conducting an interview with a seventeen (17) year old male, it was stated that:

Hunger is (the) biggest threat because the UPDF does not allow us to dig and sometimes when you dig, the UPDF harvest our crops for the army's consumption.

4.6 Knowledge on the Right to Adequate Food

4.6.1 Knowledge of IDPs on the Right to Adequate Food

Table 8

Knowledge	Frequency	Percent
Know	71	94.7
Do not know	4	5.3
Total	75	100

Source: Research findings

As indicated in table 8, it is clear that the majority (94.7%) of the respondents interviewed knew of the IDPs' right to food. Only 4 respondents out of the 75 people interviewed were not aware of that right as shown above.

4.6.2 How IDPs Learnt of the Right to Food

Table 9

Knowledge source	Frequency	Percent
Radio sensitization/talk shows	17	22.7
District Disaster Management Committee	4	5.3
Knowledge of fundamental human rights	42	56.0
Food security meetings	8	10.7

Source: Research findings

Most people (56%) knew that the IDPs have a right to food through their knowledge of the fundamental human rights. 22.7% learnt of it through radio talk shows, 10.7% through food security meetings and only 5.3% through the District Disaster Management Committee. When asked whether the right to food was being implemented in the IDPs camps, 73.3% said yes and only 26.7% said no. This difference in opinion could have arisen from some people not understanding what their right to food was and the unfairness of the distribution exercise.

The above results are summarized in the table below:

4.6.3 Implementation of Right to Food in IDPs Camps

Table 10

Right implemented	Frequency	Percent
Yes	55	73.3
No	20	26.7
Total	75	100

Source: Research findings

Table 10 shows that 73.3% of the IDPs interviewed acknowledged that their right to adequate food is being implemented whereas 26.7% stated that their right to food is not being implemented in the camp. The 26.7% of IDPs expressed this to the limited media used by the agencies in public awareness about the days, time, and place to receive the food aid and in general about the agencies' policies on food.

4.6.4 Local and International Programme on the Right to Adequate Food in Place

Table 11

Programme	Frequency	Percent
NGO food supply	38	50.7
Community sensitization	12	16.0
Resettlement	8	10.7
Establishment of food management committee	21	28

Source: Research findings

Table 11 illustrates four programmes on the Right to adequate Food in the IDP Camps which included; NGO food supply (50.7%), community sensitization (16%), resettlement (10.7%) and establishment of food management or food security committees (28%).

During the field study, one of the most pressing threats to IDPs was the insufficient amount of food distributed per household. Of all respondents, 75% identified food as a major insecurity to their daily lives. According to the interviews with a humanitarian worker, December (2005), there are a few responses to food insecurity. WFP attempts to deliver food on a monthly basis, but they are often delayed by uncontrollable factors such as insecurity or poor weather. ACF (Action Contre le Faim) complements WFP distribution and has some supplementary feeding centers, available for young mothers or malnourished children.

International Committee of the Red Cross (ICRC) and other agencies deliver non-food supplies, such as saucepans and soap. Interview with one ICRC worker revealed, ICRC assistance programme aims to improve living conditions of the population affected by the conflict in Northern Uganda. ICRC distributes 1kg of salt + 1kg of Sugar + 1.6kg of soap to each household receiving. However, the demand among the IDPs exceeds the current available supplies. For the second planting season ICRC assisted 3000 households in

Unyama with technical and agricultural input (sorghum, beans, pigeon peas, sesame) and hoes to reduce dependency on general food-aid distribution and to vary their diet.

28% of the respondents confirmed the establishment of food management committee guided with a 16% of Community sensitization. According to the interview conducted with one of the field workers of Catholic Relief Services (CRS), the Uganda Government with the Agricultural Cooperative Development International/Volunteers in Overseas Cooperative Assistance (ACDI/VOCA) and Catholic Relief Services (CRS) in 2002, established Food Management Committees in the districts of Gulu, Pader and Kitgum. This committee is feeding over 14,369 students in the Gulu District. Additionally, CRS works to organize and train members of the Parent Teacher Associations (PTAs) in organizational and leadership skills to enhance their ownership of the project and reinforce their capacity to guide and support primary schools.

4.6.5 Existence of Taskforce or Committee to Handle Food Issues

Table 12

Committee exists	Frequency	Percent
Yes	59	78.7
No	16	21.3
Total	75	100

Source: Research findings

When asked whether there was a taskforce or committee set up to handle food issues in the IDPs camps, 78.7% said yes and 21.3% said no. This task committee has set put programs including: working with parents on the establishment of vegetable gardens and other income generating activities that raise funds to improve infrastructure. CRS has also worked to organize and train members of the Parent Teacher Associations (PTAs) in organizational and

leadership skills that enhance their ownership of the project and reinforce their capacity to guide and support primary schools.

4.6.5.1 Roles of Food Management Committees/Taskforce

Table 13

Role	Frequency	Percent
Liaise with WFP	4	5.3
Mobilize IDP food supply	34	45.3
Ensure food availability	13	17.3
No idea	8	10.7

Source: Research findings

Of the 78.7% respondents who knew of the existence of food management committees, (45.3%) thought that their role was to mobilize IDP food supply, 17.3% thought that they were to ensure food availability, 5.3% thought that they were for liaising with the WFP and 8% had no idea. The ACDI/VOCA and CRS have set up a school-feeding program in the Gulu to ensure that availability of food to the IDPs. The program targets areas where it is very common for school children to go the entire day without food and have only one meal in the evening. This has been a good program in ensuring that the right to adequate food is observed in the district.

Most IDPs interviewed pointed out that the availability of NGOs or CBOs has promoted the right to food of the IDPs, And those identified were World Vision, caritas, Red Cross, CRS, Norwegian Refugee Council (NRC), Hunger Alert and World Food Programme (WFP). The most common NGO was World Vision with 84% respondents, and then Red Cross at 61.3% and the rest were below 50%. The FOA has continuously distributed kits to these NGOs to

ensure that food reaches the intended beneficiaries and this program has worked successfully with the IDPs in Unyama camp.

