



THE REPUBLIC OF UGANDA  
MINISTRY OF LANDS, HOUSING AND URBAN DEVELOPMENT

SYSTEMATIC LAND ADJUDICATION AND CERTIFICATION

**TRAINING MANUAL**

August 2015

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## List of abbreviations

ALCs	Area Land Committees
ACDOs	Assistant Development Officers
CDOs	Community Development Officers
CSOs	Civil Society Organizations
DLBs	District Land Boards
DLMOs	District Land Management Officers
DRM	Dispute Resolution Mechanisms
GPS	Global Positioning System
IT	Information Technology
LC	Local Councils
LSSP:	Land Sector Strategic Plan
MLHUD	Ministry of Lands and Urban Development
MWLE	Ministry of Water, Lands and Environment
PEAP	Poverty Eradication Action Plan
PIN	Parcel Identification Number
PMA	Plan for Modernisation of Agriculture
RDC	Resident District Commissioner
SAS	Senior Administrative Secretary
SAT	Systematic Adjudication Team
SLAAC	Systematic Land Adjudication and Certification

*(Please also refer to the glossary at the end)*

# 1 INTRODUCTION

## 1.1 Background

Land Adjudication is a process whereby the existing land rights in a defined administrative area are finally and authoritatively ascertained and delineated or demarcated. The systematic approach implies a methodical and orderly sequence in which all the parcels are brought on to the register for the first time, area by area. In Uganda, the SLAAC exercise involves six activities, namely:

1. Mobilisation and sensitisation of the target communities;
2. Mediation and reconciliation of parties with differences or disagreement over land rights;
3. Establishing and authoritatively ascertaining the existing land rights, limitations, rights holders and rights of other interested parties;
4. Demarcation of parcel boundaries and planting of boundary markers;
5. Measurement of the dimensions of land and producing index maps as well as a Land rights database; and
6. Preparation, printing and issuance of freehold certificates of title to rights holders.

Prior to systematic adjudication, rapid physical planning shall be undertaken by a Physical Planning Consultant in conformity with the Physical Planning Act (2010) provisions.

## **1.2 Objectives of the Manual**

Various stakeholders will be involved in the implementation of SLAAC components. Training is necessary to impart skills and therefore build the capacity of the stakeholders to implement the respective tasks. This manual provides content and guidelines to trainers involved to impart knowledge and relevant skills for SLAAC.

Specifically, the manual has been designed:

- 1) To guide Facilitators in training systematic adjudication teams for the implementation of SLAAC.
- 2) To provide content to be covered by facilitators in order to gain the prescribed skills.
- 3) To provide methods and techniques to be used to conduct training sessions.
- 4) Guide trainers by highlighting steps and procedures required to conduct training sessions successfully.
- 5) To set learning outcomes for various stakeholders, based on their roles in the SLAAC Programme.

## **1.3 Target Group**

The target group for this manual are the trainers who will train the stakeholders that shall be directly involved in the six key SLAAC activities specified above. The various stakeholders involved in SLAAC are specified in the SLAAC Operations Manual.

### **1.3.1 Qualifications and Qualities of Trainers**

The trainers shall be selected to participate in SLAAC on the basis of their qualifications and qualities. They are expected to possess technical and practical knowledge in Land Administration; be familiar with the provisions of the Land Act 1998 (CAP 227), the Land Regulations 2004. Furthermore, they should be skilled in facilitating knowledge acquisition and application to adult learners. Apart from possessing these generic skills, facilitators should have good knowledge and in-depth understanding of the topics or subject areas they shall be assigned to handle.

The trainers should also be in position to read a wide range of materials and compile information to be passed on to the trainees.

In terms of behaviour, the trainers should be able to:

- Prepare each day's training program at least one day before
- Keep time and show a good example to the participants
- Have drawing and measuring skills for practical themes
- Show respect for the trainees, and avoid arrogant behaviour
- Be patient, attentive, and respect the opinion of trainees
- Observe more, speak audibly, listen carefully and be mindful of nonverbal language
- Conduct review sessions at the end of each day.

