



## **WORKSHOP REPORT ON NATIONAL LAND POLICY PROCESSES AND SSFs LAND RIGHTS IN UGANDA**



**HELD ON 19<sup>TH</sup> - 21<sup>ST</sup> OCT 2010**

**AT ARCH APARTMENT KIWATULE, NTINDA**

**ORGANISED BY PELUM UGANDA and ESAFF UGANDA**

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## Acronyms

SSF	Small Scale Farmers
ESAFF	East and Southern Africa Small Scale Farmers' Forum
PELUM	Participatory Ecological Land Use Management
CSO	Civil Society Organization
LSSP	Land Sector Strategic Plan
NGO	Non Government Organization
UNLP	Uganda National Land Policy
HIV/AIDS	Human Immunodeficiency Virus/ Acquired Immunodeficiency Syndrome
GDP	Gross Domestic Product
MoLHD	Ministry of Lands, Housing & Urban Development

## **1.0 INTRODUCTION AND BACKGROUND**

### **1.1 Background**

Land is a vital resource and livelihood asset for small scale farmers (SSFs) including female SSFs who depend on it for both food production and sale of surplus for income. For 15 years now, Participatory Ecological Land-use Management (PELUM) Association has been supporting SSFs through its member organizations to utilize this key resource for optimal production and productivity using sustainable ecological land-use techniques while pursuing policy environments that promote sustainable agriculture systems.

It has become necessary to address land rights for SSFs as land access and related conflicts in Uganda are increasing due to population pressure coupled with increasing demand from powerful international private sector corporations in search of land for food production for their economies and for biofuels. Land rights are especially important for women because they face a double exclusion in decision making for such key productive resources due to historical and cultural barriers. National land reform processes, international food policies and technical assistance are not adequately known to many citizens whose livelihoods depend entirely on land. Currently, SSFs' voices and particularly women, pastoralists, fishermen are not adequately represented in land policy processes due to limited understanding of the policy reforms and limited capacity to effectively make their voices heard. PELUM Association and the East and Southern Africa Small Scale Farmers' Forum (ESAFF) member organizations as well as other CSOs working with SSFs lack basic information on land policy and emerging land developments, yet this has profound implications on sustainable production systems and the livelihoods of SSFs.

In addition, CSOs under the leadership of the national land alliances have not had elaborate focus on SSFs who constitute a bigger category of land users. This initiative will thus contribute to existing CSOs' efforts by championing the land issues as they pertain to SSFs especially the women.

The workshop is part of a sub-regional initiative in four East African countries (Kenya, Rwanda Tanzania and Uganda) that seeks to facilitate the development of a participatory SSF land rights agenda for secured agriculture land. It seeks to broaden the understanding of PELUM Association, ESAFF and other actors working with SSFs on land issues for SSFs including current land grabbing as a precursor for having a common SSFs land rights agenda.

### **Day 1**

#### **1.2 Opening Session**

The workshop was opened with welcome remarks by Mrs. Stella Lutalo, the Country Coordinator PELUM Uganda. This was followed by self introductions of participants. With guidance from Stella participants then expressed their expectations from the workshop which included;

- To learn more about land policy issues and land usage
- How to effectively utilize the land to improve the lives of the communities
- To acquire knowledge land rights for SSFs
- To know the land bill
- To understand how women can better fight for their land rights
- To understand the salient features of the land act
- Understand the land tenure systems in Uganda

- Understand land acquisition and disposal processes
- Understand more about land advocacy issues

### **1.3 Objectives of the workshop**

Mr. Mugisha Richard the Advocacy Officer for PELUM Uganda shared with members the workshop objectives which were;

- To broaden member's understanding of the land policies and land issues for Small Scale Farmers (SSFs)
- To identify the critical advocacy issues affecting farmers which PELUM and ESAFF can address

### **1.4 Official Opening of the workshop**

The official opening of the workshop was done by Ms Naome Kabanda the Principal Land Officer–Governance from Ministry Lands, Housing and Urban Development. She represented the Permanent Secretary. In her opening remarks, she expressed her appreciation to PELUM Uganda for the invitation and enabling her to increase her network of partners. She hoped that the partnership started would be very helpful in the implementation of the final National Land Policy which was awaiting Cabinet approval.