4.6.6 Views on Government Policies towards Protecting and Promoting the Right Adequate Food in IDP Camps

Table 14

View	Frequency	Percent
Not implemented in camps	13	17.3
Good plans	50	66.7
Not well publicized	8	10.7
Ignores security and food availability	4	5.3

Source: Research findings

Findings show that 66.7% of the IDPs interviewed confirmed that the Government has a good plan in ensuring the promotion and protection of their rights to adequate food by allowing many NGOs working on food issues to provide them with services relating to the right to food, 17% however stated that the government is not implementing policies that promote and protect the IDPs right to food and 4% had the view that government ignores security and food availability to the IDPs.

4.6.7 Participation in Decisions Regarding Food Distribution and Type

Table 15

Participate	Frequency	Percent
Yes	16	21.3
No	59	78.7
Total	75	100

Source: Research findings

Table 15 show that a very small percentage (21.3%) participates in decisions regarding determining the food type and how food should be distributed. The majority (78.7%) of respondents do not participate in the decisions. Unyama camp. Research finding indicate that people are not asked whether the ratios given per household are enough.

4.6.8 Opinion on the way Food is Distributed to the IDPs Camps

Table 16

Opinion	Frequency	Percent
Poor because of chaos during distribution	38	50.7
Poor distribution and storage	8	10.7
Late distribution and untimely delivery	17	22.7
Good	8	10.7
Poor because ignores family size and composition	4	5.3

Source: Research findings

Table 16 indicates that 50.7% state that there is chaos during food distribution, 22.7% indicate late distribution and untimely delivery of food to the community, 10.7% view the way food is distributed as good and 5.3% view the way food is distributed as poor because it ignores family size and composition

4.7 Violation of the Right to Food in Unyama IDP camp

Table 17

View	Frequency	Percent
Right violated	67	89.3
Right not violated	8	10.7
Total	75	100

Source: Research findings

When asked about violations of the right to food, 89.3% said they exist and only 10.7% said they do not exist as indicated in the above table. Violations of the right to food outlined

include: most food is poor quality/expired/rotten, unfair distribution, and food theft by leaders. These results are summarized in table 18 below:

4.7.1 Cited Violations of the Right to Food in the IDP camp

Table 18

Violation	Frequency	Percent
Most food is poor quality/expired/rotten	21	28.0
Unfair/biased distribution	16	21.3
Food theft by leaders	34	45.3

Source: Research findings

4.7.2 Perception of Quality and Quantity of Food Eaten in IDP Camps

Table 19

Food quality and quantity	Frequency	Percent
Poor/low	42	56
Fair quality, low quantity	29	38.7
Good quality, low quantity	4	5.3
Total	75	100

Source: Research findings

Most respondents (56%) perceived the food quality and quantity supplied in the IDPs camps as poor/low, 38.7% perceived the quality as fair but quantity as low and only 5.3% perceived the quality as good but quantity as low. This means that all respondents perceive the quantity of food supplied as low.

4.7.3 Consequences of not having Enough Food

Table 20

Consequence	Frequency	Percent
To adults		
1.Family tension/breakups	17	22.7
2.General body weakness	12	16.0
3.Food raids/theft by hungry residents	20	26.7
4.Poor health conditions	12	16.0
5.Lawlessness/increased resentment of government	34	45.3
6.Excessive drinking/alcoholism to ease stress	17	22.7
To children		
1.Malnutrition	71	94.7
2.General body weakness	4	5.3
3.Abnormal body development/stunted growth &slimness	38	50.7
4.Poor health and increased diseases	42	56.0
5.Poor mental health development	4	5.3
To female youth		
1.Early marriages	51	68.0
2.Prostitution	17	22.7
3.Poor health	12	16.0
4.Irregular menstrual cycles	8	10.7
5.Early elopements and defilement for food	4	5.3
6.Immobility due to fear of missing food	4	5.3
7.School dropout	10	13.3
To male youth		
1.Immorality	34	45.3
2.Theft	58	77.3
3.School dropout	41	54.7
4 Rural-urban migrations	4	5.3
5.Poor health	4	5.3
6.Immobility	4	5.3

Source: Research findings

According to the interviews carried, the lack of food has varying consequences on the adults, youth and children. 94.7% of those interviewed identified malnutrition as a consequence of not having enough food on children and 56% to poor health and increased diseases. 77.3% of those interviewed claimed that there is increased theft among the male youth. Male youth have exploited the opportunity of joining LDUs as a survival strategy, since this is often the only employment opportunity available to them. 68 % of the female youth have become

victims of early marriages as it has become the only means at their disposal for survival.(See table 20)

The official WFP policy is to provide 74% of an able-bodied individual’s nutritional requirement and thus requiring the individuals to meet the remaining percentage. This research has indicated that there is increased school dropout among the youth both female and male with the percentages of 13.3% and 54.7% respectively. Poverty in northern Uganda has forced many youth to opt to leaving their schools/classrooms in search of jobs.

4.7.4 Challenges facing the Implementation of Right to Food in IDPs Camps

Table 21

Challenges	Frequency	Percent
1. Insecurity and rebel ambushes	38	50.7
2. Over population of the camps	17	22.7
3. Political interference with food distribution	8	10.7
5. Locals’ ignorance of right to food	4	5.3
6. WFP/ Agents policies	8	10.7

Most respondents (50.7%) perceived insecurity and rebel ambushes, 22.7% was attributed to over population of the camps while 10.7% to the WFP/Agents' policies. The consequences to these obstacles have included full or partial inability to deliver essential food aid, insufficient needs assessment, monitoring, evaluation, increased operational costs, deteriorated nutrition status, depleted assets and further erosion of coping mechanisms among IDPs. The study reveals that there is simply not enough food being distributed for per each household and the distribution does not occur on regular basis. In an interview with a government official on December 13, 2005, the official pointed out that:

WFP has done a good job in providing food to the IDPs. But sometimes this food is not enough for most families. IDPs are unable to survive on food ration only and thus have resorted to selling food ration to obtain other basic necessities.”