### **1.3.2 The Trainees and Required Skills**

Majority of the trainees shall be drawn from the communities in which the program is to take place. These shall include (but not limited to) Members of Area Land Committees, Recorders (Sub county chiefs/SAS), Members of Local Councils (III, II, I), selected religious and traditional leaders, selected and relevant Local Government Technical Staff and Consultants staff participating as Adjudication Assistants, Recordation Assistants and Site Coordinators. The target groups, their required skills and relevance in SLAAC are summarised in



Table 1 below.

**Table 1: Target Trainees and Anticipated Roles**

<b>Target Group</b>	<b>Roles and Responsibilities</b>	<b>Justification in reference to the Operations Manual</b>
<b>Local Council s (III, II, I)</b>	Land adjudication, demarcation, dispute resolution, land rights, sensitisation, mobilisation	Part of DRM, part of adjudication teams
<b>Area Land Committees</b>	Land adjudication, demarcation, sensitisation, dispute resolution, land rights	Serve on SAT
<b>Sub county Chief</b>	Supervision, monitoring and reporting	Supervision, monitoring and reporting
<b>Recordation Assistants</b>	Land Adjudication, demarcation, land rights, (para)legal skills, IT/Data Entry, communication,	Serve on SAT
<b>Adjudication Assistants</b>	Adjudication, land rights, demarcation, survey, mapping, IT, Basic GIS	Serve on SAT
<b>Religious Leaders</b>	Dispute resolution, Sensitisation, mobilisation	Part of DRM
<b>Traditional Leaders</b>	Dispute resolution, sensitisation, mobilisation	Part of DRM
<b>District Land Board members</b>	Land rights, dispute resolution, handling of mass applications	Approve applications
<b>Technical staff in MZOs and Land Offices</b>	Cadastral index map compilation, IT, Basic GIS, land records Management	Processing deed plans, certificates of title, storage & management of land records.
<b>Law Enforcement bodies</b>	Keeping law and order	Enforce law and order
<b>Media Representative</b>		
<b>Civil Society Organizations</b>		

#### **1.4 Minimum Requirements / Qualification of Trainees**

The training programme includes technical and non-technical components. For the non-technical components, the trainees are expected to have basic literacy /numeracy and should be able to communicate in English. The participants should have some basic understanding of land matters in Uganda. For the technical aspects, the participants are expected to have, in addition to the above, good IT skills as well as basic GIS / Mapping /

measurements skills. The Recordation Assistant and the Adjudication Assistant should possess some basic understanding of the concept of land rights, the land regulations and the Land Act.

## **1.5 Training Approach and Methodology**

### **1.5.1 Nature of Training**

As part of a wider process of SLAAC program the trainees shall be required to undergo practical fieldwork to appreciate actual situations they shall be facing during adjudication. The training shall be hands-on, using methods that are interactive. Some of the methods shall include: sharing of life experiences, brain storming, large and small group discussions, case study exercises, questions and answers, and demonstration.. Other methods may be adopted as and when need arise.

Training shall be done in a simple manner with a careful selection of the language used. The use of local illustrations and institutions shall be maintained throughout the training. In addition, at the end of each session, hand-outs summarizing the contents of the session shall be provided to the trainees.<sup>1</sup>

### **1.5.2 Assessment of Trainees**

The acquisition of knowledge and skills will be assessed on the basis of attendance and active participation by the participants. During training sessions, trainers should continuously ask questions to gauge the understanding of participants. In addition, questions/quizzes, practical assignments should be given to assess the levels of understanding.

## **1.6 Structure and Curriculum for the Training**

This Manual is developed to support the six key tasks of the SLAAC program outlined in the table below.

The training will begin with non-technical aspects and end with technical aspects as shown in Table 2 below:

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<sup>1</sup> The technical notes shall be used as the Skelton for the development of the hand-outs by the trainer.

**Table 2: Key Tasks of SLAAC PROGRAM**

1. Mobilisation and sensitisation of the target communities
2. Mediation and reconciliation of parties with differences or disagreement over land rights
3. Establishing and authoritatively ascertaining the existing land rights, limitations, rights holders and rights of other interested parties
4. Demarcation of parcel boundaries and planting of boundary markers
5. Measurement of the dimensions of land and producing index maps as well as a Land rights database
6. Preparation, printing and issuance of freehold certificates of title to rights holders.