She further outlined the challenges that are found in the Land Registry, stating that, the system of record keeping used was still that of the “Karamazov”; a white book found in the ministry for registering land titles. This book was introduced by the colonial government in 1900. This system, she said is a very old, manual and some papers are tearing which complicates the process especially tracing the original land owners.



*Ms. Naome Nakabanda, representing Ministry of Lands opening the workshop officially*

Naome however said that reforms are being made to computerize the Land registry which will make it a lot easier and will solve the problem of forged title deeds. She also informed participants that other reforms in the land Ministry are being made which include the formulation of a comprehensive National land Policy which is currently at the 5th draft.

## 1.5 Workshop Methodology

The presentations were participatory in nature with a mix of presentations and discussions including feedback on a number of issues. The participants had the opportunity to express their views on the issues presented before power point slides were displayed on the areas of focus. The PowerPoint slides had been made available for distribution to the participants.

## 2.0 LAND TENURE SYSTEMS IN UGANDA.

This session was aimed at creating a common understanding the genesis of the land tenure systems in Uganda. Since Buganda agreement 1900 allocation of land started with colonialists. The session began by tracing the origins of the land tenure *problems way back* to the colonial period when colonial powers signed the Buganda Agreement in 1900 and distributed big chunk of land to different people in the kingdom especially those who were royal to them and would help them in administration of the protectorate. This gave birth to the Mailo land tenure system for the King of Buganda, it was registered as mailo land, and the holder was given land title of occupancy. Other people on the land became tenants on their own land. Other tenure systems introduced were freehold land for Ankole and Toro (western and south western Uganda), Lease hold tenure and the customary land tenure still remained in force.

The participants were introduced to the land tenure before 1975 Land Decree, the Busuulu and Envujo law, The Ankole and Toro Land Lord Tenant Law of 1937, the land Reform decree which vested all land in the ambit of the State and to be held under lease.

## 2.1 Salient Features of the Land Act

The participants were introduced to the land Act formulated by parliament as a requirement by the 1995 Constitution. The Act introduced new developments in land management and holding. It reinstated the four tenure systems, introduced the concepts of Bonafide and lawful occupants on land and new land administrative structures. The Act also provided protection on family land and prohibiting spouse from any dealings on family land where the family resides or derives its sustenance without the written consent of the other spouse.

### Land Act : **SALIENT FEATURES**

- The Land Act generally reiterated the changes enshrined in Chapter 15 of the Constitution. These are some of the Salient features:
- Provision for acquisition of a certificate of Customary ownership on application by:
  - Any individual
  - Family.
  - Community
- Customary tenure is defined – ownership of land regulated by customary Rules. S.5
- Provision for conversion of customary tenure into freehold on application. S.10
- Provision for establishment Communal Land
- Associations by any group of persons for purposes of owning land communally. Individuals or families may acquire separate certificates in respect of certain portions of communal land if custom allows. S.16-28
- Provision is made for regulation of the relationship between a lawful or bonafide occupant of registered land and the registered owner. Such occupant must pay rent to be approved by the District Land Board but not exceeding Shs. 1,000/= per year. In case of default, such an occupant cannot be evicted without an order from the Land Tribunal.

## 2.2 Mortgages

Participants were introduced to the concept of mortgages and how it is governed under the law.

- A mortgage refers to the giving away (conveyance) of land by the owner to another as security for repayment of money or a loan. The moment the money is repaid, the conveyance becomes void.
- A mortgage therefore is a loan agreement

### Characteristics of a mortgage

- It is always security and can never operate as a transfer
- A condition in a mortgage to the effect that the land will become the lender's if a certain event occurs is void
- A mortgage cannot provide that the mortgaged property cannot be redeemed.
- The owner of the land who pledges it as security is called the *mortgagor* and the lender of the money is called the *mortgagee*

The session emphasized the importance of registering a mortgage before one can realize the remedies under the mortgage in case of failure of performance. It was important to inform the participants that a mortgage was a loan that must be paid and once the mortgagor fails to pay his/her mortgage, she/he could lose the property and that is why the mortgagee should first accept the mortgaged property so as to secure their money.

