

The Uganda Land Alliance



QUARTERLY NEWSLETTER

Vol. 4: 2010

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Executive Director's End of year remarks



Esther Obaikol

Congratulations to all ULA staff, Members and Partners upon a successful completion of the 2010 Activity Year. It's been pretty eventful particularly with the first Members' Forum held in the field and the launching of the National Women's Land

Rights Movement, among many other achievements. Without the input of each one of us, all this would have remained, but just a dream.

As we head straight into the New Year 2011, I urge that we remain united because the challenges awaiting us are quite immense. The poor person down at the grassroots continues to yearn for fair land laws despite the promises reflected in many of our legislations. We must work together to ensure that these promises do not only remain on paper, but that they are translated into tangible actions that shall improve the livelihood of poor men, women



and children whom we stand for.

I wish you all a Merry Christmas, and a Happy and Fruitful New Year 2011.

NEWSLETTER

No Land, No Value!

It is the most important source of livelihood for all Ugandans and the final resting place for all human beings. Such is the importance that Pader District Officials attach to land, and so should the rest of the country. According to them, the value of any citizen is synonymous to owning a piece of land, thus, “Anyone without land has no value”.

The district officials were meeting a group of members of the Uganda Land Alliance (ULA), who paid a courtesy call to the Chairman mid June to familiarize him and his team with the role ULA is playing in addressing concerns over land in the Acholi region, particularly Pader District. Officials in attendance included Pader Chairman Peter Odok W’ocheng, Chairman Pader District Land Board Mr. Obwolo Alfred, The Chief Administrative Officer (CAO) Otai Charles, Deputy CAO Mr. Odoch Richard Poromoi, and the District Land Officer Mr. Nyeko Julius.

During the meeting that lasted just over an hour, the officials called for the advancement of peaceful co-existence as a way to curtail the rampant land wrangles biting in many parts of the country. They exemplified this by observing that Pader district is home to people from various tribes including the Karamojong, Madi, Baganda and the Kakwa, all living peacefully together with the Acholi. Mr. W’ocheng expressed support for the traditional justice system and encouraged Ugandans to resolve their land problems by mutual understanding rather than resorting to the courts of law. He observed that this will ensure a win-win situation as opposed to winner-loser approach associated with formal court systems, and which leaves one party devastated.

The Chairman castigated the practice of taxing land as is in other places in Uganda, urging that chiefs in every region are duty-bound to care for all the people and their properties to ensure mutual co-existence and harmony in the society. He added that “A married woman in a home is the owner of the family farmland. Therefore, the issue of depriving women over land does not exist in

Acholi (the Central Luo people)”.

However, when the ULA team visited the communities of Acholibur and Pajule shortly after the meeting with the Chairman, revelations on the ground indicated that many women in Pader are landless. The team met over 100 women in the two Sub-Counties and sensitized them on issues pertinent to the land question in Uganda.

The Chairman welcomed ULA in Pader, saying that its presence in the district “is a big blessing”. He unreservedly expressed intention to join the Uganda Land Alliance as an Individual member in a bid to boost the campaign towards ensuring fair land laws for the poor not only in Pader, but Uganda at large.

By: Tumusiime K. Deo, Communications Officer, ULA

Editor's Notes

What a wonderful experience it was in Pader! For those of us who managed to make the trip to this particular Members’ Forum, the first of its kind in the field, the memories

shall live on our minds for a long time as expressed in the various articles in this Newsletter.

If the first cut be the deepest as many people often say, then surely the Pader Members’ Forum provided a rock-solid enticement for future events of the kind; and every ULA member should look forward to jumping onto the bus when the next visit comes around.

In our next Newsletter coming up in March 2011, we’ll focus on women’s land rights under the topic; “Women’s land rights-what’s the way forward?”

Please send in your articles of not more than 400 words before March 11th 2011.

Wishing you all a Merry Christmas and a Prosperous New Year 2011.



Tumusiime K. Deo

Experience at the Best Members' Forum ever!

By: **John Kaganga**

*Kikandwa Environment Association (KEA) Mityana district and member organization ULA
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Previously, members of the Uganda Land Alliance did not adequately participate in planning and implementation of programmes and activities. Many rarely attended meetings, and most of the work was done by the Secretariat alone.

