

# UGANDA

Awarding of Certificates of Customary Ownership  
(MAK-SBE and UCOCBAC). ©UCOCBAC



## Strengthening Customary Land Tenure in Adjumani, Kisoro, and Pader Districts in Uganda

*Prepared by MAK-SBE and UCOCBAC*

### THE LAND SECTOR

Uganda's land area covers about 24 million hectares, of which 19 million hectares are dry land and five million hectares are water and swamp. About 34 percent of Uganda's land is arable, and of this, 11.2 percent has permanent crops. Agriculture is primarily dependent on rain as only 0.1 percent of the country's cropland is irrigated (World Bank 2009a).

The agriculture sector employs 73 percent of Uganda's labor force, accounts for a quarter of the Gross Domestic Product (GDP), and accounts for nearly all of Uganda's foreign exchange earnings (World Bank 2009a).

Based on projections, Uganda's population stands at 42 million people with a growth rate of 3.1 percent (UBOS, 2020).

Eighty percent of the population relies largely on agriculture for their livelihood. Most of them practice subsistence farming on farms averaging 0.97 hectare in size (FAO, 2018).

### Overview of the legal and policy environment on the poor's access to land

A large proportion of Uganda's poor smallholder farmers has land rights, although these are not secure. A number of them are either unaware of their rights -- and thus do not exercise them, unable to afford the cost of formalizing those rights, or have rights that are not recognized by legal or customary authorities.

Many attempts have been made in the recent past to make the land tenure and management system in Uganda more efficient. For many years, the 1995 Constitution of the Republic of Uganda

and the 1998 Land Act and its subsequent amendments (Land Amendment Act, 2007, and 2010) formed the legal framework for land administration in Uganda.

The 1995 Constitution vests land ownership in the citizens of Uganda, where previously all land had been owned by the State.<sup>6</sup> Ugandans own land according to four land tenure systems: (1) Customary; (2) Freehold; (3) *Mailo*; and, (4) Leasehold. Land tenure systems determine who can use which resources for how long, and under what conditions (FAO, 2002).

Customary tenure is based on customary rules formed from the norms and cultures of clans, families, or communities. As such, the terms of this tenure system differ from region to region, or from tribe to tribe.

Freehold tenure refers to the holding of registered land for an unlimited timeframe subject to statutory and common law qualifications. It is the most preferred mode of holding land in Uganda because it provides greater tenure security. Freehold tenure characterizes land owned by individuals, and by institutions, such as churches, mosques, and schools.

*Mailo* landowners have the same rights as freehold land owners, but they must respect the rights of lawful and bonafide occupants. *Mailo* land tenure separates the ownership of the land from ownership of developments that have been made on the land by lawful occupants or tenants. As such, it creates dual ownership over the same piece of land. *Mailo* land is dominant in the central region of Uganda, where the majority of *Mailo* occupants are tenants rather than landlords.

<sup>1</sup> Land Reform Decree of 1975

Leasehold tenure gives the lessee exclusive possession of a piece of land for a specific period in exchange for rent. Leasehold tenure is mostly

#### LIST OF ACRONYMS

ADR	Alternative Dispute Resolution
ALC	Area Land Committee
BMZ	German Federal Ministry of Economic Cooperation and Development
CCO	Certificate of Customary Ownership
DLB	District Land Board
DLO	District Land Office
FFP	Fit-for-Purpose
GDP	Gross Domestic Product
GEC	Gender Evaluation Criteria
GLTN	Global Land Tool Network
GPS	Global Positioning System
Ha	Hectares
JLOS	Justice, Law and Order Sector
Km	Kilometer
LC	Local Council
MAAIF	Ministry of Agriculture, Animal Industry and Fisheries
MAK-SBE	Makerere University - School of the Built Environment
MLHUD	Ministry of Lands, Housing and Urban Development
NLP	National Land Policy
NUA	New Urban Agenda
OAG	Office of the Auditor General
ODK	Open Data Kit
SALaR	Secure Access to Land and Resources
SDGs	Sustainable Development Goals
Sq	Square
STDM	Social Tenure Domain Model
UBOS	Uganda Bureau of Statistics
UCOBAC	Uganda Community Based Association for Women and Children's Welfare
ULC	Uganda Land Commission
UN-Habitat	United Nations Human Settlements Programme
VGGT	Voluntary Guidelines on the Responsible Governance of Tenure of Lands, Forests and Fisheries

***“Approximately 70 percent of Ugandans, majority of them poor, hold land under undocumented customary land tenure.”***

seen on public land granted by either the District Land Boards (DLBs) or by the Uganda Land Commission (ULC) on behalf of the Government. It can also be granted on customary, *Mailo*, and freehold land by private landowners.

Approximately 70 percent of Ugandans, majority of them poor, hold land under undocumented customary land tenure. As said earlier, the 1995 Constitution [Article 237(2) (a)] recognizes customary tenure and grants occupants full rights that are equal to those of freehold landowners. It provides for the registration of customary land through the acquisition of Certificates of Customary Ownership (CCOs) and for the recording of transactions relating to such land. Theoretically, this certificate is sufficient evidence of title as far as financial institutions and other bodies and authorities are concerned. In addition, the Land Act 1998 [Section (4) (2)] provides for the conversion of customary tenure to freehold tenure as a way of securing people’s customary land rights.

Nevertheless, there have been challenges to the implementation of constitutional and legal provisions in regard to customary land rights. This led to the passage in 2013 of the National Land Policy (NLP).

The NLP acknowledges that customary land tenure does not provide security of tenure for landowners; discriminates against women; and, impedes the advancement of land markets. Section 4.3 of the NLP seeks to make customary land rights equal to those under the other

tenures. It proposes to establish a land registration system that supports the registration of rights under customary tenure. Currently, the National Land Information System (NLIS) digitally stores and provides information on land under all the tenure systems, except customary tenure. By registering lands held under customary rights, the NLP seeks to modernize customary land tenure to enable it to work with current land management and administration mechanisms.