### Types of Mortgages

- Mortgages are either *legal* or *equitable*
- A legal mortgage is created by *deed*. The deed lays down all the terms and conditions and usually the remedies available to the mortgagee
- The deed must be registered on the title as an encumbrance
- An equitable mortgage is created by *deposit* by the registered proprietor of his certificate of title as security. The deposit may or may not be accompanied by a *note* or *memorandum of deposit*.
- An equitable mortgagee must lodge a *Caveat* on the title.

### Remedies available to the mortgagee

- Before a mortgagee can realize any of the remedies under the Mortgage Decree, the mortgage must be registered either as a legal or equitable mortgage.
- The realization of a mortgage upon failure of performance, one can sue or realize the security under the mortgage

Realisation of the mortgage may be through;

- Appointment of a receiver, ie someone to collect the debt for you,
- Taking possession of the mortgaged property
- Foreclosure that is that the person who mortgaged the property has no more right to redeem that property

## 2.3 Gender and Land ownership/rights

This was a contentious session especially when participants shared what they understood by the concept of gender. The term was discussed to mean the roles and tasks allocated to men and women in different societies. They were told the difference between norms and the law; with norms being the ideas and expectations of people, and the law being a rule. However norms can influence rules.



*Participants making their contributions*

Members learnt that Uganda claims to be gender sensitive, but the reality is different. While the Constitution is gender sensitive and accords equal treatment of all people irrespective of their sex, race,

#### Gender and land rights

- Inheritance and marriage are the common ways in which women can acquire and access land, but the laws and practice are still discriminatory against women irrespective of positive constitutional provisions.
- People, households, villages, traditional customary leaders and even the legal system, all have attitudes and expectations about women's and men's roles, responsibilities and what rights each ought to have.  
These attitudes and expectations about men and women are called gender roles.

religion or political affiliations, women are in most cases treated differently and discriminated against in terms of land acquisition, access, ownership and control including decisions on what they produce. The participants shared different experiences of discrimination against women in inheriting land and property; but had the fear that if women are empowered to own land, they may be unruly.

Provisions in the law (constitution) that protect women's rights were discussed and these included the Land Act and the Succession law. Women access land mainly through inheritance and marriage. It was therefore important to

understand customary, church, civil, as well as Islamic marriage as the recognized forms of marriages in Uganda. Anyone who goes marries under any of these marriages is a legally married person and therefore the laws granting rights on property of a spouse apply.

#### The Land Act and gender

- The law is intended to protect the rights of spouses on family land as a Security of Occupancy of Family Land. The law confers the right of security of a spouse to occupy and use the family home during the subsistence of a marriage. However the law does not specifically address the issue of ownership of the family home. It states that;
  1. Every spouse shall enjoy security of occupancy on family land.
  2. The security of occupancy means a right to have access to and live on family land.
  3. The spouse shall in every case have a right to use the family land and give or withhold his or her consent to any transaction which may affect his or her rights.

#### Gender norms and their influence on rights

Gender norms influence;

- The statutory law and how they are carried out
- The customary institutions like local council courts and decisions of elders and opinion leaders
- Whether a man or a woman who believe their rights have been violated will seek assistance
- Gender norms affect who has property, who uses the property, who has property taken from them, who has the right to reclaim property taken from them, who can earn an income from property and who can or cannot live on a piece of land.
- Gender norms are not as the same as laws. Gender norms are people's ideas and expectations while laws are rules.
- However those ideas influence rules that people live under. This is especially the case in customary systems where individuals and communities make decisions often with little or no input from the women about who may have or use the property.
- Even in the legal system, the expectations the lawyers and the judges have may influence the way they handle or decide cases.