In 2008, ULA started organizing quarterly Members' meetings and hosting monthly Land Colloquia (breakfast meetings) in which members, key stakeholders and experts are invited to discuss various aspects of land and other matters. As another measure to enhance members' participation in the Alliance's activities, thematic groups were developed, and it is within these thematic groups that membership participation is fostered.

The most interesting Members' Forum for me so far is the one which took place in Pader between 15th and 19th June 2010. On the way to Pader, members and staff of ULA in the bus joined David Mukhwana to celebrate his birthday and the whole team jubilated singing "happy birthday". A cake was cut thereafter. Moses Isiko, the oldest staff in ULA could not hold his excitement, and he smiled all the way.

Deo Tumusiime, the ULA Communication Officer, who outwardly looks hard and uncaring, turned out to be a welcoming and very hospitable person, an entertainer and a man endowed with literary creativity, and a poet. He could not allow the vehicle to take off before making sure everybody was in the vehicle and had his seatbelt perfectly fastened. His idea of celebrating a colleague's Birthday on the bus was a well-thought idea, save for the many other jokes and

fun that kept everyone entertained throughout the entire journey and field trip. His absence on the reverse journey was deeply felt.

The rest of the staff: Michael, Sam and Magdalene equally participated to ensure everyone was entertained. They had very interesting stories, and that is when we noticed that some were good singers. All staff on board perfectly mingled with members, cracked jokes and made each other feel comfortable just like a family.

During the Forum, field visits were made to Pajule and Acholibur Sub Counties, which gave a chance to the members to see for themselves the work ULA does in the communities in Pader district. Members and staff interacted and discussed with the different communities visited and the individuals met during the process.

The participation of the Chairman LC V, RDC and other leaders in the Forum also encouraged the members, and a lot was learnt from them through interactions and conversations. The people of Pader gave us a very good time and were all very hospitable.

Members tried to grasp Acholi language, picking words like: twolicho -meaning intelligent people; Kaliwo- important man; Ulet-grazing land; Atwo-dry meat; Tim- empty jungle and Rwolwo madidi- Acholi chiefs, among others.

Thanks to the members of ULA, Executive Director and her Secretariat, Board members who were so innovative to come up with such an initiative of creatively engaging members. My appeal is for our Development partners to support this development so that members can visit more of the ULA operational areas not only to provide on spot guidance to the communities on land matters, but also to have a feel of the activities implemented by the Secretariat.

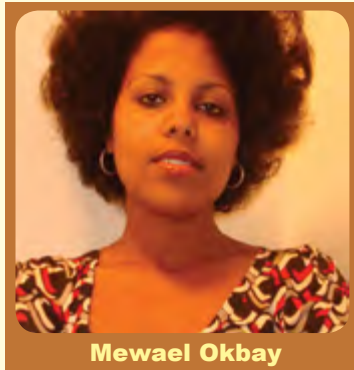
Will the next Member's Forum be a success as that one of Pader? This is a challenge to all of us.



ULA Members' Forum-experience from the field

Pader Members' Forum-a memorable experience!

In life, I value memorable moments - moments that nourish your goals and visions in this world. My first travel outside my country was to Uganda, and if there is one thing that I can never forget about



Mewael Okbay

EASSI

Uganda, it is the rich soil and its beautiful villages-villages like in Pader district.

I thank the Uganda Land Alliance (ULA) for making my stay in Uganda worthwhile, for initiating such a productive program as the trip to Pader. The journey to Pader was joyful. Everyone acted as a family. Above all, what mesmerized me was how the ULA staff members were very much energetic and active at doing their duties, which led to the success of the Members' Forum.

Besides, the programs were well organized and thoroughly thought through. Honestly, I liked the part where we had to go to Pajule and Acholibur villages to communicate with the people. I found that very real and very sound. I just wish it goes somewhere from just listening and answering to the questions raised by the people.

Truly, the trip put on ground the saying; "Seeing, is-believing". I have attended several workshops and conferences while at EASSI. I have noticed the attendants of these events were Programs Coordinators, Executive Directors... etc. I always thought that those people were only talking to one another. It was easy to envision that such events could reach nowhere. I found that it was far from reality to represent issues in the rural areas in Kampala, at Hotel Serena. How is it possible to feel the pain of those people at the grassroots level? By eating food and drinking expensive?