4.7.5 Recommendations Regarding the Right to Adequate Food in IDPs Camp

Table 22

Recommendation	Frequency	Percent
1. Army escort to food aid	34	45.3
2. Continuous update of food distribution lists to incorporate new families	13	17.3
3. Cater for those who miss food due to absence at distribution time	4	5.3
4. Facilitation with seeds and planting materials	4	5.3
5. Ensure fair distribution of food	4	5.3
6. Sensitization on right to food	4	5.3
7. Increase quantity (rations) and frequency of distribution	8	10.7
8. Increased cooperation between the different NGOs that supply food	4	5.3
9. Avoid political interference	4	5.3

Source: Research findings

The following were advanced as some of the recommendations that would ensure the right to adequate food in Unyama IDP camp. 17.3% of the respondents recommended the continuous updating of food distribution lists to incorporate new families and sex of the different households. Insecurity figured as the biggest obstacle to the right to adequate food in Unyama camp thus 45.3% of the respondents recommended for the increasing of army escort to food aid.

4.7.6 Suggestions to Improve Household Access to Food

Table 23

Suggestion	Frequency	Percent
To Government		
1.Ensure security to farmers and food transporters	59	78.7
2.Subsidize food additives (salt, oil etc)	26	34.7
3.Promote improved agriculture & subsidise farmers seeds etc	12	16.0
4. Ensure quality and quantity of food aid	4	5.3
To NGOs		
1. Recruit a committed and trustable food allocation team	34	45.3
2. Increase seed distribution and extension services to farmers	29	38.7
3.Continuous training and support to farmers	8	10.7
4.Increase food quality and ensure better quality	8	10.7
5.Sensitize on income generating activities and food security	8	10.7
6. Employ more people to enable timely distribution of food	4	5.3
To households		
1. Practice improved methods of agriculture	29	38.7
2. Identify other means of food and income	30	40.0
3. Subsistence agriculture	8	10.7
4. Report short comings to authorities	4	5.3
6.Ensure presence during distribution	4	5.3

4.7.6.1 The Government

Insecurity during this study figured to be the most challenge to the realization to the right to adequate food to both the IDPs and humanitarian agencies working in Unyama camp. Therefore 78.7% of the key informants believe that security should be the first priority by the government so as to improve household access to food. 34.7% of the respondents supported

that the government of Uganda should put subsidy on household basic needs such as salt, oil and food to meet the food requirements for most households.

16.0% of the IDPs were of the opinion that government should subsidize agricultural activities and the inputs used in agriculture. 5.3% of the respondents believe that the government should ensure and improve on the quality and quantity of food aid distributed to the IDPs.

4.7.6.2 The Non- Governmental Organizations

45.3% of the respondents interviewed suggested that NGOs should recruit a committed and trustable food allocation team to ensure that food reaches the intended beneficiaries. This research team must be well educated, trained, have gained first hand experience on food and nutritional security in Northern Uganda

4.7.6.3 The Households

40% of the respondents opted to find other means of food and income. 38.7% of the respondents advocated for improved methods of agriculture and 10% for subsistence farming. Report short comings to authorities and ensure presence during distribution has the same responses with 5.3%.

CHAPTER FIVE

DISCUSSION OF FIELD FINDINGS

5.1 Introduction

The interviews and focused group discussions conducted in Uyama IDP camp-Gulu district, revealed the extent to which government and its development partners, alongside other stakeholders have fostered the realisation of the right to food in IDP camps of northern Uganda. To enhance this study, a critical analysis based on the field data, on how the war has impacted food security and community livelihood systems, which in general have a direct implication on the realisation of the right to food in Unyama IDP, was taken into consideration. The study makes an attempt of relating how food security and the right to food are linked to regional insecurity and poverty prevalent in the entire northern Uganda.

5.2 The Demographic Characteristic of the Respondents

As illustrated in figure 1 and in the field findings, there are more male headed households than the female headed households. Overcrowding in the camp has resulted into an unacceptable risk of fire, poor health and sanitation, inaccessibility of arable land to grow crops in what was an overwhelming agricultural society. Therefore besides food, there are many risks factors connected to the high degree of congestion. In situation with high density between huts, a small fire could easily set the whole camp ablaze, as the limited space available for each household must be shared by animals, children and adults and used for cooking, eating, sleeping and storage. Research has indicated that the congestion in Uyama camp also drastically reduces the opportunities for the household to cultivate small gardens plots with vegetable around their huts. In accordance with the tradition, an Acholi woman is only considered a good housewife if she keeps a small garden of vegetable around their huts

like Okra. Therefore, the study reveals that such a little thing as a small garden of okra is something that is both in demand and that separates one household from other both in regards to status, but also with respect to the nutritional value of the family's meal. This overcrowding in the camps that has resulted to unacceptable living conditions does not get along with the provision in Article 11(1) of the ICESCR and Article 21 (1) of the UDHR.

5.2.1 Occupation of Respondents

The research has shown a large number of literate people in Unyama village as indicated in figure 2. These people are a potential resource for growth and social development of Gulu district if gainfully and productively engaged. According to the FAO (2006), in their paper *The Right to Food in Practice: Implementation at National Level states that it is only educated duty-bearers are able to keep their obligations and only knowledgeable right-holders know how to claim their right to food*. Unfortunately, the inability of this elite category to constructively contribute to the realization of the social development of their region, including though not limited to the fostering of the realization of sufficient food for their communities, is attributed to the 19 years of the conflict. As earlier observed from the study findings, the conflict has forced a large number of people from Unyama, among which are the elites who fled the region, hence directly distorting the education system, economic development, civic engagement of the communities in proactively advocating for their rights, which by far could have been part of the responsibility of the elites to see their realisation within their own communities. As it is currently, a large number of IDPs in Unyama camp migrated to Gulu municipality in search of jobs, thus swelling the number of unemployed youths in the municipality. The consequences of this problem, is that most house heads can not attend to their family needs with particular reference to food causing serious malnutrition

among the young children. This contrast the Convention on he Right of the Child which addresses the issue if child nutrition.