Gender rights and the question of land inheritance needs to be fully understood and addressed through policy and legislation. Oppressive customary rights of succession continue to sabotage the access rights of women and other vulnerable groups. This is a very sensitive issue since it implies modifying cultural values embedded within customary systems.

#### **Importance of gender and land rights**

- Women's rights are important not just for women, but for their families because women affect every one around them.
- Women usually have the responsibility for caring for the children, and the family as a whole and granting them control over land, livestock and other resources gives them what they need to do that responsibility.
- Property helps women especially the widows and their children have the economic opportunities and security.
- Women tend to devote their resources to care for the children and family as a whole and having the control and ownership of the property ensures family nutrition, health and education
- When women have secure rights over the land and the crops they grow, they put more effort to grow more and this increases family income.

#### **Family land means;**

1. Land on which the ordinary residence of the family is situated.
2. The ordinary residence of the family and from which the family derives sustenance.
3. Land on which the family freely and voluntarily agrees shall be treated to qualify under paragraph (a) or (b) of the Land Act or;
4. Land which is treated as family land according to the norms, customs, traditions or religions of the family.

#### **Ordinary residence means;**

The place where a person resides with some degree of continuity apart from accidental or temporary absence; and a person is ordinarily resident in a place when he or she intends to make that place his or her home for an indefinite period;

#### **Land from which a family derives sustenance means;**

1. Land which the family farms; or
2. Land which the family treats as the principal place which provides the livelihood of the family; or
3. Land which the family freely and voluntarily agrees, shall be treated as the family's principal place or source of income.

Generally the session discussed:

- The tenure rights for widows and orphans which negatively impacts on the livelihoods and well-being of women and their families
- The customary norms, practices and the prevailing social attitudes which are heavily weighted against women's inheritance rights
- The arbitration and land titling process being conducted in favour of the already established male inheritance patterns, thereby denying women of their share in family land.

## Day Two

### 3.0 LEGAL FRAMEWORKS

#### 3.1 Recap

The session started with a recap, where members;

- Reviewed policies and laws. It was indicated that policies do not have penalties where as laws state the penalties
- realized that 80% of court cases are on land wrangles
- learnt that land is becoming very scarce because of the growing population pressure
- climate change is yet another factor affecting agricultural productivity
- government can acquire land compulsorily but must compensate the person affected

#### 3.2 Overview of the national land policy (NLP)

The session was aimed at describing the evolution of the Land Sector Strategic Plan, designed to provide the operational, institutional and financial framework for implementing sector-wide reforms and land management. One of its key strategic objectives was the development of a National Land Policy (NLP) that is pro-poor and the establishment of a systematic framework for addressing the role of land in national development. Participants were given key features in the NLP including;



##### 3.2.1 Women's rights.

Gender rights and the question of land inheritance is a very important aspect that was addressed in the NLP. Oppressive customary rights of succession that sabotage the access rights of women and other vulnerable groups were carefully considered.

##### 3.2.2 Absentee landowners.

One significant problem that was addressed is the ownership of large tract of lands by absentee landowners in possession of title deeds from periods of colonisation. These deeds cover hundreds of square hectares and the land remains unused and inaccessible by those who could make productive use of it. In such cases people use the land, without any sense of security which often leads to unsustainable or environmentally unsound practices.

##### 3.2.3 Pastoralism

It addresses concerns about the western view of pastoralism as a "backward" system and the lack of understanding of its significant contributions. In this context, the question arose as to how to introduce modern agricultural systems without destroying the pastoralist system or creating conflict.