In our encounters with the people of Pajule, I saw what people in rural communities really need. I could see the yearning for solutions in the people's eyes. When they saw some brown people among us, they said at last Buzungu (brown people) came to save them from their problems. It made me

wonder, and ask "Would these people have this kind of thought if they weren't tired of problems?"

Aside from the Members' Forum, there were some cultural events performed by cultural groups from Pader. We were honored and we displayed solidarity with some of the people of Pader, which is the true essence of change. I just hope that ULA would conduct not only Members' Forums but also most of its activities in the rural areas.

Please pass this publication to the rest of the organizations, so they get an understanding of what it means to see things with your own eyes, to live in one's own shoes. The answers to all major issues like land and health are not in the city-they are in the villages.

The feel of life away from IDP camps

Life away from IDP Camps in the north of Uganda, particularly Pader District, for a family that was disintegrated by the long LRA insurgency, looks like a relocation of the Nametsi-Bududa landslide victims to a totally new life in Kiryandongo.



David Mabonga

ECCRA, Mbale

The eight (8) hour long journey by private Bus on the 15th June, 2010 from Kampala to Pader was the longest desired for me but with fear of venturing into the war ravaged zone.

Passing through the big chunks of vast land with scattered neighborhood, can still be scaring for some visitors as even bypassing an unusual vehicle with strangers creates a moment of news breaking in the area.

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Truly, the trip put on ground the saying; "Seeing, is-believing".

Uganda Land Alliance gives hope to displaced people in Pader



Joseph Mulindwa

UEEF

I greatly commend Uganda Land Alliance for its wise decision to take its members to Pader District to share views and experiences with District leaders and communities in Pader. This was a brilliant and complete eye opener in every respect especially to most of us as we interacted with the local leaders but more especially the poor and voiceless communities who cannot go back home anymore due to the fact that their land was grabbed by other people. Others are living in a state of fear after losing all their family members to disgruntled warriors.

The tired and helpless communities are wondering when the promises by Government and local leaders at the district level will be translated into actions on the ground in order for them to go back to their normal life. Access to land, water, sanitation which is a right to humanity is just a dream to these people. One wonders how these citizens can be productive when they are living in harsh conditions.

I am hopeful that, with increased advocacy from Uganda Land Alliance, we will make a big impact by attracting support to these innocent people.

Personally I had quite a mouthful to learn, but importantly, I got to recognize that the innocent people in displaced people's camps have basic needs on top of access to land, water and sanitation. Who can provide this? We all have a role to play. Also noteworthy, is the need to bring together cultural leaders and landless communities in the camps for Dialogue meetings so that these people are once again allocated land.

The firsthand information we received should be a stepping stone for ULA members to tailor their advocacy message and focus on the right areas to effect lasting change.

Finally, the experience made me to realize that we need always to come face to face and very close to the people we advocate for, and that advocacy needs to be given a continuous push.

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Life away from IDP camps

Life in Pader, however turned out to be different from my imaginations as all the communities we visited were hospitable. Besides, the current peace prevailing could guarantee one spending leisure till the wee hours of the night without fear. That was all evidenced with visits to Pajule and Acholibur Sub Counties and not forgetting the peaceful town of Pader.

One story that captivated my mind most was by Christine (not real name) whose husband was killed in the LRA insurgency and was left behind with 5 children who have since grown up. She had lived with them in the IDP Camp for the past 14 years, but is now having wrangles over their previous homeland as other people have now occupied it. The new occupants have also had families and children produced on it and houses constructed.

My appeal is to all the concerned stakeholders to design a well consulted approach towards land resettlements and the need to support the Agricultural sector to benefit the victims of the long insurgency; and I would not suggest the NAADS style but rather organized and mechanized agriculture.



ULA Members' Forum-experience from the field

ULA holds first Members' Forum in the field [Pader]-pictorial recap



Equity and Justice

Group Photo: ULA members pose for a photo moment with the Pader LC V Chairman Peter Odok W'Ocheng (Centre in suit) at the District Headquarters. The Chairman promised to join ULA as an Individual member and called upon all his colleagues to also join as a way of galvanizing efforts to address land issues in Pader. He further urged ULA to always involve district officials in field activities.

By: Tumusiime K. Deo



RIGHT: Leader of Pader Paralegals Ojok Godfrey receives a bicycle from the Pader Deputy RDC. Over 30 bicycles were donated to ULA by Concern Worldwide to facilitate the Paralegals in carrying out their duties.