5.3 Access and Sources of Food

5.3.1 Rank of Main Food Sources

From table 1&2 above, the top three ranked sources of food for the IDP households are: relief aid rations, sale of firewood, and borrow food. More than twelve thousand people in Unyama live in misery in crammed camps with limited access to most basic services which contrast Article 25 (1) of the UDHR; consequently ninety percent (90%) of the IDPs in Unyama depend on World Food Programme and nutritional assistance for their basic survival. The officials from WFP interviewed indicated that, WFP assistance to the IDPs is mostly in form of relief food distribution- the food basket comprises of cereals (maize grain/maize meal/sorghum), pulse (beans/peas), vegetable oil, corn-soya blend and in some interventions sugar and salt. WFP also provides school meals for each child, mid morning porridge and lunch daily; nutritional assistance for malnourished children and mothers and food to facilitate the creation of assets this is in line with the WFP policy on Food for work and Food for training

Despite these food handouts provided by the WFP to the IDPs, which at times arrives late and insufficient, the livelihood systems of the IDPs have continued in stern obliterations. The field findings informed this study that the sale of food aid was highly ranked. This critically informs us that not every man, woman and children in Unyama IDP camp have physical access to adequate food and consequently the right to food is not realized. Furthermore, it implies that the distribution of aid is not adequately done since some individuals can afford to get an excess to sell off while others are left in need. If you are to interrogate this case

scenario, there is social injustice with the initiatives of the WFP in responding to the realization of the right to food in Unyama IDP camp.

This analysis is premised on the normative interpretation of the requirements of the realization of the right to adequate food, which are inseparable from social injustice in a situation where some members of the same needy target group are marginalized in accessing food.

Food is one of a whole range of factors that determine why people in the IDP camps such as those in Unyama camp take certain decisions, how they spread risks and how they finally balance competing needs in order to survive. Their determination to preserve assets has been affected by their behavior during times of food shortage for their households. Respondents continuously explained that the food rations distributed by WFP are too meager to feed their entire households. The food ration varies from one household to another depending on the number of dependants. According to the IDPs interviewed, in reality there are incidents of food delays for two months or so and this made it difficult for some IDPs to get food for their families. This has contributed to malnutrition of most children in the camp because parents have no proper diet for their children. This situation is worsened by the inadequate food provided by the WFP per household. From the above findings the availability of food in terms of quantity sufficient to satisfy the dietary needs of individuals as stated in the General Comment 12 (8) is lacking.

5.3.2 Accessibility to Food

When asked to indicate how often the IDPs had access to food and given the options of: all the time, most times, and rarely or sometimes, no one indicated that they had access to food all the time. As shown in table 3, majority of the respondents indicated that IDPs rarely access food, something attributed to the several factors such as insecurity, restricted

movement by the UPDF in terms of time and distance. According to the Human Rights Watch (HRW) report (2005), those who venture outside of the security zone run the double risk of either being attacked by the LRA or accused of being a rebel or a rebel collaborator by the UPDF. Yet according to ninety percent (90%) of respondents, this external movement is a necessary part of their lives for subsistence and income purposes. Despite the reasons advanced by the respondents for their movement outside the camp, the UPDF claim for such restriction- is necessary in order to provide security to the civilians when they move to their gardens.

The study on the basis of the field findings observes that the physical and economic access at all times of IDPs in Unyama camp to adequate food or by using a resource base appropriate for its procurement in ways consistent with human dignity is lacking thus not in line with the provision in paragraph 6 of the ICESCR, General Comment 12. Considering that the right to adequate food is a distinct component of the right to an adequate standard of living, it is logical to conclude that the existing initiatives from the various stakeholders more so the government in the attempt to address the basic human rights of the people in IDP camps, falls short of the broader sense of adoption of appropriate economic, environmental, and social politics both at the northern region and national levels, oriented at fostering food security that directly impacts on the realisation of the right to food.

5.3.3 Availability of Storage Facilities

According to the National Policy on Internal Displacement (2004) Section 3.8(1): Government shall establish and maintain adequate grain stores for IDPs. When posed with the question of availability of storage facilities in the camps, 89.3% of the respondents replied no. Only 10.7% agreed to the availability of storage facilities. Findings indicated that

the traditional Acholi culture had a way of storing food to sustain their households and the surplus for sale as shown in the picture below.

Picture 1



Such storage facilities that ensured the notion of food sustainability for long-term availability and accessibility as required by General Comment 12 (7) have been destroyed by the 19-year old conflict. It is therefore logical to state that this conflict has negatively impacted on the food storage capacity per household and increased the dependency ratio on WFP.

5.3.4 Accessibility to Farmland

The notion of availability of food should include feeding oneself directly from the productive land or other natural resources as stated in the General Comment 12(8). This is directly linked to the effort by the majority of the IDPs to cultivate land to supplement food distributed by the World Food Programmes. Majority of the respondents indicated that they lacked land for cultivation as a major factor contributing to their food insecurities in comparison to 12% who had access to farmland as shown in table 7. The lack of fertile land makes IDPs highly dependent on WFP, which is not always reliable.

Furthermore, WFP does not provide adequate food rations since most household are of an extended nature. The findings show that their condition of inadequate food supply by the WFP has been accelerated by the insecurity and restricted movement hence limiting access to land. Many IDPs complained that they have rented land to grow crops only to see them destroyed or taken away without compensation by the landowner's cattle/land owners themselves. In such a situation they loss the money invested in renting the land, plus money spent on inputs, along with their wasted toil. This arrangement has been dictated by the macro economic policies of liberalisation that has now threatened land tenure of the north. The government of Uganda has not equally been prudent enough to impede such capitalist forces from not sabotaging the already fragile livelihood of the IDP camps.

There are increasing reports pointing to land grabbing in the disguise of investments for social development. The first and most affected sector is that of agriculture. The more the land is becoming inaccessible for the grassroots IDPs, the less they will even be able to undertake agricultural projects to foster the realisation of the food rights. The IDP policy is vague on the land matters. It therefore follows that without clearly addressing accessibility of land to the IDPs, all efforts intended to foster the realisation of the right to food will fail despite the imitative projects by other stakeholders like the NGOs to attempt address the IDPs food situation. This can be addressed if the state provides active protection against the more assertive and aggressive subjects as explained by Eide (2001).

According to the LEMU study of land rights and issues neither seeds nor tools were in short supply in camps and the seeds could be acquired in direct exchange for labour. The evidence suggests that the only benefit of distributing seeds is the case benefit of selling them. Most

importantly supplying seeds does nothing to solve the real problem but the lack of access to land and the targeting of seed distributions.