### 3.2.4 Customary Tenure

Despite being suppressed and ridiculed by the state-imposed property regimes to freehold or equivalent systems, customary land tenure has values and principles which have survived for decades and are known to sabotage the operation of statutory law. Customary tenure must be strengthened to facilitate



#### Customary Tenure

- ❑ Recordation of customary land tenure rights will be initiated systematically throughout the country (5.2.11 Par. 104(ii))
- ❑ Possibility of converting customary tenure into freeholds in the Land Act to be scrapped to allow for its evolution. (5.2.11. Par. 104 (v))
- ❑ The strengthening of community land structures in customary land rights administration, management and dispute resolution (5.2.11; Par. 104 (vi))

orderly evolution into a relatively more modern and productive land tenure system through legislative enactments. Therefore documentation and eventual codification of customary land tenure rules applicable to specific communities at the district or sub-county levels needs to be put in place.

### 3.2.5 Other Informal Occupancies / Tenancies

Tenancies by occupancy, at will, or at sufferance are common in Uganda and they confer access to land on a limited, temporary or non-legal basis in urban areas or rural farmlands. Land use under these conditions, although uncertain is important for both poverty eradication and the attainment of ecological balance in these areas. State refusal or reluctance to legitimize such bases of occupation and use is the cause of much injustice and misery. The state therefore needs to regularize these tenancies.

### 3.2.6 Poor, Vulnerable and Disadvantaged Groups

This category includes farm and urban informal settlement dwellers, ethnic minorities and internally - displaced populations. These population groups occupy land on the basis of uncertainty and unprotected land rights systems, which expose them to constant eviction and displacement. This has become a major cause of poverty among such groups. Special protection against deprivation of land resources through distress sales and discriminatory transmissions was also addressed.

### 3.2.7 Pastoral Communities

Pastoral communities occupy dry lands which are harsh in terms of both climate and ecology. Due to global climate change, ecological resources on which pastoral communities depend are coming under increased stress; making mobility and competition over grasslands, limited woodlands and water inevitable. Therefore, provisions to mitigate the severity of competition and conflict over pastoral resources were also addressed.

### 3.2.8 Land use and Management

Land management is the authority and capacity to design, enforce and guarantee the integrity of standards for land quality assurance, productivity, physical development planning, and the environment. All these were addressed during this session.

All in all, participants were made to understand the issues NPL tried to address in light of the pro-poor Policy. Participants however expressed concerns that the consultations were not sufficient because most of them did not participate and yet there is no more input that can be included in the NLP draft 5.

#### **4.0 IMPLICATIONS OF LAND RIGHTS ON ECONOMIC AND POLITICAL EMPOWERMENT**

This session was shared to make the participants understand that politics and economics led women from being producers to servitude. This is rooted in land holding. The history of land can be traced back to trade in kingdoms; which influenced the relations between people. Land was looked at as a source of power among the Baganda and Banyoro. The more land one acquired the more powerful he became. The country was divided in the cotton producing northern region and the coffee producing southern region.

Taxes were introduced on cash crops as land ownership began to be entrenched in the country. Buganda was created to generate income for the British Crown and taxes were imposed on the tenants to generate income.

All this has created a lot of issues coupled with the liberalized economy which does not consider the interest of the ordinary people. 80% of Ugandans depend on agriculture and so the country needs to have maximum utilization of land in order to have more livestock and agricultural products. If I produce maize on 10 acres of land and I harvest 1½ tonnes (15 bags), per acre, is that land being utilized maximally? What government is worried about is increasing the GDP. It will bring in a commercial farmer who can produce 25 bags per acre instead of protecting the small farmer and ensuring food security. Farmers have ended up being evicted from their land with no compensation.

Participants learnt that as CSOs, we need to look at these issues very critically. The investors are not producing for the local market but are producing for export and the only beneficiary here is the government. We need to start social groups for better negotiations instead of allowing foreign investors to come and acquire land for their own crop production. We need to negotiate so that the investor, who builds factories, buys produce from the out growers. We can put equity on the excess land that we are not utilizing, enter into partnerships with those with money and what is produced is shared in equal amounts. Household planning and development for equity and oneness is critical.