The National Physical Planning Act (2010) also seeks to improve the way that customary land is managed. The Act establishes various physical planning structures from the national level to the county level<sup>7</sup> in order to supervise how customary land is being utilized in any given area.

The 1995 Constitution of Uganda, the Land Act (1998), and the NLP also pay attention to gender equity in land ownership, by embracing the principle of non-discrimination, outlawing land sales without the consent of both spouses, and providing for women’s representation in land administration.

### **Gaps and challenges in the land sector**

Land laws in Uganda are strongly formulated but their implementation is not sufficiently robust or widespread to protect the security of tenure of the urban and rural poor (GLTN, 2010).

Land administration in Uganda is hobbled by a number of challenges which exacerbate tenure insecurity. The District Land Boards, where they exist, are weak and the District Land Offices, which are supposed to support their work are grossly under-resourced. A large number of administrative bodies lack office

<sup>2</sup> The Physical Planning Act at Section 13.

facilities and the technical equipment necessary to adequately carry out their functions. In fact, a study on the functionality of land management institutions in Uganda by the Auditor General's Office in 2011 showed that Area Land Committees and District Land Offices did not have typewriters, computers or photocopiers. Consequently, major activities such as the processing of applications, valuation, surveying, and printing and delivery of titles are all done manually. Moreover, due to lack of storage rooms, files are often kept loosely on floors and shelves with no references attached to them (OAG, 2011).

Only 18 percent of the land is titled and registered. Approximately 70 percent of land is under customary land tenure and is largely unregistered (MLHUD, 2015). Moreover, the customary system of land administration does not have clearly established and legally defined functional structures. Governed by customs, the system differs from one area to another. The lack of land rights registration and documentation increases the insecurity of tenure among customary landowners and heightens their vulnerability to land conflicts, including boundary conflicts, eviction, and disinheritance, among others.

Uganda's property laws, including the 1995 Constitution, the Land Act (Cap 227) and the NLP, guarantee women's equal rights to land. However, a great disparity exists between law and practice. Women in Uganda are generally unable to own or inherit land due to restrictive customary practices that continue to override laws that recognize women's land rights, for instance, against land grabbing at the family level.

In addition to this, few women are able to buy land for themselves (MLHUD, 2013). Women are the primary users of land in Uganda. They

*"The lack of land rights registration and documentation increases the insecurity of tenure among customary landowners and heightens their vulnerability to land conflicts, including boundary conflicts, eviction, and disinheritance, among others."*

provide the bulk of "non-contractible" agricultural labor (80% of the agricultural labor force in the country), and produce 80 percent of food crops in Uganda (FAO, 2010; UNDP, 2012). Their lack of access, ownership and control of the land they till thus undermines their productivity and increases food insecurity.

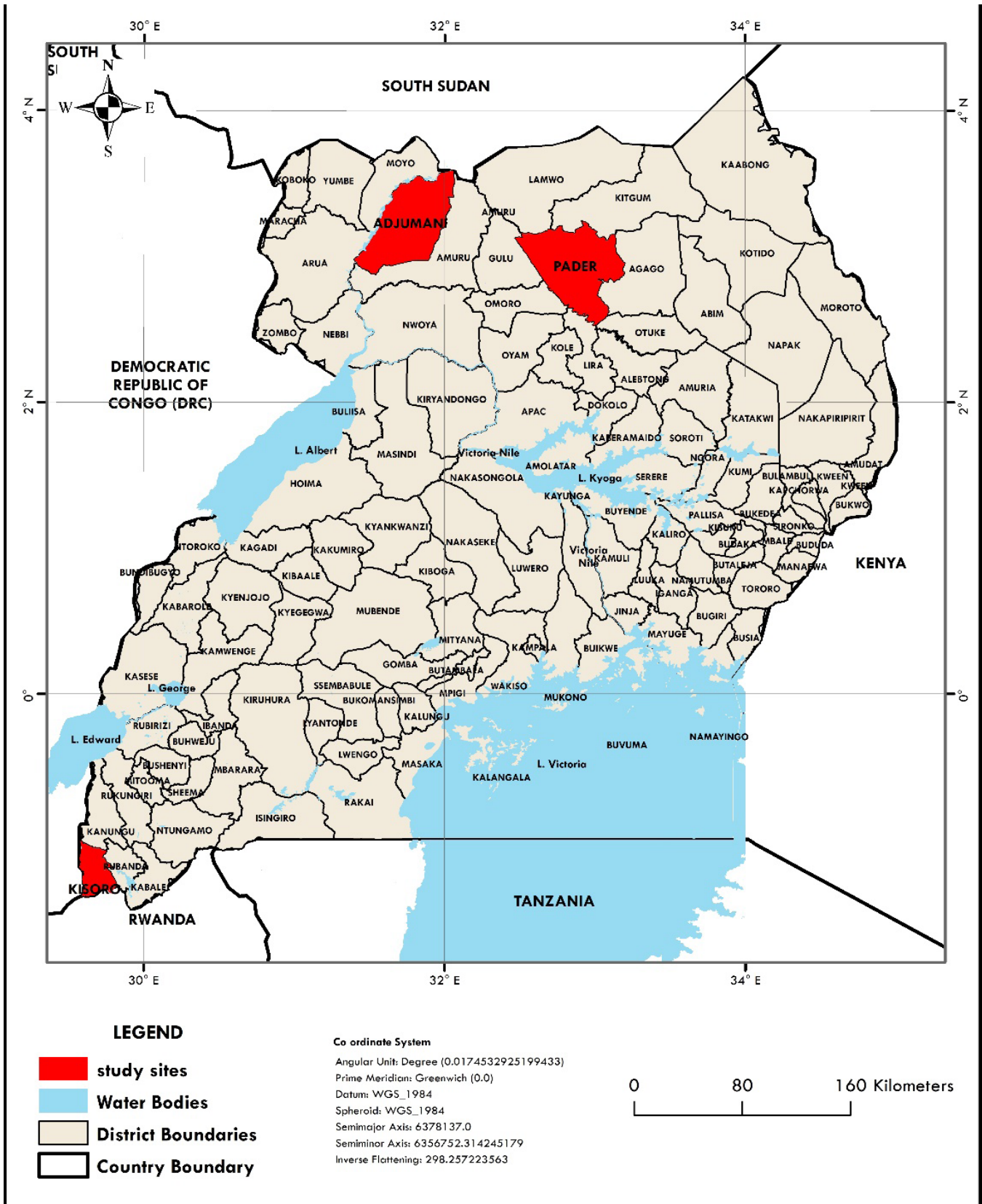
Population growth and the resulting pressure on land are causing small farmers in search of arable land to encroach on protected resources like wetlands, forests, and open green spaces. This situation has been made worse by the Government's drive to transform Uganda into a middle-income economy by 2040 through intensive industrial and infrastructural development that is resulting in large-scale land acquisitions by investors, private companies, and government agencies at the expense of the rights of landowners and the environment. This has also frequently led to the eviction of Ugandans from their land, forcing many of them to migrate to "vacant" spaces like wetlands and forests to sustain their livelihoods in contravention of environmental laws and regulations.