Apparently, there is growing tension that the question of land in Northern Uganda, Unyama inclusive is a time bomb. In the IDP establishment like that of Unyama, many IDPs from the neighbouring areas converged at Unyama for security reasons. Unyama land has got landlords who belong to a certain clan. One of the biggest challenges is that many of the initiatives to redress the pathetic livelihood of IDPs, like agricultural projects supported by the various agencies have not clearly confronted the issue of whose land these projects are using.

The Land owners of Unyama have been renting land for some temporary or short term projects. Some of these have included growing of food stuffs that indeed supplement the nutritional and dietary needs of the IDPs. The challenge here is that such short span projects with limited outputs have not enabled the realisation of sustainable quality and quantity of food for the IDPs. Some of these projects are bound to fail in the wake of voluntary return of the IDPs from Unyama back to their homelands. This case scenario is bound to create a very big gap in terms of available food for returnees before they are in position to raise food from the seeds given to them by government and other stakeholders in the process of return to their homelands from Unyama.

5.4 Knowledge on the Right to Adequate Food

5.4.1 Knowledge of IDPs on the Right to Adequate Food

Through the Jan sunvais emerged the principles underlying the campaign for the right to information. It is clear that the majority of the respondents interviewed knew of the IDPs'

right to food. Only four respondents out of the seventy five people interviewed were not aware of their right as shown above. Access to employment, food, water, education and health, depends critically on people's detailed knowledge about government, NGOs and CSO programmes. The IDPs ability to monitor and ensure effective implementation and respect to the right to adequate food has been undermined by the limited access to information. Most people (56%) knew that the IDPs have a right to food through their knowledge of the fundamental human rights. This finding is in line with Article 41, of the 1995 Constitution of the Republic of Uganda. However this difference in opinion as indicated in table 9 could have arisen from some people not understanding what their right to food was and not how they learn of their right to food. This leaves an information gap in the understanding of the right to adequate food.

5.4.2 Implementation of Right to Food in IDPs Camps

More broadly, this right to information has undermined the right to adequate food among the IDPs in Unyama camp. Majority of the IDPs interviewed acknowledged that their right to adequate food is being implemented whereas a few of IDPs expressed this to the limited media used by the agencies in public awareness about the days, time, and place to receive the food aid and in general about the agencies' policies. This right to information is universally held to be a desirable right, to which each citizen is entitled. It is uncontroversial and not ideologically divisive. No one can, at least publicly, oppose it. This is an issue that affects IDPs in some way or the other. For instance, those monitoring the agencies' policies need information on IDPs in order to be able to assess whether this right to adequate food is respected or not, however this information is not readily available hence affecting the right to adequate of the IDPs in Unyama camp.

It is the felt position of this study to observe that civic education of the IDPs in Unyama is absolutely lacking. There is a very big communication gap between the central and local government undertakings and the target group they intend to address in Unyama and beyond. This has not only hindered the realization of the basic rights of IDPs like in Unyama, but also the social and economic development of the entire sub region. It is very alarming as observed in the field finding that the IDPs lack the capacity to monitor the implementation of projects like NUSAF and NAADS that are partly intended to redress the realization of projects some of which are linked to fostering the increased food availability and accessibility to the IDPs like those in Unyama IDP camp.

5.4.3 Local and International Programme on the Right to Adequate Food

The field findings indicated in table 11 informs us of four programmes such as food supply, community sensitization, resettlement and formation of food committees as being undertaken in the Unyama IDPs Camp on the right to adequate food by the Government of Uganda or NGOs in situation of armed conflict. Ideally it is the due responsibility of the state to undertake direct provision of food or resources (through direct food aid or social security) such as in emergencies like severe drought or flood, armed conflict or the collapse of economic activities within a particular region of a country. The prevalence of inadequate relief supplies to IDPs of Unyama as already observed is indicative of the failure of the government and other stakeholders to substantially realize the implementation of the local and international protocols that Uganda acceded to. Nevertheless, in an effort to meet some of these protocols, the Government of Uganda is working with different NGOs to implement the Right to adequate food.

The International Federation for Human Rights (FIDH) has been conducting the Legal Cooperation Programme (LCP) since 1993 to strengthen the influence and capacity of human rights defenders vis-à-vis the government and the international community, International Committee of the Red Cross (ICRC) and other agencies deliver non-food supplies, such as saucepans, soap and hoes to reduce dependency on general food-aid distribution and to vary their diet, the WFP and the Norwegian Ministry of Foreign Affairs provide funding and food aid as indicated by 50.7% for the IDP camp of Unyama in Gulu district. Norwegian Refugee Council carries out General Food Distribution (GFD) as a WFP implementing partner. WFP is responsible for the procurement of food items and transportation to the extended delivery point, while NRC supervises transportation to the final delivery point as well as distribution to the beneficiaries. All these efforts are geared towards meeting the obligations of the government of Uganda as stated in paragraph 15 of the ICESCR, General Comment 12

During the field study, one of the most pressing threats to IDPs was the insufficient amount of food distributed per household. Of all respondents, 75% identified food as a major insecurity to their daily lives. What comes out clearly is the fact the food distributed for each household is simply not enough. During the interview, the researcher found that IDPs are unable to survive on food rations and thus have resorted to leaving the camp to obtain food. This exposes many of them to a lot of risks such as falling victims of the roaming LRA in abandoned fields. Furthermore, female youth or female-headed households are particularly threatened by food insecurity because they are primarily responsible for preparing and cooking meals. The search for food by household heads exposes them to risk of being abducted, raped or killed thus not in line with the provisions of GC 12 (8) since accessibility of such food in ways that are sustainable is interfering with the enjoyment of other human rights such as liberty and security of a person, freedom of movement among others.

5.4.4 Existence of Taskforce and their Roles in Handling Food Issues

From the findings, majority of those interviewed accepted that there is a committee in place handling food issues in the camp and a few said there is no at shown in table 12 Committee in place. According to those who accepted that there is a committee in place and thought that their tasks are to mobilize IDP food supply, ensure that the distribution process successful and liaising with the WFP. The ACDI/VOCA and CRS have set up a school-feeding program in the Gulu to ensure that availability of food to the IDPs. The program targets areas where it is very common for school children to go the entire day without food and have only one meal in the evening. This has been a good program in ensuring that the right to adequate food is observed in the district. I agree with the establishment of the Food Management Committee or Taskforce at Unyama Camp as a strategy to monitor the different efforts in place to ensure that the IDPs right to food is not being violated.