LEFT: Amuru Land Rights Desk Officer David Komakech attends to a client.



Members' Forum Pictorial



RIGHT: FHRI's Loy Kyomuhendo makes a presentation during the Members' Forum



LEFT: One of the Traditional Leaders in Pader Omona Samuel stresses a point during the Land Colloquium



Participants at the Land Colloquium in Pader steal off a moment to read through ULA's Newsletter

Following a request by ULA members to have a feel of what the Secretariat staff go through in the field, a Member's Forum was organized in Pader District being one of the key operation areas. 18 members responded to the call for the field trip, and together with ULA staff, a total of 25 persons made it to Pader. They visited the district Chairman and other officials, and met groups of women in Pajule and Acholibur Sub Counties. Over 100 women attended both sessions. A Land Colloquium was also held, attended by over 60 participants. The Members' Forum crowned the programme. On the day prior to return, members were treated to a Cocktail, punctuated with both traditional and contemporary music. Feedback received indicates that many members to date miss Pader so much, an indication that it was worth the experience!



ULA Communications Officer enjoys baby company during the meeting in Acholibur



ABOVE: ULA members identify with the communities by taking charge of baby-sitting. Left is David in Acholibur, Centre is Margie also in Acholibur, and Right is Andrew in Pajule. Though they were in different Sub-Counties, cameras captured their identical heart of love for babies– ULA pix.

The Land and Equity Movement in Uganda

48 years later, colonial mentality still affects land tenure in Uganda

By: Judy Adoko



Judy Adoko

Executive Director
LEMU

LEMU is a Ugandan NGO, created in 2003 to tackle the paradox that, although over 80% of land in Uganda is held under (legally recognised) customary tenure, no-one is discussing issues of customary tenure or attempting in any way to understand it or support it. This lacuna has several

causes: deeply held prejudices inherited from the colonial mentality that 'indigenous' forms of tenure are inferior; the fact that much land around the Capital City is held under a form of freehold ('mailo', formerly 'native freehold'); and the urban bias of educated elites where freehold or leasehold are the dominant tenures.

These biases and prejudices are not just the cause of a neglect of customary tenure; they are actually the cause of many of the problems of customary tenure. The vast majority of people prefer using customary forms of justice, which are legally recognised in principle, but in practice, the State system ignores these forums, does not support the customary land administration system – and then fails to cope with the resulting mountain of land disputes.

LEMU began with detailed field research and analysis of land tenure in Northern and Eastern Uganda, covering such topics as the land market, the status of implementation of the Land Act (i.e. State land justice and land administration), gaining a detailed understanding of the rules and processes of customary law in different parts of Uganda, and the current status and issues relating to common property resources. (Research reports and policy analysis can be found at www.land-in-uganda.org). Arising from this research, LEMU has worked at national level, District level (i.e. the level of Government decentralisation) and at grass roots

level in the following areas, through its three offices in Kampala, Apac and Soroti, and in Acholiland (Northern Uganda) in partnership with Norwegian Refugee Council:

a) Documentation of customary law; It was found that the real principles of customary law are routinely being flouted to the extent that even those who are supposed to adjudicate disputes do not know or apply them. Customary law should also be the basis of judgements by State Courts, according to land law. It has been necessary therefore to establish an authoritative code of practice. This has been done for the three largest ethnic groups in the North and East, by a long process of facilitating dialogues with all the customary leaders of all clans. These are being disseminated to clan leaders in all villages and to State Court members (of Local Council (LC) and Magistrates Courts).

b) Policy advocacy; A main problem has been diagnosed as the lack of any recognised structure linking the State and customary authorities in either administration or justice. Prejudice and misconceptions about customary tenure have been a main barrier on the side of the State – the customary authorities are keenly seeking a way of harmonising and integrating their work. LEMU has been advocating at national level (to the Ministry of Lands, donors, NGOs and in particular during the formulation of the National Land Policy) for: support to customary land administration in general, and the use of local procedures for land mapping, boundary marking and documentation of land transactions; harmonisation between justice systems; changing the paradigm in the fight for women's land rights, by seeing the problem as one of customary law not being applied rather than customary law discriminating against women. LEMU has also worked with District and Central Government to explore ways of financing local structures of land administration, which were created by land law but have never been set up in practice.