## GENERAL INFORMATION ON THE PROJECT

Table 1 provides details about the project, local project partners and the project sites.



Location of SALaR project sites.



**Table 1. General information on the project**

<b>Project Title</b>	<b>Improving Tenure Security for Smallholder Farmers in Select Areas in Uganda</b>
Main project partners	<ul style="list-style-type: none"><li>■ Ministry of Lands, Housing and Urban Development (MLHUD)</li><li>■ Makerere University-School of the Built Environment (MAK-SBE)</li><li>■ Uganda Community Based Association for Women and Children's Welfare (UCOBAC)</li><li>■ Adjumani, Kisoro and Pader District Local Governments</li></ul>
Project sites	<ul style="list-style-type: none"><li>■ Muramba, Nyakabande, Nyakinama and Murora Sub counties, Kisoro District</li><li>■ Ofua, Adropi, Pachara and Dzaipi Sub counties, Adjumani District</li><li>■ Ogom, Pader and Pajule Sub counties, Pader District</li></ul>

## Overview

UN-Habitat/GLTN through the Secure Access to Land and Resources (SALaR) initiated the project "Improving Tenure Security for Smallholder Farmers in Select Areas in Uganda" to address some food security issues through tenure security. The project worked to secure land and property rights for all by implementing pro-poor and gender-responsive land tools and approaches within the continuum of the land rights framework. The project interventions supported the implementation of the Voluntary Guidelines on the Responsible Governance of Tenure of Lands, Fisheries and Forests in the Context of National Food Security (VGGTs), the Sustainable Development Goals (SDGs) and the New Urban Agenda (NUA).

## Objectives

The project's main goal was to improve land and natural resources tenure security for rural poor smallholder farmers in Uganda, including women, youth and vulnerable groups, through innovative and gender-responsive land tools and approaches. The project goal was achieved through three main outcomes:

- increased uptake of land tools, approaches, frameworks and policy guidelines that are pro-poor, fit-for-purpose and gender-responsive;
- strengthened capacity of change agents, including rural poor women, men, and vulnerable groups to implement pro-poor, fit-for-purpose and gender-responsive land tools and approaches; and,
- improved awareness among stakeholders of issues and measures for improving land and natural resources tenure security for poor women, men and vulnerable groups.

## Target group

The project targeted to strengthen tenure security for about 17,000 smallholder farmers, especially women, girls, youth and other vulnerable groups regardless of age, gender, marital status, ethnicity and educational background. All project processes were inclusive and participation was on voluntary basis. However, it was mandatory that a potential beneficiary has rights to the land that they would like to register. Hence, the project team undertook systematic steps to ascertain which specific rights the participants had to the land for which a Certificate of Customary Ownership (CCO) was applied.



Sensitization (left) and mobilization (right) activities for the project. ©UCOBAC

## Overview of the project sites

### *Kisoro District Project Site*

Kisoro district is one of the most densely populated districts in southwestern Uganda, with a total population of 287,179 people, including 128,741 males and 158,438 females (UBOS, 2014). The average fertility rate reported by UBOS is 6.2 children per woman and the population density is over 350 persons per square kilometer. The sustainability of the district's principal occupation, agriculture, has become a problem because land for cultivation is scarce due to high fragmentation. The predominant land tenure system in Kisoro district is customary but is highly individualized. Influence from extended families and clans is minimal.

### *Adjumani District Project Site*

Adjumani district in the West Nile is a relatively poor district that is recovering from decades of conflict. Its population numbers 225,251 people, of whom, 108,298 are males and 116,953 are females (UBOS, 2016). The district hosts the highest number of refugee settlements (18) in the country, accommodating around 203,671

refugees. Refugees compose 55 percent of the district's population (UNHCR, 2019). The high number of refugees has put a lot of pressure on land in the district as highly vegetated areas are cleared to create suitable land for settlement and agriculture for the refugees. Uganda's Refugee Policy permits the allocation of land to refugees to promote their self-reliance and less dependence on food aid. Most refugees access land through the Office of the Prime Minister.

### *Pader District Project Site*

Pader district, located in Northern Uganda, is predominantly occupied by the Acholi tribe. It has a population of about 178,004 people, with 86,635 men and 91,369 women. Twenty-six percent of its 134,183 households are female-headed (UBOS, 2014). The main economic activity in the district is agriculture and the majority of the community members are smallholder farmers. Land in Pader district is held under customary ownership and is largely unregistered. It is important to note that the people of Pader had gone through a 20-year-long civil war between the Uganda government and the Lord's Resistance Army, a rebel group. As a result, people lost their lives while many

**Table 2. Gender-disaggregated data on awareness raising and community sensitizations**

Project Site	Number of participants		Total
	Male	Female	
Adjumani	1,997	1,198	3,195
Kisoro	1,674	1,004	2,678
Pader	1,431	1,673	3,104
Total	5,102	3,875	8,977

others fled their homes due to insecurity. The children who survived had no proper knowledge of the boundaries of their families' land, and this created new land disputes and complicated existing ones.