5.4.5 Participation in Decisions Regarding Food Distribution and Type

Furthermore table 15 indicates that a very small percentage participates in decisions regarding determining the food type and how food should be distributed. The majority of respondents do not participate in the decisions. This low level of participation in the decision taken in the area has brought constraints on peoples' abilities to make choices and to critically handle the challenges of the IDPs in Unyama camp. IDPs are not asked whether the ratios given per household are enough, and whether special consideration is taken on child or female-headed households yet these challenges differ from one household to the other depending on its nature.

From the finding one may think that there is violation of the Rights to adequate food in Unyama IDP as illustrated in table 16, 17, 18 and 19 which indicates that the three violations of the right to food include: poor quality/expired/rotten food being distributed to the IDPs, unfair/biased distribution, and food theft by leaders. However this is not violation as stated in GC 12 which states that;

The violation of the right to food occurs when the state fails to ensure the satisfaction of, at the very least, the minimum essential level required to be free from hunger. Moreover, if a state claim it is unable to fulfill its obligation for reasons beyond its control (for example resource constraints), it has to demonstrate to CESCR that 'it has done everything in its power to ensure access to food, including appealing for support from the international community'. Violation of the right to food includes discrimination in the access to food as well to means and entitlements for its procurement on grounds of race sex colour, language, age, religion, political opinion, national or social origin, property, birth or other status' in a manner that impedes the exercise of economic, social and cultural rights.

From the above findings this has not been the case the only situation here is that some of the food being given to the IDPs are in poor quality and the distribution method are not proper since there are a lot of chaos at the distribution points thus this tend to be in line with Eide (2001) argument that, it is not enough for the foodstuff to be physically available. They also have to satisfy the following criteria in order to qualify as adequate:

- d) Be safe (free of toxic elements and contaminants); and
- e) Be good quality (in terms of, for example taste and texture).

Thus the above findings show that there are challenges in ensuring that the right to adequate food of the IDPs is progressively realized

In addition to the above, the WFP policies in Unyama camp are one of the factors in the violation of the right to adequate food. The card-registration policy has remained discriminatory in nature especially in the instance of child-headed household where parents

died and they do not have access to food aid. Food-Registration is a complicated process because it sometimes involves travelling to Gulu town, which is impossible for many IDPs, due to the security situation and the expenses involved in travelling. Secondly, even the WFP conducts a verification mission, most of the IDPs will often be absent during the verification because they are outside the camp collecting food or firewood for their households, or may be unaware of the process.

Thirdly in some instances children or youth are not allowed to receive food deliveries, if they are 'too young' due to the agency policies. And as such many children have not been registered and lastly the agency policies have given less attention to polygamy- a characteristic of the African society where a husband has a special meal. An interview with 45 year old female in Unyama IDP camp on December 14, 2005 expressed her problem:

I have to share my food with my children who live in a hut/household. I have to also prepare a special meal from my husband yet I do not have money to hire land for vegetable to supplement that from the WFP.

The policies of WFP have remained discriminatory in nature because they have not considered nature of African traditional families, which are extended in nature. The study reveals that policies have forced many IDPs to seek alternative strategies for their survival and their families. Single and child mothers are particularly susceptible to relationships with UPDF or LRA soldiers, because of their need for any possible source of income to help support their dependents.

5.5 Consequences of Not Having Enough Food

According to the interviews carried out, the lack of food has varying consequences on the adults, youth and children. Majority pointed out malnutrition as a consequence of not having enough food on children, increased theft among the male youth and early marriages among

the female youth as a means for their survival. The high rate of malnutrition among children does not get along with the provisions in Article 24 (1) and (2) and Article 27 of the CRC. In spite the fact that Uganda has a National Food and Nutrition Policy, there is still high rate of malnutrition as shown by the findings in this study

This coupled with the official WFP policy of providing 74% of an able-bodied individual's nutritional requirement and thus requiring the individuals to meet the remaining percentage aggravates the lack of food to the IDPs as emphasized in the Food Security message (Daily Monitor, February 16, 2006). This policy does not take into consideration the particular circumstances of Northern Uganda, where it is daunting, challenging and at times impossible to work in the fields. Moreover, this situation is exacerbated because WFP often experiences delays in its distribution cycles, due to poor weather, security conditions or mechanical breakdown, particularly of the UPDF vehicles that are used as escorts to the camps. As an organ of the UN, WFP is subject to strict security provisions and must travel with UPDF security escorts. Thus, at times WFP is denied access into certain areas, particularly if there is rebel activity nearby.

In addition to the above programme, WFP and other humanitarian organizations do not distribute all of the basic food necessities and non-food items, such as firewood, mosquito nets, salt, sugar etc. This has caused serious malnutrition among children in this camp. In order to purchase these basic items, IDPs have often sold part of their WFP rations, which makes it even harder to sustain themselves and potential dependants on the already insufficient amount they receive. In general the food aid has created a “donor dependency syndrome” in the camps more specific Unyama camp.

Furthermore these youth, who are orphaned and made vulnerable by HIV/AIDS and the conflict in Northern Uganda, are a large and growing population with unmet needs. Today, these youth are becoming undereducated and immune to violence, posing the greatest threat to the stability and prosperity of Northern Uganda. The Government of Uganda has established the Amnesty Commission to address the problem of Northern Uganda, but has not committed sufficient funding for effective programs. Non-governmental organizations have done the bulk of the work in juvenile rehabilitation.

5.6 The Role of the Uganda Human Rights Commission

As a Constitutional body established under Article 52(1) of the 1995 Constitution of the Republic of Uganda, ideally, the commission is an institution with the duty of protecting and promoting human rights in Uganda. In principle, the rights that the commission ought to promote are inclusive of the right to food. Using a human rights based approach to interrogate this phrase, adequate food is an indispensable human right, formally recognized worldwide, Uganda inclusive. Unfortunately for the case of Uganda, the state formally recognized this right to food by ratifying and signing international treaties relating to the right to food as already observed, but has fallen short of genuinely putting this recognition fully into practice, through a specific legislation for the realization of this right.