## **Day Three**

### **5.0 LAND DISPUTE RESOLUTION UNDER THE LAND ACT**

#### **5.1 The Mediator**

The facilitator explained the meaning of a mediator as provided in the Land Act. A mediator is a person who assists in negotiations to resolve disputes. In cases where a tenant by occupancy wants to buy the land he is occupying from the landlord, a mediator may assist in negotiations. He may also assist in the following ways:

- Applying for a certificate of Customary Ownership.
- Applying to convert customary tenure to freehold tenure.
- Transferring portions of land held by a communal land association to individuals.

- When a person wants compensation from Government or a local government for settling tenants on his land.
- Where a person wants compensation because Government has compulsorily acquired his/her land.
- To assist in handling land conflicts between the two parties before taking the matter before the land tribunal.

## **5.2 Selection of a Mediator**

A mediator is chosen by either the Land Tribunal or the parties in dispute who must agree on the person to mediate.

### **Roles of a mediator**

Participants were taught that the person appointed to mediate must be of high moral standing, proven integrity, with good interpersonal skills that enable him/her to bring the parties to an agreement.

- It is the duty of the mediator to conduct the mediation in an appropriate manner and make both parties aware of all the facts.
- He/she must be guided by principles of objectivity, fairness and justice and must consider any circumstances that may have led to the dispute, the rights and obligations of both parties to the dispute, customary and traditional practices, written laws and the Constitution.
- Meet and communicate with the parties to the dispute either separately or jointly.
- Make proposals either orally or in writing for the settlement of the dispute at any stage of the mediation.
- He/she should not take sides and he/she does not make judgments.
- The mediator is not controlled by any body and, therefore, he/she is independent of any authority.
- It is his/her duty to devise the best possible means for the parties to reach a compromise.
- The mediator must not force the parties to reach an agreement.
- If the parties reach an agreement;
  - The mediator will formulate the terms of the agreement or settlement, which should be acceptable to both parties.
  - The mediator draws up the written agreement, which will be signed by both parties.
  - After the parties have signed, this agreement binds both of them.
  - The mediator also signs the agreement and each of the parties to a dispute will be given a copy of the signed agreement.
  - One copy of the agreement will be filed with the Land Tribunal.
- If the parties fail to reach an agreement,
  - Either party to the dispute may refer the matter to the Land Tribunal.
  - Within three months, the mediator is required by law to relinquish his/her duties as a mediator in writing.
- The negotiations must be put in writing.

If the mediation process fails, the parties may resort to the formal court process under the judicial system of justice. The participants were informed that land cases form the majority of all court cases filed in courts country wide and account for 80% of all court cases. It is therefore important to understand other ways of dispute resolution mechanisms available in order to avoid the long and tedious court process.

## 6.0 SUCCESSION PLANNING

Every one has time to live but will also one time pass on. Unfortunately even with this known fact, many people do not plan this passage and the end result is conflicts in families. It is therefore important to plan.



*A facilitator emphasizing a point*

In succession planning, there are questions to be kept in mind. These include:

- Family: are you married or not? Or are you a widow? Do you have children?
- Are there dependant relatives that you are taking care of? Do they substantially depend on you for their survival?

If these are answered in the affirmative, it is important to plan one's passing. In order to do this, one has to make a will, which will guide the survivors on how govern one's family and estates. A valid will should however meet certain requirements as shown below,

### 6.1 Requirements for a valid will

- Signature by the testator and the witnesses (two or more)
- Witnesses should not be beneficiaries
- Must be dated
- Done voluntarily
- Must be done by a person aged 21 years of age and above
- Must be witnessed by two or ,ore witnesses

### 6.2 Invalid wills

- If you give property that was not his
- If you are of unsound mind

- If one was forced to write a will( duress or coercion)
- Exclusion of beneficiaries

## **7.0 LAND ISSUES AND IMPLICATIONS TO SSFs, PASTORALISTS, COMMUNITIES**

- a) National perspectives –gender disaggregated (drawing from all presentations, discussions, issues from the Visuals /Videos (if any)
- Taxation of idol land
  - Compulsory land acquisition
  - Gender issues to be looked at as household advancement and development
  - Promotion of household planning and decision making of agricultural inputs and control of household produce.
  - Improved health and household income. Improved family cohesion if advanced through co ownership will be achieved
  - Suppression of women in homes leads women not to be transparent and living in suspicion which affects family income
  - Lengthy processes of land registration discourage poor people from registering land.