### Partnership and institutional arrangements

The project was implemented by GLTN as facilitated by UN-Habitat in partnership with MLHUD, MAK-SBE, and UCOBAC. UN-Habitat/GLTN was responsible for capacity building and technical support on land tools and overall project coordination and guidance. MAK-SBE was responsible for project implementation and management in the Adjumani and Kisoro districts whereas UCOBAC was responsible for the Pader district. MLHUD was the overseer body monitoring the project's compliance with the ministry's mandate and other legal requirements. Other partners involved in the project included the Justice Law and Order Sector (JLOS), District and Sub-County local governments, and cultural institutions. JLOS built the teams' capacity in Alternative Dispute Resolution (ADR) mechanisms, particularly mediation. Local governments supported the mobilization and sensitization of beneficiaries while cultural institutions supported the mediation of land disputes that were reported before, during and after field activities.

## PROJECT ACCOMPLISHMENTS

### Component 1: Land tools implementation

#### *Awareness-raising among communities and key stakeholders*

Awareness-raising activities, such as community and local-to-local dialogues, radio talk shows, radio spot messages, and provision of communication materials on land matters, especially customary tenure, were undertaken to mobilize and enlighten the stakeholders and the communities on the consequences associated with unregistered land, positive outcomes associated with having registered land, women's land rights and the advantages of husbands and fathers making their wives and daughters a part of the land ownership. Stakeholders and the communities were also educated on the customary land registration process, its requirements, and the benefits of CCOs. A total of 8,977 people (5,102 males and 3,875 females) were reached during meetings while the radio talk shows reached about 7,500 people. Table 2 shows the number of people reached during awareness-raising meetings.

#### *Implementation of the Social Tenure Domain Model Tool*

The Social Tenure Domain Model (STDM tool) was customized to facilitate the collection of information required for the registration of customary rights as specified in the Land Act. Customary land rights were documented using the STDM tool in accordance with traditional and statutory laws governing customary land registration. A total of 12,174 parcels (46,488.51 hectares), representing 25,189 smallholder farmers were mapped, and CCOs issued to the persons residing on these lands (See Table 3).



**Table 3. Customary land rights documented**

Project sites	Total No. of Parcels	Individual applicants		Joint	Joint (Husband & wife only)	Joint (Nuclear family)	Joint (Ext. family)	Youth	Widows	PWDs*	Total no. of beneficiaries		Total no. of HH	Total no. of Areas Mapped
		M	F								M	F		
Adjumani	3,331	281	72	460	54	1,585	879	3,067	136	138	14,569	14,520	14,228	20,663.42
Kisoro	7,874	3,088	1,299	1,238	1,391	758	74	1,348	783	127	13,970	12,624	5,882	1,360.137
Pader	969	13	10	–	21	425	500	3,919	232	125	5,602	5,799	5,079	24,464.95
Total	12,174	3,382	1,381	1,698	1,466	2,768	1,453	8,334	1,151	390	34,141	32,943	25,189	46,488.51

\* Persons with disabilities

Digital databases were created from which the collected information was imported for further processing and for generating CCOs. These CCOs are issued at the sub-county level by the Sub-county Assistant Secretary (recorder) and the rights to land (both ownership and use) are clear, absolute, and exist in perpetuity.

### **Implementation of the Land Mediation Tool**

A number of disputes that arose before, during and after the mapping were recorded and

mediated on by the trained mediation committee members (composed of 23 females and 38 males). A total of 292 land disputes -- mostly related to boundaries, ownership and inheritance -- were recorded during the project implementation.

Of the 292 land disputes recorded, 258 cases were successfully mediated. The summary of the registered disputes, their status of resolution and the gender-disaggregated data of beneficiaries involved is presented in *Table 4*.



**Left photo: Field photos showing members of a field team entering landowners' information using a tablet. ©MAK-SBE. Right photo: A landowner showing the field team the extent of his land. ©UCOBAC**

**Table 4. Registered disputes and gender-disaggregated data of beneficiaries involved**

Project Site	Number of disputes	Number of disputes resolved	Beneficiaries involved in the disputes				
			Male	Female	Youth (Below 35 years)	Widows	PWDs
Adjumani	171	162	972	619	493	50	–
Kisoro	34	10	30	29	4	13	–
Pader	87	86	633	686	445	25	–
Total	292	258	1,635	1,334	942	88	–

### **Strengthening land mediation**

The most common land disputes in Uganda pertain to boundary disputes at the household level and between districts and interstates, ownership disputes, fraudulent transactions, illegal occupation, inheritance and succession-related wrangles. The most prevalent land disputes registered in the courts of law are fraudulent land transactions, inheritance and succession related land wrangles and boundary disputes. Different ADR mechanisms had been applied by different stakeholders in handling these disputes in Uganda. ADR has been used by customary communities to resolve land disputes because of its affordability, simplicity and flexibility. As a result, communities may have developed innovative ADR processes but these have not been documented.

Research was carried out to document existing ADR mechanisms and processes used by various customary communities in handling land disputes to inform future dispute resolution processes. The ADR mechanisms identified were mediation, negotiation, arbitration, neutral evaluation, and referral, with mediation being the most dominant. The mediation committee is usually formed from members of the Local Council (LC) committees, religious leaders, clan

leaders and the elderly within the community. The proceedings of the mediation processes are not documented. At the end of the mediation, parties would reach a consensus without a binding written agreement. In addition, the process is frequently marred by the fact that members of mediation committees are relatives or friends of one of the disputing parties. The fact that there were no written agreements meant that the outcomes of mediation could not be enforced in court. Furthermore, the process is hamstrung by political interference, dishonesty among the disputants, and insensitivity to gender and minority groups' concerns. On the other hand, the research studies identified a number of good practices, including: a) extensive review of the conflict before making the decision to mediate; b) counselling of the disputants before mediation; c) engaging respected, trusted and experienced mediators on land-related matters; d) ensuring transparency at all stages of the mediation process; e) selection of neutral mediators; and, f) holding mediation meetings in a conducive environment for all the parties.