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c) Providing information to the public; The debate on whether or not to encourage customary land to be titled is carried out without any discussion of the pros and cons to land owners.

LEMU has produced information packs setting out all the implications for the different options that can be followed so that an informed choice can be made according to a family's circumstances. LEMU has also produced an information package on the options for the acquisition of land for public development – how to use compulsory purchase and other alternatives. Leaflets, radio phone-ins and individual legal advice have been used to disseminate information on rights under customary law, rights under State law and steps that communities can take themselves to reduce land conflicts.

d) Supporting the local land administration and justice systems; Training has been given to customary leaders together with LCs on land law (State and Customary, and on how to organise land administration to minimise conflict (tree planting on boundaries, village mapping, etc.); and on the establishment of 'Area Land Committees', a statutory body essential for land administration established under the 1998 Land Act but never created in practice. Much of this has been at the request of District Government (responsible for land administration under decentralisation) and the Ministry of Lands. Direct support has been given to pilot community initiatives in local land administration (mapping, tree planting, etc.) and in dispute resolution, especially in helping communities protect their common property resources.

Following an appreciation that land rights violations were rampant, a year's work went into creating a 'movement' for researching and campaigning on land grabbing. This began with research focusing on understanding how land grabbing is allowed to succeed, and has identified weaknesses in the State justice system, customary justice system, land administration, etc. (see www.land-in-uganda.org for several papers emanating from the research).

Customary Land And Socio-Economic Transformation In Uganda

By: Yoona Maate- URDT

The 1998 Land Act provides for many safeguards protecting customary tenants including an alternative of having the customarily owned land registered as freehold. However, this protection does not seem to have provided the answer to socio-economic transformation.

While on a tour of Pajule and Acholibur Sub Counties in Pader district, I discovered that customary land tenure was the siren echoed almost in all villages. It thus follows, the freehold, Mailo and leasehold tenures are alien. Land is for all and for common heritage of members of a clan, family e.t.c contrary to the concept of individual ownership of property under freehold or mailo as is the case in urban centres like Kampala.

Some schools of thought think, that customary land tenure is irritatingly the ugly face of poverty and backwardness, associated with allocation of land just for need rather than use. It is wasted land, underutilized, degradable, and does not recognise women's land interests etc.

My question to ponder over: Is customary land tenure good or bad for the Northern Uganda not to cause socio-economic transformation? The same question may be asked by anyone traveling to Pader via Puranga, Corner Kilak. It would appear as though the land is not fully utilized and socio economy has not taken root. Interestingly, this apparently free land is a great potential wealth for the people in the area save for the lack of capacity to put it to better use.

My appeal to all land activists in Uganda both individuals and CSOs is to find a way of revamping the customary land to better use. It is the only known African land tenure system and we can't bury our very own but can improve and develop it. This land is not wasted as academicians would think.

It is only in Northern Uganda where one can find land preserved for today and tomorrow. The challenge is how we utilize it while at the same time not condemning customary tenure. The land to me is not wasted, but is a resource in waiting, whose use is not yet known.



Before the war...

War! War! War!

Before Joseph Kony unbelted his madness, we lived as one family;

We lived as brothers and sisters, guided by our clan and family heads;

Everyone had equal rights to land;

Married women were custodians of family land; and children inherited land from their parents;

Women used to be the leaders of society, but today, men have decided to make all women pregnant and taken over the authority while the women are in labor pains;

Clan and family heads knew every boundary and resolved disputes at no cost;

Disputes were around us but never ever threatened to ruin us.

War! War! War!

So we now hear that Kony has been defeated, and he's far away in the unknown world;

But Acholi is still at war; this time a war over land that was never heard of;

Brothers are fighting against brothers; sisters against sisters, and in the mix, a host of strangers under the guise of investment; Young men disrespect elders- and modernization threatens to devour our land-the holy and blessed Acholiland.

War! War! War!

Shame, shame, shame upon Kony; shame upon all his cohorts; shame upon you all who think Acholi can ever be disturbed again;

Knowledgeable elders may have been killed but Acholi tradition will never be extinct;

War unto so called modern laws calculated to promote individualism; shame upon you land grabbers because you found us awake;

I have said this because some laws are repugnant laws-for example the Enguuli Act that has never been implemented; The Executive arm that is supposed to implement the Act, themselves produce and consume Enguuli.