### **7.1 Policy/legal frameworks**

NLP processes have been participatory and 85% of CSO proposals were adopted in the 5<sup>th</sup> draft which is currently before Cabinet and awaiting approval. The consultation process is now complete and there is no more room for CSO input. The Uganda Land Alliance which represented CSOs did a very good job. CSOs now need to lobby in order to be part of the implementation process of the NLP which seems to be supported by the Ministry of Lands. According to Ms Kabanda from the Ministry of Lands, CSOs are welcome to be partners in this process.

To do this, they (CSOs) need to continuously be informed of the process so that when the policy is costed and implementation started, it will be an opportunity for participation.

Training of PELUM Uganda members and local leaders on advocacy, gender, land rights, land administration and management, and conflict resolution is another gap that needs to be filled. Most of PELUM Uganda members do not know about the existing legal provisions on land and need to be trained and given this information. Therefore there is need to:

- Raise community awareness of women’s land rights through local fora
- Develop and disseminate materials to local learning centers and community-based groups that explain the roles of statutory bodies (for example, the land tribunal and land control board) in land transactions and dispute resolution.
- Intensify and diversify enterprises for women

## **8.0 RECOMMENDATIONS**

The participants made the following recommendations for improvement:

- Distribution of soft copies of the presentations to the participants
- Gender issues need more education in order to be appreciated
- Training needs more time. It needs to be done for at least a week so that all land concepts are covered and understood
- There is need to build coalitions to work together to advance land issues
- There is need to be committed to the recommendations and action points developed and to do follow ups and assess how organizations are performing on these commitments
- There is need to have similar trainings at the grassroots i.e. about land issues
- Involve more farmers in policy processes

## **9.0 WAY FORWARD**

Participants raised a number of advocacy issues, from which they chose the most critical ones for the way forward.

1. Land systematic registration
2. Advocate for the reduction of registration costs
3. Policy sensitization at the grass roots
4. Come up with small guiding materials for SSFs, on how to understand land rights and the land tenure system
5. Analyze the land act and share with/distribute the information (simplified version) to SSFs
6. Fight against illegal land evictions by engaging more SSFs in understanding their land rights
7. Sensitize SSFs on how to keep their land
8. Seek a the law that promotes fair treatment of women in regards to land ownership
9. Increased budgets within the member organizations and inclusion of land related activities
10. Establishment of advocacy programs in organizations especially those without advocacy activities
11. Strengthen collaboration and networking with government departments
12. Identify entry points to advance land related issues affecting farmers
13. Inform the public about mortgaging with critically analyzing the implications of this act
14. Taxation of idle land
15. Uganda Land Alliance should expand her services at every district
16. Consider land sealing at 2sq miles
17. Women should be included in the implementation of National Land Policy
18. PELUM Uganda should introduce a desk that handles land matters.

Realizing that advocacy requires more focused approaches to influence a specific issue, these areas were further discussed and four main priority areas were agreed upon as mentioned below.

## **9.1 Key priority areas**

- Information dissemination at the grassroots so that the small holder farmers understand issues of land acquisition, registration and the rights provided about the law
- Women's land rights and development- it was agreed that in families where women have no decision making power on resources, develop is slow or even non-existent. Issues to advocate for under this should include; women's inheritance rights, access, ownership and control of land and their produce, involvement in the decision making processes at household and community levels.
- Taxation of idle land- it was realized that land which is not utilized should be taxed such that people are propelled to put it under use.
- Land registration issues- Land registration and its contribution to increased access to credit through the use of land as collateral; participation of communities in systematic demarcation of land at parish levels; equitable use of the land fund; registration of land to reduce land disputes; an efficient and corrupt free land administration and registration system.