### **Component 2: Capacity development**

The project has built the capacity of a number of change agents to implement pro-poor, fit-for-purpose and gender-responsive land tools and

approaches for securing land rights. A total of 22 capacity development initiatives were organized and 669 change agents, including 185 females, 484 males and 112 youth, were trained. The land actors trained included Area Land Committee (ALC) members, traditional/cultural leaders, District Land Board (DLB) members, District Land Office (DLO) Staff, Sub-County Assistant Secretaries (who are also the land recorders),

Makerere University student surveyors, village chairpersons, parish chairpersons, Sub-County chairpersons, Sub-County Physical Planning Committee members, members of mediation committees and field assistants (locally recruited youth). Table 5 provides gender-disaggregated data on the various capacity-building events undertaken.

**Table 5. Gender-disaggregated data on trained change agents**

Capacity Building Intervention	No. of Training	Date	Female	Male	Total
Workshop on Physical Planning	1	7 July 2020	9	18	27
Training on STDM, mobile data collection using GeoODK	1	1 to 3 April 2019	11	41	52
Community Mediation	6	24 to 26 April 2019, 28 September 2020, 28 September, 3 October 2020, 19 October 2020, 2 November 2020	42	207	249
Gender, women's land rights and Gender Evaluation Criteria	2	12 to 13 October 2020, 16 to 17 November 2020	23	41	64
Workshop on Land Actor Roles and responsibilities	2	20 June 2019, 17 to 18 November 2019	13	23	36
Experience sharing meeting	2	23 September 2019, 5 October 2019	17	32	49
Workshop on CCO registration process and its benefits	1	12 to 13 August 2019	5	8	13
Training of Recorders on filling Abstract, Register and Customary Land Identification Number books	2	2 to 3 February 2020, 24 to 25 February 2020	3	5	8
Training workshop on Customary land registration, gender and land rights, mediation, physical planning, STDM and data collection using GeoODK and GPS	5	26 to 30 August 2019, 23-27 September 2019, 23 to 24 September 2020, 6 to 9 October 2020, 9 to 13 November 2020	58	109	167
<b>TOTAL</b>	<b>22</b>		<b>181</b>	<b>484</b>	<b>665</b>

### **Component 3: Fostering multi-stakeholder dialogues, knowledge learning and dissemination**

Stakeholder engagement workshops were held at the regional and national levels to discuss and build consensus on priority issues pertaining to the land sector. Among the key topics tackled were land fragmentation, land degradation, encroachment on fragile ecosystems, access to land by refugees, protection of women's land rights, men and marginalized groups in the cultural setting, systematic land titling, physical planning and land disputes, customary ownership and land rights, registration of customary land rights, and fit-for-purpose approach for mapping and documentation of customary land parcels. Table 6 shows the number of participants and people reached.

In addition, policy briefs outlining the agreed recommendations during the stakeholder engagements were produced. Brochures and CCO registration process posters translated into the local languages were developed and shared with the communities and stakeholders. Table 7 presents a summary of the various knowledge products developed by partners.

#### **IMPLEMENTATION CHALLENGES**

The limited capacity among the ALCs, which are largely composed of older adults who are often illiterate, made the application of modern land tools difficult. While acknowledging the importance of their wisdom, it became clear that young people need to be more involved in data collection activities to ensure better results. The combination in this project of ALC members with young field assistants during demarcation

exercises was a major contributing factor to the project's success.

The Sub-Counties, which should be at the forefront of land registration using the CCO, lack the full capacity to perform this function. The infrastructure needed to produce digital CCOs at the sub-county level is lacking due to funding shortfalls. Thus, the District Land Office (DLO) had to be brought in to support the process.

The COVID-19 pandemic has been a major challenge in the process of implementing the SALaR project. The global pandemic and subsequent measures, such as lockdowns to curb the spread of the disease, resulted in a three-month delay in implementation. A no-cost project extension was requested to complete the project deliverables. Additionally, the COVID-19 pandemic led to increased costs in project implementation to meet the requirements of the COVID-19 Standard Operating Procedures (SOPs). At the same time, grassroots people with limited access to certain technology were excluded when e-workshops instead of face-to-face were conducted to observe the SOPs.

The SALaR project was also launched in the middle of a heated political season which affected the project in a number of ways. Politicians had unduly claimed credit for the project. A number of stakeholders at the local level had politicized their roles, thus putting off community members that did not share their political affiliation. As a result, certain activities had to be postponed to allow the political climate to stabilize.

There were in some cases a general suspicion, fear and hesitation among the communities about the land rights registration process. This stemmed from the perception that the



