



**PARLIAMENT OF UGANDA**

**REPORT OF THE COMMITTEE ON PRESIDENTIAL  
AFFAIRS ON THE STATUS OF THE RESETTLEMENT OF  
LANDSLIDE VICTIMS IN THE ELGON SUB REGION  
(Committee Recommendations)**

**OFFICE OF THE CLERK TO PARLIAMENT  
NOVEMBER 2018**

# **1 RECOMMENDATIONS**

## **1.1 TOR 3 – INVESTIGATING THE AVAILABILITY OF TRANSACTION DOCUMENTS**

The Committee recommends that Parliament interests itself in the operations of the Land Registry in the Ministry of Lands, Housing and Urban Development.

## **1.2 TOR 4 – INVESTIGATING WHETHER THERE IS QUIET POSSESSION OF THE LAND PURCHASED BY OFFICE OF THE PRIME MINISTER**

### **1.2.1 Block 4, Plot 10, Volume 4459, Folio 9/Block 4, Plot 93, Volume 4462, Folio 15/ Block 4, Plot 94, Volume 4455, Folio 7**

The Committee recommends that:

- i. the transaction involving Contract No. OPM/SPLS/13-14/00100 be cancelled.
- ii. the Permanent Secretary for OPM, Ms. Gertrude Guwattude Kintu; be held responsible for causing financial loss to the Government and untold suffering to the landslide victims and many still at risk.
- iii. the Acting Commissioner for Disaster Preparedness (OPM) at the time of this transaction, Ms. Rose Nakabugo be held liable for causing financial loss to the Government and untold suffering to the landslide victims and many still at risk.
- iv. Ms. Gimono Beatrice M, the Executive Director Simu Oil Company Ltd and Ms. Jancita Nafuna be jointly prosecuted for fraud since they acted on behalf of a company without powers of attorney.
- v. Members of the Contracts Committee that included Mr. Albert Byamugisha, C/ M& E; Mr. Kazungu D.A, C/R; Mr. Mayanja Gonzaga A/C- P&D; Ms. Nantumu Olivia, S/A-MOJCA and Mr.

Ahabwe, H/PDU –F&A be held accountable for their incompetence in evaluation and failure to detect that they were dealing with Simu Oil Company Ltd without required instrument that resulted into financial loss to the Government.

- vi. Charges of fraud be preferred against Hon. Wamakuyu Ignatius Mudimi for unfulfilled commitments with third party claimants on a piece of land he had no instrument mandating him to transact resulting into financial loss to Government.
- vii. Hon. Wamakuyu Ignatius Mudimi, Fr. Godfrey Manana, Fr. Andrew Mutubusi and Fr. Patrick Watikha be jointly prosecuted on criminal charges and have Ushs. 2.754 bn recovered and refunded to Government of Uganda.
- viii. Hon. Wamakuyu Ignatius Mudimi be prosecuted for abuse of Office.
- ix. Mr. George Wilson Ochwo be prosecuted on criminal charges and have Ushs. 1.026 bn recovered and refunded to Government of Uganda.
- x. Ministry of lands desists from making blanket disclaimers, which may not be reflective of the actual status of land under search, to avoid misleading stakeholders. It is the Committee's considered opinion that for purposes of accountability and authenticity of information on search reports, the Ministry clearly states actual facts since they are mandated to provide factual information in the course of making search reports.

### **1.3 TOR 5 – INVESTIGATING THE CIRCUMSTANCES THAT LED TO THE HALT IN FUNDING RESETTLEMENT ACTIVITIES**

The Committee recommends that Ushs. 8.0 bn to cater for the resettlement activities under OPM is re-instated through a supplementary request and have this allocation ring fenced in the medium term.

#### **1.4 TOR – 6 ASSESSING THE INTERVENTIONS BY OPM IN RESTORING THE PLIGHT OF THOSE AFFECTED BY THE 11<sup>TH</sup> OCTOBER 2018 LANDSLIDE IN BUKALASI SUB-COUNTY, BUDUDA DISTRICT.**

- i. The Committee recommends that Office of the Prime Minister in conjunction with the Local Government shifts the distribution centers to the affected sub counties including Bukalasi, Buwali and Bubita.
- ii. The concerned authorities should explore using other means of identification such as involving the local leaders especially the LC 1 in identifying locals so as to streamline distribution of food and other relief items other than the National ID, especially where such identification documents are lost in the process of the disaster.