The UHRC as well does not in specific terms priorities the promotion for the realization of the right to food under its function. Nevertheless, the commission under its continuing program of research, education, information sharing embarked on studies to inform the implementation of the right to adequate food in Uganda. Some of the initial interventions by the commission have been the hosting of national seminars to kick start critical dialogue and

policy frameworks for the implementation of the right to food in Uganda. This has been a good start considering that it implores the educated duty bearers to ably embark on studies to inform the realization of human rights like the right to food as a responsibility. The commission has also proactively engaged the government programmes like NAADS, PEAP, NURP, NUSAF and PRDP to focus on the promotion of adequate food especially for the IDPs in Northern Uganda. This intervention has resulted into NAADs starting model farms for IDPs like in Unyama to sensitize the IDPs preparing for resettlement about improvement of their yields both crops and animal husbandry. This was partly intended to build more capacity among the IDPs to produce enough food for self sustainability and future commercialization. NUSAF equally had to diversify its intervention to encapsulate support for agricultural projects intended to raise more food for IDPS.

Further more, the commission in 2003 following the National seminar on the implementation of the right to adequate food hosted in Makerere University, embarked on a campaign for a national human rights based strategy, clarifying responsibilities and setting benchmarks vital for monitoring the implementation of the obligation for the realization of the right to adequate food. Indeed such efforts are paying off. By the end of 2006, Uganda was among the other states in the process of legislating for the realization of the right to food.

One of the outstanding challenges however has been the inability of the commission to embark on capacity building for the target groups especially the IDPs like those in Unyama whose right to the realization of adequate food was undermined the day they moved into IDP camps. The premise of the right based approach to ensuring adequate food is by empowering poor people and those who are food insecure. Empowerment is integral to any strategy that moves away from the benevolence model of food aid and instead emphasizes enabling

environment that supports people in feeding themselves. In the case of northern Uganda IDPs like Unyama were the communities as a result of displacement are unable to raise food sufficient for their livelihoods, it then becomes the full responsibility of the government of Uganda to assist. Therefore the commission ought to keep alive the campaign for the realization of the right to food by calling upon the government to be accountable and own further the responsibility of realization of this right through instituting enabling legal, policy and institutional frameworks needed in achieving the right to adequate food in the war affected northern Uganda communities and other conflict affected areas of the country.

5.7 Challenges facing the Implementation of Right to Food in IDPs camps

The northern Uganda conflict has prevented the IDPs in Unyama camp from accessing food and other essential requirements through normal channels as laid down in the 1949 Geneva Conventions and their two Protocols of 1977. However, as cited by the UN Secretary General in his March 2001 report to the Security Council on the protection of civilians in armed conflict (S/2001/331):

In many conflicts, safe and unhindered access to vulnerable civilian populations is granted only sporadically, and is often subject to conditions, delayed or even bluntly denied. The consequences for those populations are often devastating: entire communities are deprived of even basic assistance and protection. The agony of civilians in such isolated circumstances is further exacerbated as, in modern warfare, particularly internal conflicts; civilians are often targeted as part of a political strategy.

Majority of the IDPs interviewed clearly pointed out insecurity as a serious challenge facing the implementation of the right to adequate food in Unyama (Northern Uganda). Other challenges were attributed to disorderliness or uncooperative residents who end up raiding the food aid and WFP policies, The consequences to these challenges have included full or partial inability to deliver essential food aid, insufficient needs assessment, monitoring,

evaluation, increased operational costs, deteriorated nutrition status, depleted assets and further erosion of coping mechanisms among IDPs.

It was noted that WFP and other humanitarian agencies are facing the challenge of identifying and determining the number of people in need of assistance. This is mainly attributed to the limited public awareness among the IDPs.

The lack of appropriate resources undermines the humanitarian work causing an impact on the regular and timely distribution of food. Limited resources have prevented humanitarian workers from providing food and non-food relief assistance causing donor fatigue and dwindling of resources in the Unyama camp. Reaching the intended beneficiaries remains a big challenge to humanitarian agencies.

In addition some of the respondents interviewed attributed the challenges of the right to adequate food the policies of the WFP and its partners like NRC operating in Northern Uganda. According to those interviewed, the WFP's registration process is not flexible because registration verifications do not occur regularly, yet different IDP demands come up like the newly wed couples that are required to provide for their families. Quite often when IDPs leave their camp to collect additional food, they miss WFP assessment missions. This is of particular concern when IDPs are not informed of the verification or registration date, which is often the case.

The research findings indicate that the lack of food is so frustrating for most IDPs in Unyama Camp, hence the various consequences highlighted in the findings above. The survival strategies adopted by the households especially the youth as a way of getting food like involvement in relationships in order to have someone to provide their basic necessities in turn contribute to the prevalence of domestic violence, against which respondents lacked any

strategy. The Government of Uganda in the National Policy IDP Policy (2004), states that IDPs are entitled to security of person and property. However this is not the case for IDPs at Unyama Camp, the UPDF is not providing adequate security for the IDPs and their property. The data collected reveals LRA attacks, including the looting of food and arson, in addition to direct attacks on people that often follow food distribution. The constant LRA attack indicates that access to arable land is a huge problem to the IDPs in Unyama camp hence limiting their access and sources of food. Therefore the critical need for the IDP families has not been addressed due to the UPDF failure to grant access to arable land and or protect those IDPs trying to grow crops.

In conclusion, it is the general responsibility of the Ugandan government to ensure a decent livelihood of all its citizens. The existence of IDP camps like Unyama in northern Uganda is a manifestation of the failure of the government to create an enabling environment for the full realisation of the basic rights of the people including the right to food. This does not mean that the government has totally done nothing to respond to the realisation of the right to food. The focal point of the analysis is whether the Uganda government has established and implemented strategic interventions based on various, local regional and international instruments Uganda is party to, and the implications of these strategic plans, in informing the interventions of other stakeholders working towards the realisation of the right to food within Northern Uganda and the nation at large.