**Table 6: Statistics of stakeholder engagement workshops**

Project Area	Date	Number of panelists		Zoom Attendance		Audience of radio and television programs	Key Land issues Discussed
		F	M	F	M		
Adjumani	16 December 2019			2	5		<ul style="list-style-type: none"> <li>• Role of cultural institutions in CCO registration</li> </ul>
Kisoro (Engagement held on local radio)	2 September 2020	2	5	4	13	3,000	<ul style="list-style-type: none"> <li>• Excessive land fragmentation</li> <li>• Land degradation</li> <li>• Encroachment on fragile ecosystems</li> </ul>
Adjumani (Engagement held on local radio)	11 September 2020	1	7	4	528	2,500	<ul style="list-style-type: none"> <li>• Access to land by refugees</li> <li>• Land rights within the customary setting</li> </ul>
Kisoro and Adjumani (Engagement held on national television)	16 September 2020	2	4	15	41	<ul style="list-style-type: none"> <li>• 5 posts were shared on Facebook and 15 on Twitter</li> <li>• Facebook posts garnered 160,419 impressions</li> <li>• Twitter managed to bring in 50,308 impressions</li> </ul>	<ul style="list-style-type: none"> <li>• Systematic land titling</li> <li>• Physical planning</li> <li>• Land fragmentation</li> <li>• Land disputes</li> </ul>
Kisoro (Engagement held on local radio)	16 April 2021	2	5	5	13	3,000	<ul style="list-style-type: none"> <li>• Customary ownership and land rights in Kisoro and Southwestern region</li> </ul>
Adjumani (Engagement held on local radio)	21 April 2021	2	5	4	7	2,500	<ul style="list-style-type: none"> <li>• Customary ownership and land rights in Adjumani and West-Nile</li> </ul>
National E-workshop	23 April 2021	0	0	19	43		<ul style="list-style-type: none"> <li>• Validation of the Fit for Purpose Land Administration Country Implementation Strategy</li> </ul>
Kisoro and Adjumani (Engagement held on national television)	1 May 2021	1	3	16	45	<ul style="list-style-type: none"> <li>• 8 posts were shared on Facebook and 9 on Twitter</li> <li>• Facebook posts garnered 55,917 impressions</li> <li>• Twitter managed to bring in 37,429 impressions</li> </ul>	<ul style="list-style-type: none"> <li>• Registration of customary land rights</li> <li>• Emerging issues and opportunities in Uganda</li> </ul>
Pader (Engagement held on national television)	31 May 2021	1	2	5	6	<ul style="list-style-type: none"> <li>• 5 posts shared on Facebook and 7 on Twitter</li> <li>• Facebook posts garnered 19,791 impressions</li> <li>• Twitter posts garnered 37,340 impressions</li> </ul>	<ul style="list-style-type: none"> <li>• Registration of customary lands</li> <li>• Rights of women and youth on customary lands</li> </ul>



Training of change agents in STDM and data collection. ©MAK-SBE

government’s registration is a ploy to grab land in connivance with non-profit organizations and investors. The project countered this with continued sensitization on the project objectives.

Discriminatory social norms – the issue of underlying and deeply rooted discriminatory social norms against women’s land rights remains a major challenge. This is evident among community members as well as the local leadership. Continued sensitization was done before, during and after project implementation to strengthen efforts towards changing attitudes in this regard.

### EMERGING OUTCOMES

*Good working relationships and trust have been built among cultural institutions, District Local Governments, Sub-County leaders, and the Ministry of Lands, Housing and Urban Development.* This was achieved through the joint participation of these stakeholders in project activities, dialogues and engagements, project meetings, and previous engagements with stakeholders on other fit-for-purpose projects. The involvement of technical staff and political and cultural leaders at the regional and national levels as well as the need to meet the project deliverables according to a specified timeframe encouraged the different stakeholders

Table 7: Knowledge products developed by partners

Type of knowledge product	Title
Fact sheet	• Capacity Needs Assessment among Duty Bearers in Pader
Info brief	• Land Conflict Resolution in Northern Uganda, Pader district • The role of traditional leaders in advancing women's land rights on customary tenure in Pader district
Policy brief	• Existing Alternative Dispute Resolution and Mediation Mechanisms in Customary Land Registration
Poster	• Procedure for Applying for a Certificate of Customary Ownership
Brochure	• General information on the project
ADR Research	• Study on Existing Alternative Dispute Resolution mechanisms and Mediation in Customary Land Registration



Training of mediation committees (left); mediation committees sit to resolve recorded disputes in Adjumani (right). ©MAK-SBE

to come together. Because the project's goals and objectives were properly conceptualized, the project ran smoothly.

*There is increased knowledge and awareness among the DLOs and the communities about the process of registering customary land and the issuance of CCOs as well as the benefits therefrom.* This was achieved through regular talk shows, messages broadcast continuously on radio about the project, the distribution of communication materials like project briefs, brochures, and T-shirts in local languages, as well as regular meetings at the local level among political leaders and project staff. In addition, fears and misconceptions among the community members about CCO registration have been reduced.

Lamunu Santina, one of the beneficiaries from Adropi, Adjumani District had this to say:

*"I heard about the project from the [Land Committees] during the awareness-raising. They told us that [the project] will help to solve our boundary disputes. I applied because that is really a big problem here. I learned about the CCO and that it is a legitimate document that I can show to prove ownership of my land. Even*

*right now although the CCOs have not yet been distributed, the mapping and documentation have already minimized boundary disputes and I feel confident that this is my land and no one can take it away from me or my children."*

*The project has led to increased uptake of the following land tools: STDM, mediation tool and the Gender Evaluation Criteria (GEC).* The implementation of STDM tool has led to securing of the tenure rights of 25,189 smallholder farmers in Adjumani, Kisoro and Pader by providing them with a legal document that shows proof of their land rights. It is expected that this will enhance their ability to utilize their land for agricultural production. The acceptance of these tools by the government and the communities was due to previous applications of tools like STDM in various contexts, such as in informal settlements and in wetland management. In addition, the implementation of fit-for-purpose tools is not new in Uganda; they have been successfully utilized since 2012. This has greatly improved the confidence of government in this technology. The process of integrating these tools into the National Land Information System is underway.

Eric and Jolly Mugisha, beneficiaries from Nyakabande, had this to say:

*"We mainly depend on our gardens for survival. Over the years, we have witnessed many land wrangles stemming from unclear boundaries. It was for this reason that we embraced the project and have had our land rights registered and documented. With all the information captured and with the CCO registered, our land which is our source of livelihood is finally secured."*

**The mapping of the parcels has also led to the resolution of a number of boundary and ownership disputes which arose during the participatory enumeration process.** This was due to the application of proper demarcation and adjudication processes as stipulated in the Uganda Land Regulations (2004). The mapping was open, inclusive and transparent, involving neighbors and witnesses.

In addition, the communities have become more vigilant over their land after the mapping started. This is expected to enhance their ability to utilize their land for agricultural production.