#### **1.5 ANY OTHER MATTERS INCIDENTAL THERETO**

##### **1.5.1 Transaction Advisor**

The Committee recommends that the Transaction Advisor, Mr. Richard Masereje be held accountable for submitting transaction advice that caused financial loss to Government of Uganda and untold suffering to the intended beneficiaries.

##### **1.5.2 Mis-information by Officials holding Public Offices**

The Committee recommends that the following public officials be held liable for mis-informing Government in the capacities they were holding then; resulting into a financial loss and untold suffering to the intended beneficiaries.

- a) Mr. Geoffrey Wambi Khaukha; LC3 Chaiperson – Bunambutye S/C
- b) Mr. Nalanya Vicent; Chairman – Land Verification Committee
- c) Mr. Tom Mayeku; Secretary District Land Board/District Land Officer
- d) Mr. Mukholi Calvin; LC 1 Chairperson – Bubuya Village
- e) Mr. Wabudi Edward; RDC – Bulambuli District. He wrote a letter to the Minister of Disaster Preparedness and Refuge Management rescinding an earlier endorsement by third party claimants to H.E the President of Uganda. This was a

contradiction from the findings of a report and recommendations in response to Peter Wanambuko addressed to the Legal Department, State House dated 19<sup>th</sup> August 2013 by Mr. Nabende Wamoto; RDC – Bulambuli District at that time (See Appendix 19).

### **1.5.3 Role of Political Leadership in OPM**

The Committee recommends that the Political leadership, including the Minister of State and Cabinet in Office of Prime Minister related to the subject matter take responsibility for causing a financial loss of Ushs. 8.0 bn to Government.

### **1.5.4 Role of other Institutions in the Procurement Process.**

The Committee recommends that investigations be carried out on Public Procurement and Disposal of Public Assets Authority, Ministry of Lands, Housing and Urban Development, Directorate of Land Matters in State House and the Inspector General of Government for failure to intervene in the botched procurement.

## **1.6 TOR 8 – RECOMMENDATIONS ON HOW TO CONCLUSIVELY ADDRESS RESETTLEMENT OF INTERNALLY DISPLACED PERSONS AND THOSE AT RISK OF LANDSLIDES IN MT. ELGON SUB-REGION**

### **1.6.1 Resettlement of Internally Displaced Persons Project**

The Committee strongly recommends that Ushs. 8.0 bn be provided to the Office of the Prime Minister in the supplementary request and have their MTEF ceiling re-instated to enable them undertake activities relating to resettlement of IDPs and restore the plight of these suffering Ugandans.

### **1.6.2 Dissemination of Information**

The Committee recommends that going forward; Office of the Prime

Minister should explore all media avenues available like local FM radios and use of Lower Local Governments to convey the messages.

### **1.6.3 Due diligence for future procurements**

The Committee recommends that in future, Office of the Prime Minister should never rely on Search Statement in isolation; but rather do the due diligence in the actual location and involve all the stakeholders in opening of boundaries.

### **1.6.4 Massive Planting of Trees.**

The Committee recommends that the Local Governments in the Elgon Sub - Region should lead by example and take the initiative of spearheading the tree planting campaign in order to control soil erosion and further rolling of the rocks from the mountains. There should be massive sensitization to the people about the advantages of reforestation. The Central Government should explore avenues of gazetting the areas that are prone to landslides after relocation.

### **1.6.5 Land Identified for Resettlement of Persons at risk of Landslides by BLVC**

The Committee recommends that Government interests itself in Plot 101 and other suitable pieces of land in the country, applies for the necessary waivers in the procurement process to expeditiously resettle the landslide victims.

### **1.6.6 Availability of Government Land in the Country.**

The Committee recommends that Government should interest itself on its existing vacant land in the Country and priorities using it for resettlement of IDPs.

#### **1.6.7 Improving the Infrastructure and Livelihood in Kiryadongo.**

- i. The Committee recommends that Government steps up interventions in developing the necessary infrastructure in Kiryadongo to create improve on their livelihood.
- ii. The Committee recommends that Government should ensure that programs intended by the Office of the Prime Minister for the resettled victims in Kiryandongo be mainstreamed in the Local Government structures of Kiryandongo Local Government for ease of implementation and sustainability.