Briefcase NGOs and CBOs of which ULA is not among, you are food for thought for our supper tonight.

If I know my Lusuku (Banana Plantation) stops here, my Jack Fruit stops there, my Mango trees stop here, who can take my land away? Friends,

grow, grow, grow perennial crops, because having perennial crops can help create land security- and it will also help in times of climate change.

IDPs' land has been surveyed using modern equipment without their consent-Now they use GPs machines-even if it is at night, those machines continue working;



Help, help, help. David is my neighbor in Kapchorwa and can attest to this. Can you just imagine! ULA, we need your support to make sure IDPs' land is not stolen in broad day and night; Help us to box the centre to release the land fund-help, help, help, help us sincerely.

Our happiness is our life, and jealously we shall guard it;

Father God, all people of God, help protect Acholi tradition;

Marry our wives but respect our livelihood; live with us but don't colonize us.

War! War! War!

To hell with war, Acholiland will never be defiled again; Acholi culture will forever remain strong; Now that Acholi has wedded a beautiful bride, the Uganda Land Alliance; who can ever separate us?

Thank you Uganda Land Alliance for accepting to work with us. Ours is a lifelong commitment;

Two heads are better than one- and with this marriage; no one can ever take away what belongs to us.

Long live Acholi; Long live our traditional elders, long live Uganda Land Alliance; and Long live Daddy Rwot David Acana Onen II

Composed by: **Tumusiime K.Deo**

ULA Members' Forum-experience from the field

Readers' Voices

Fond memories of the trip to Pader



Rita Dradrimiyo

UWONET

On a bright Tuesday morning, we set off from the ULA Secretariat, headed for Pader in Acholiland, one of Uganda Land Alliance's key operation areas. It was one of those rare opportunities where ULA members joined together in a common field activity not only to acquaint themselves with practical challenges on the ground, but also to

explore the immense opportunities out there. The Members' Forum in the field had been organized upon request from members during the previous gathering held at Forest Cottages Kampala in March 2010.

As the head of the delegation announced guidelines to observe during our trip including the permissible speed limit the driver had to observe, my heart rested assured of a journey to remember. We said a prayer for journey mercies and started the journey.

Far from my initial expectations, the more the journey grew, the more it got more and more exciting, thanks to the comic stunts of ULA's Communications Officer Deo Tumusiime, who ensured that everyone on board was maximally entertained throughout the journey. We celebrated David's Birthday on Board, something that came as a huge surprise to us all including the Birthday boy himself; we sang cheerful songs, answered lots of funny questions but above all had an opportunity to interact and get to know each other and our organizations better.

Upon arrival, we met the Local Council V Chairman of Pader the following day, and from him, I was able to learn something about the history of the Acholi people such as where they migrated from and the different settlements. Land ownership in Pader is through the customary land tenure system, and used to be distributed to women who cultivated it with the men. After the LRA war however, various land disputes came up as people tried to resettle, in some cases family members fighting each other over ownership of inter alia family land.

From the field visits to Acholibur and Pajule Sub Counties, I observed that women face various problems such as clan leaders being biased when passing judgment during land disputes. Other problems observed include the harmful practice of wife inheritance; and the fact that women widowed while in camps are denied land because they are unknown to the husbands' relatives.

I commend Uganda Land Alliance for a job well done.



Selected letters on Issue 3

Thanks Editor, I loved the experience of ULA's oldest broom.

Judith Nyakaisiki

Programme Assistant - Communications Uwezo Uganda

Thanks for sharing the newsletter-

Stella Chandiru, Fr. Lazaro, Elizabeth

(PENHA), Achia Peter (MADEFO)

Congratulations for this Issue of the ULA Newsletter.

Micheal Odhiambo

(RECONCILE)

OBITUARY

ULA mourns the untimely death of one of her paralegals OKIDI CHRISTOPHER from Ogom Sub-County; Pukor Parish. Mr. Okidi was discovered dead by the roadside on Wednesday 20th October 2010, but the cause of his death could not be easily established. He was laid to rest at his ancestral home in Olam, Pader.

May his soul rest in eternal peace.



Land Justice and Rights for all

All human beings are
born equal in dignity and
rights!

(Universal Declaration of Human Rights)

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