Aoyo Chesire, a beneficiary from Adropi sub-county in Adjumani, said:

*"I am happy to see my land mapped and documented because documentation and clear demarcation of my land have helped me solve disputes with my neighbors. I will also be able to use the Certificate of Customary Ownership as security to acquire a loan from the bank."*

**More women have documented their land rights, either individually or jointly with their spouses or families.** In addition, widows have had their land registered with their children. Community sensitization emphasized Gender and Women's land rights and the importance of supporting women to document those. This

***"The implementation of the STDM tool has led to securing of the tenure rights of 25,189 smallholder farmers in Adjumani, Kisoro and Pader by providing them with a legal document that shows proof of their land rights."***

has resulted in more women having their tenure rights secured.

Winfred Kamanzi, a female beneficiary from Nyakabande in Kisoro, said:

*"I lost my land to land grabbers when I lost my husband some years back. Opportunists grabbed a big chunk of my land, leaving me helpless and in tears. After years of hard work, I was able to save some money and buy another piece of land. When this project came, I decided to have my land well-documented and properly demarcated. Seeing my name on the CCO brought me a lot of joy. I am now confident that no one will claim rights over my land."*

There has been capacity building for the local land actors on laws related to land rights registration and the process of CCO registration.

**Improved knowledge of the CCO registration processes and roles enhanced the confidence and performance of DLB members, DLOs, recorders and ALCs.**

Julius Nyeko, the Senior Land Management Officer (SLMO) of Pader District, highlights the project's importance to the district and the community:



*"I am happy that the lower-level land actors especially the Area Land Committee members now understand their role better; this reduces the burden on me and my office. With the STDM database established at the district, we have been able to use the data which was collected during the pilot project to solve three cases of boundary disputes using the coordinates captured with the GPS."*

***Sharing of information and experiences on these issues among different stakeholders promoted understanding and built consensus among them.*** Insightful and valuable priority issues emerged that could inform future dialogues. A number of stakeholder dialogues were organized through physical meetings, e-workshops, radio and TV talk shows to discuss key land issues pertaining to the land sector at the regional and local levels. This has resulted in improved awareness among stakeholders on issues and measures for improving tenure security on land and natural resources for poor women, men and vulnerable groups.

***The number of youths involved in management and administration of land has increased since the implementation of the SALaR project.*** Traditionally, especially in Adjumani and Pader, issues of land had been left to the elderly, whom the community perceived as the custodians of the land. With the introduction of technology and the requirement to map large pieces of land in a short period, young and energetic field assistants were used on the project to assist the elderly Area Land Committee (ALC) Members. The knowledge on land matters has significantly increased among the youth who continue to support the land processes in the communities. Natural resource management in the project sites has been poor before the implementation

***"More women have documented their land rights, either individually or jointly with their spouses or families. In addition, widows have had their land registered with their children."***

of the SALaR project. With the implementation of the SALaR project, the physical planning and environmental offices worked hand in hand with the field teams in enforcing natural environment management. The teams and the communities were trained on issues of physical planning and securing fragile ecosystems – wetlands, rivers, swamps, lakes, forests etc. This has seen such natural resources thrive after the implementation of the project.

***The collaboration amongst stakeholders, especially on Customary Land Registration has increased after the implementation of the SALaR project.*** Local partners in the SALaR project have been involved and participated in organizing stakeholder meetings which have led to streamlining of the registration of customary land. The most evident output among the many has been creation and gazettelement of the digital CCO which has significantly improved the quality, improved the speed, and lessened the work required in preparing the CCO. Additionally, efforts have been initiated in the conduct of research and development of the standard operating procedures for CCOs as well as discussions on integration of CCO digital data in the National Land Information System.

## **LESSONS LEARNED**

***There is a need to strengthen community engagements and dialogues around deeply***

***“Alternative dispute resolution mechanisms are very powerful and effective in resolving land disputes.”***

***entrenched discriminatory social norms and practices that undermine women’s land rights.*** This can also be achieved through social norms transformation programming and by increasing male participation.

***Forging and creating strategic partnerships and collaborations is critical for effective and successful implementation of the process.*** The involvement of different actors promotes peer learning, knowledge transfer, capacity-building, and technical support from different partners. It also promotes the sustainability of project outcomes.

***Alternative dispute resolution mechanisms are very powerful and effective in resolving land disputes.*** They are faster to use, cheaper, more familiar to and accepted by communities compared to the formal justice systems that are in many cases, bureaucratic, complicated, expensive and not accessible or user-friendly especially for the poor, particularly women. In addition, traditional leaders play a critical role in land conflict resolution processes. However, the latter suffered from subjectivity arising from members of mediation committees being relatives or friends of the disputing parties, political interference, dishonesty among disputants, and insensitivity to gender and minority groups’ concerns.

***Land rights recordation has to follow physical planning and natural resource use guidelines to ensure the protection and sustainable***

***management of resources.*** This was achieved through the involvement of physical planning committees at both district and sub-county levels to provide technical guidance in regard to physical planning and natural resource management. In addition, awareness-raising on the relevance of conserving natural resources among the communities, mapping teams and relevant stakeholders was also done during the project implementation.

***There is a need to continue engaging and advocating for the adoption of fit-for-purpose land administration approaches that are pro-poor and gender responsive.*** These tools have proven to be effective in addressing the challenges associated with land registration, especially the time required to acquire documentation; affordability of the registration process; and the inclusion of poor and vulnerable groups like women and youth. With many on-going pilot projects applying fit-for-purpose land administration in registration and recordation of land rights, there is evidence that this is the best way to support more Ugandans to secure tenure security.

***The project has the potential to influence policy change.*** This can be achieved through the documentation of best project practices as informed by voices from the grassroots. Wide dissemination of the well-researched and documented evidence could enable policymakers to come up with pro-poor, gender equitable and responsive land legislation.

## **OPPORTUNITIES AND WAY FORWARD**

The project presents a good opportunity to interact and work with key local leaders, land actors, cultural leaders and technical staff on

matters related to effective land administration, gender and women land rights, land dispute resolution, conservation of natural resources, youth inclusion, among others. This could strengthen the capacity of land actors to promote responsible land governance sustainably, and secure tenure at scale.