Putting into consideration that Uganda is increasingly transforming into a strong liberal economy, this analysis makes an effort to link food sovereignty and the current macro economic policies, which in the case of Northern Uganda and the IDPs point mainly to land

ownership and its current commercialisation. Uganda Government, through the Office of the Prime Minister, Department for Disaster Preparedness issued a National Policy on IDPs in February 2002 and adopted this policy in August (2004) .This was indeed a major breakthrough in the government's decision on Internal Displacement. This Policy has a provision on protection of IDPs against arbitrary displacement. Property rights, family unification, food security, shelter, clothing, education, health, water sanitation, resettlement kits, rehabilitation of infrastructure among others.

The National IDP Policy also provides for a Protection Sub-Committee, sub-section 2.5 of the National IDP Policy which has a joint responsibility with the UHRC to monitor respect for the rights of IDPs (International Federation for Human rights- 2002).However this study informs us that this policy has remained on paper since the implications of its implementation on the IDPs livelihood system, inclusive of the realization of the right to food is by far low. This is attributed to the lack of a clearly implementation strategy that links the policy to the target beneficiaries, as well as resources to implement the policy have not been delivered to the District Disaster Management Committee, hence inhibiting civic satiation of the IDPs on how to benefit from the IDP policy.

From the data collected, respondents interviewed stated that the restricted freedom of movement, curtailments for security reasons has had many negative implications - two of the most severe ones; are the issue of gathering food and collecting firewood. It is almost a decade (1996-2006) since the establishment of Unyama camp, yet the biggest challenge is enough food to feed families and less firewood near the camp within the security zone. This has made the task of obtaining food and firewood both difficult and dangerous. The research findings indicate that IDPs are exposed to abuses like abductions beating, harassment, and

sexual abuse especially women who risk moving in the bushes in their effort to get firewood or till land to supplement their diet. The current case scenario could be addressed through some of the proceeding opportunities and recommendations suggested herein.

CHAPTER SIX

CONCLUSIONS AND RECOMMENDATIONS

6.1 Introduction

In this chapter, the researcher presents a summary of the main findings arising out of the analysis and interpretation of data and thereafter presents recommendations, which informs the various stakeholders involved in promoting the right to food on how to consolidate the strength of their interventions, recognise their weaknesses, take full advantage of the available international, regional and national policy and legal frameworks; and to strategically plan for the future perceived threats in the course of promoting the mandate of realising the right to food.

6.2 Conclusions

Following the findings, discussions, analysis and recommendations, presented above, certain conclusions can be made.

The situation for the population of Unyama IDP camp is extremely bad. There is no doubt that the right to adequate food has been flagrantly violated. The situation of the IDPs population in Unyama is worsened by the fact that majority are displaced over a short geographical distance. The right to adequate food is undermined by conflict situation in Northern Uganda

As the research has shown, the IDPs in Unyama IDP camp are constantly afraid, both inside the camp, but even more when they move outside the camp making access to their farming land more dangerous. These people are extremely poor with inadequate food supply and limited possibilities of cash income. They depend on humanitarian aid. There is no

comprehensive national strategy to meet the Government of Uganda's' obligations on the right to food.

Furthermore, IDPs are trapped in the camps living in unhealthy, unsafe conditions, without adequate food and non-food items. The restrictions on freedom of movement within and outside the camps force IDPs to look for alternative sources of income for their household survival. Therefore, the Government of Uganda should develop a comprehensive National Strategy to meet the obligation on the right to food and defend its people's right to adequate food.

6.3 Recommendations

The following are some of the recommendations for ensuring that the right to adequate food is promoted and protected in Unayma camp.

The government of Uganda should ensure the right to a peaceful environment for people of northern Uganda to enable the realisation and respect of the right to adequate food in IDP camps like Unyama. This security should also be extended during food distribution to ensure that the IDPs and the humanitarian agencies are rightfully protected on the way to or from the distribution areas.

There is need for the Government of Uganda to ensure that IDP policy is applied consistently on ground. Obligations stipulated in these policies are fulfilled in terms of guaranteeing the right to adequate food and providing assistance in the camp. For this to be realised, the IDP policy and human rights manuals should be translated in the local languages so that people are well informed about their rights.

More research and profiling studies on the right to adequate food need to be conducted in the Internally displaced camps of northern Uganda and reports widely distributed in the local languages of the affected communities, as well as to the local and international agencies working towards the realization of the rights to food in order to inform their interventions in addressing the realization of the right to adequate food.

There is need for a proper and active communication strategy to enhance the coordination and cooperation of especially civil society working towards the realization of the right to food. This can partly be through strategic networking and advocacy, involving the media and other stakeholders in sharing information that impact on the realization of the right to food.

An integrated approach encapsulating such joint efforts as a task force should be put in place by the WFP in coordination with other humanitarian agencies to provide a forum for discussions on the improvement on the quality and quantity of the food distributed to the IDPs.

An integrated training Programme on the protection of human rights issues like the right to adequate food within IDP settings is necessary for CSOs, UPDF soldiers/officers and other relevant stakeholders as a conflict sensitive intervention.

Domestically, there is need to ensure effective implementation of governmental programmes like Plan for the Modernisation of Agriculture and Poverty Eradication Action Plan to increase income per household. Such government strategies to reduce poverty should be tailored to the entrepreneurship skills development of the IDPs activities like though not limited to supporting small scale agricultural initiatives, local artisan skills in vocational trainings in carpentry and joinery and hand crafts among others. This will bring about

grassroots ownership of developmental projects in order to reduce their dependency on food distribution and idleness in the camp.

To reduce on the rate of sex in exchange of food as a survival strategy established in this research, the created income generating projects should focus more on female economic empowerment. This should be followed with the CSOs to provide sensitivity training against prostitution particularly for female internally displaced youth.

Humanitarian agencies should conduct effective monitoring through registration, evaluations, and assessments in a more consistent manner, which is participatory in nature involving the grassroots who are the intended beneficiaries in order to ensure that all eligible beneficiaries are included.

Government should assist large families in attaining enough food and non-food items to support their entire family. Interventions that support household food security and offer the possibility of generating even a small cash income to IDPs so as to buy various non-food items should be encouraged.

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