These four main areas were agreed upon to be the focus of advocacy in the next one year. Consideration was that these can be easily included within the existing activities of the organizations in attendance but it was also agreed that representatives of the organizations would convince their organizational leaders to increase on the budgets to carry out advocacy activities.

## **11.0 CONCLUSION**

The workshop was highly participatory and very informative. Participants appreciated PELUM Uganda and ESAF for organizing the training because it exposed them to land issues affecting farmers; some of which are historical while others are structural and customary in nature. The legal frameworks are very important because the participants understood how the law tries to address the imbalances created by history and culture and how human rights are addressed in the law and policy.

## ANNEXES

### a) Evaluation

At the end of the workshop an evaluation was conducted and participants were asked to evaluate and assess the following:

- o Content of the workshop
- o Presentation
- o Most helpful topics
- o Application of the knowledge acquired
- o Any recommendations for improvement

On the content, 80% said that the materials covered were useful and practical to their individual needs

75% said that the workshop was well organized and effective and all the participants appreciated the handouts given.

On the presentation, 85% of the participants felt that the instructor's knowledge of the topics and the presentation styles were excellent and the questions were all answered well by the facilitators.

All the participants expressed the fact that all topics were very relevant but particularly Land registration, gender and women's land rights, succession planning, understanding the NLP, land tenure systems and implications of land rights on economics and political empowerment.

All participants felt that the knowledge acquired will be used to help farmer organizations to advocate for more equitable land access and use and especially for the youth and the women. The knowledge will also be used in advocacy and community sensitization on the land rights of different groups of people in their communities and groups.

### b) Programme for the pelum Uganda sensitization workshop on land

TIME	TOPIC	FACILITATOR
8:30 – 8:45 am	Arrival and Registration	PELUM
8:45- 9:15 am	Introduction, Welcome remarks, Expectations & Workshop objectives	PELUM
9:15 - 9:30 am	Official Opening of the workshop	Naome Kabanda-Ministry of Lands
9:30- 10:30 am	Introduction to land tenure – Historical perspective	ANNE KAMPIIRE
<b>10:30 – 11:00 am</b>	<b>BREAK</b>	<b>Hotel</b>
11.00 – 13.00 pm	Salient features of the Land Act Cap 224	
<b>13:00 – 14:00 pm</b>	<b>LUNCH</b>	<b>Hotel</b>
14:00 – 15:00 pm	Mortgages and lending of land	

15: 00 – 17:00 pm	Gender and land ownership	
17:00 – 18:00 pm	Plenary	
<b>18 :00 pm</b>	<b>Tea and Documentary on biting the feeding hand</b>	<b>Hotel</b>
<b>DAY II</b>		
8:30 – 9:00 am	Recap	PELUM
9:00 – 10:30 am	Overview of the national land policy	ESTHER OBAIKOL
<b>10:30 – 11:00 am</b>	<b>BREAK</b>	<b>Hotel</b>
11:00 – 13:00 pm	Implications of Land rights on Economic and political Empowerment	
<b>13:00 - 14:00 pm</b>	<b>LUNCH</b>	<b>Hotel</b>
14:00 – 15:00 pm	Compulsory Acquisition of Land	
15:00 – 16:00 pm	Taxation of land	
16: 00 – 17:00 pm	Institutionalizing Land Rights	
<b>17:00 pm</b>	<b>Tea and departure</b>	<b>Hotel</b>
<b>DAY III</b>		
8:30 – 9:00 am	RECAP	PELUM
9:00 – 10:30 am	Land Dispute Resolution	ESTHER OBAIKOL
<b>10: 30 – 11:00 am</b>	<b>BREAK</b>	<b>Hotel</b>
11:00 – 13:00 pm	Succession Planning	
<b>13:00 - 14:00 pm</b>	<b>LUNCH</b>	<b>Hotel</b>
14:00 - 16:00 pm	Drawing Advocacy Strategy	
16:00 -16.15 pm	Closure	PELUM
<b>16.15 pm</b>	<b>Tea and departure</b>	<b>Hotel</b>

### c) List of participants

No	Name	sex	Position	Organization	telephone	email
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