This project could enable more people, especially the poor and vulnerable groups like women and youth, to secure land and resource tenure where they would otherwise be unable to access or afford traditional land administration processes.

Through the CCO Working Group, GLTN and partners have been able to liaise with other like-minded organizations promoting the documentation of land rights on customary tenure using CCOs. Group members are able to support each other through peer learning exchanges, discussion of common issues and the provision of key recommendations to the MLHUD regarding CCOs. The latter has yielded fruits in the form of a new format for the CCO which makes the instrument more robust and secure. The launch of the Stand For Her Land (S4HL) campaign in Uganda – coordinated by UCOBAC – provides space for GLTN partners at the country level to collectively engage and advocate for closing the gap between policy and practice in relation to women and youth land rights. The campaign demonstrates the lessons, best practices, and outcomes from the ongoing processes under the SALaR project.

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# SAMPLE OF CERTIFICATE OF CUSTOMARY OWNERSHIP

PART IV: INCUMBRANCES					Serial No: 0030694	ADJL/02/000636/CCO												
Registration Date & Time	Instrument Number	Particulars	Recorder's Name	Recorder's Signature	LWA/ADR/PA/DI/P012													
					  <p style="text-align: center;"><b>THE REPUBLIC OF UGANDA</b> THE LAND ACT, CAP 227 The Land Regulations, 2004 DISTRICT LAND BOARD</p> <p style="text-align: center;"><b>CERTIFICATE OF CUSTOMARY OWNERSHIP</b></p>													
<p>District: <b>Adjumani</b> Sub-County: <b>Adropi</b> Parish: <b>Palemo</b> Village: <b>Deri</b> CLIN: <b>A010105040006</b></p>  <p>The included sketch is not for technical use. It is only for illustration purposes. Measurements are to be made on the full size sketch.</p>					<p><b>PART I: DESCRIPTION OF LAND</b></p> <p>1. CUSTOMARY LAND IDENTIFICATION NUMBER (CLIN): <b>A010105040006</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>District</th> <th>County</th> <th>Sub-County</th> <th>Parish</th> <th>Village</th> <th>Portion Number</th> </tr> </thead> <tbody> <tr> <td>Adjumani</td> <td>Adjumani West</td> <td>Adropi</td> <td>Palemo</td> <td>Deri</td> <td>0006</td> </tr> </tbody> </table> <p>2. LOCATION</p> <p>District: <b>Adjumani</b></p> <p>County: <b>Adjumani West</b></p> <p>Sub-County: <b>Adropi</b></p> <p>Parish: <b>Palemo</b></p> <p>Village: <b>Deri</b></p> <p>3. AREA</p> <p>Approximate area: <b>2.78</b> Acres</p> <p style="text-align: right;">                   Recorder's Signature                  SEAL OF THE DISTRICT LAND BOARD             </p> <p style="text-align: center;">                 27/08/2020                  Date of Issue             </p> <p style="text-align: center;">Registry Copy</p>		District	County	Sub-County	Parish	Village	Portion Number	Adjumani	Adjumani West	Adropi	Palemo	Deri	0006
					District	County	Sub-County	Parish	Village	Portion Number								
Adjumani	Adjumani West	Adropi	Palemo	Deri	0006													

**PART II: OWNERSHIP**

Registration Date & Time 20/07/2020 09:19 AM	Instrument Number PAL0006	Proprietor's Name & Address HENRY ABIAYO of PO Box 11 where NIN is CH900-010229PH at the place of residence No. 1 0732821188, DAVID BAWU GBALEKI of PO Box 11, where NIN is CH830-010288AE and vehicle Mobile Phone No. is 0732821188, FOLACE EYUJU MAMORU of PO Box 11, where NIN is CH610-010294EP and vehicle Mobile Phone No. is 0732821188.	Father's Name and Clm EYUJU VENU PALERHO; MAMORU ADAMALADI; PAMONED	Mother's Name and Clm ESTHERIDA INYA, LOYE BOWAL PAMONDO	Community MARI	Owner's Signature	Recorder's Name FALDARA PROSCOVIA	Recorder's Signature
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**PART III: CONDITIONS, RESTRICTIONS OR LIMITATIONS**

Registration Date & Time	Instrument Number	Particulars	Recorder's Name	Recorder's Signature
20/07/2020 09:19 AM	PAL0006	<p>The ownership of the Communal/Family/Individual Land comprised herein shall be held in Perpetuity under the regulation of the customary law of the community where the land is situated, subject to the following Conditions, Restrictions and Limitations:</p> <p>(1) Any dealing with the said land for the purpose of selling, transferring, mortgaging, pledging, or subdividing the same, without the written Spousal Consent (in case of Family Land) or the approval of majority of members of Communal Land Association convened for that purpose (in case of Communal Land), shall be null and void and shall give rise to no rights or interests in the said land.</p> <p>(2) The said land shall be held subject to the demarcated rights of way and other easements such as the rights to free passage of water, soil, air, light, and to the rights of commons and other services; community roads and paths, livestock routes, grazing and watering grounds, hunting grounds, wells, community forests, cultural sites and play grounds shall be held and managed in common for the common good of all the members of the community (s. 5(1)(b) of the Land Act);</p> <p>(3) The owner and occupier of the said land shall sustainably manage and utilise the same for the purpose of commercial agriculture in accordance with the laws and regulations governing forests, the environment, water, mining and wildlife (s. 43 of the Land Act)</p> <p>(4) Any use of the environmentally protected area known as Wetland/Forest Reserve/National Park, etc, which adjoins the said land shall be regulated in accordance with a Wetlands Resource Use Permit/Forest licence/Wildlife Use Right that may be granted by Authority for the sustainable management, exclusive use and equitable sharing of the common property resources within the said protected area, for the common good of the entire community where the adjoining lands are situated (s. 44 of the Land Act).</p>	FALDARA PROSCOVIA	