Related tasks have been combined to form logical and coherent training units. Each Unit has been broken down into topics. Each topic shall be covered in a session. Table 3 below provides details of Units and topics to be covered.

**Table 3: Training Units by Target Group**

Unit	CODE	Targeted Participants	Target Tasks
Community Mobilisation and Sensitisation	SLT-01	Members of: RDC, DLBs, Recorder(SAS) ALCs, CDO/CDAs Religious Leaders, LCs, Traditional Leaders, Parish Chief, Police/Law enforcement and DLMOs, CSOs in the land sector and Media reps	No.1, No.2
Land Dispute Resolution	SLT-02	Land Board members, ALC, LCs I-III, Religious Leaders, Traditional Leaders, Parish Chief, Sub-county chief	No.3
Systematic Adjudication and Demarcation	SLT-03	ALCs, LCs I-III , Religious Leaders, Traditional Leaders & Consultant's Project Manager	No.2, No.4
Land Administration & Records Management (Handling Applications, Data Processing, Preparation, Dispatch and issuance of certificates of Title)	SLT-04	MZO staff , Local Government DLMOs, ALCs & DLBs	No.5, No.6
Fit-for-Purpose Survey and Mapping of Parcels	SLT-05	Consultant Field Teams	No.4, No.5
Re-orientation in GIS/Digital Mapping, Massive data processing and handling	SLT-06	DSM (Data Processing Centre, MZO,DLO), Consultant Field Teams	

**Table 4. Units and details of topics to be covered**

Unit	Topics
<b>SLT-01. Community Mobilization &amp; Sensitization</b>	<ol style="list-style-type: none"> <li>1. Introduction/ Overview/ of Mobilization and Sensitization</li> <li>2. The need, rationale and principles of sensitization</li> <li>3. The steps in mobilization and sensitization</li> <li>4. Mobilization and Sensitization Principles</li> <li>5. The Purpose and Rationale of Systematic Land adjudication and Certification</li> <li>6. Clarification of Concepts in Systematic Land Adjudication and Certification</li> <li>7. Roles and Responsibilities of Different Actors in SLAAC</li> </ol>
<b>SLT-02. Land Dispute Resolution</b>	<ol style="list-style-type: none"> <li>1. Introduction/Overview/ of Dispute Resolution</li> <li>2. Introduction of Concepts (Negotiation, Arbitration, Advocacy, Mediation, Adjudication)</li> <li>3. Addressing Land Disputes through Alternative Dispute Resolution (ADR)               <ol style="list-style-type: none"> <li>a. The Characteristics of ADR</li> <li>b. Goals of ADR</li> <li>c. Comparing ADR and Court Procedures</li> <li>d. Important Background Conditions for use of ADR</li> <li>e. Operations and Implementation of ADR</li> <li>f. Limitations of ADR When not to use ADR</li> </ol> </li> <li>4. Legal and Institutional Framework for Dispute Resolution in Uganda</li> </ol>

<p><b>SLT-03 : Systematic Adjudication and Demarcation</b></p>	<ol style="list-style-type: none"> <li><b>1. Identification and Ascertainment of right holders and interested parties</b> <ol style="list-style-type: none"> <li>i. Concept of land rights (Individual, family and community rights over land; Easements and Third party rights)</li> <li>ii. How to incorporate Transparency and participation during adjudication</li> <li>iii. How to fill adjudication forms (Form 4, etc.)</li> </ol> </li> <li><b>2. Systematic Adjudication Concept, legal provisions</b> <ol style="list-style-type: none"> <li>i. Policy and Legal Provisions</li> <li>ii. Concept of Systematic Adjudication</li> <li>iii. Comparison between Systematic and Sporadic Adjudication</li> <li>iv. Benefits of Systematic Adjudication</li> </ol> </li> <li><b>3. Boundary Demarcation</b> <ol style="list-style-type: none"> <li>i. Monumentation (considerations for selection of boundary markers)</li> <li>ii. How to define a Parcel Boundary ( Line Ranging, forming regular figures from irregular land, indivisibility between markers)</li> <li>iii. Planting and Care of boundary markers</li> <li>iv. Need for transparency and certification of neighbours</li> </ol> </li> </ol>
<p><b>SLT-04: Land Administration and Records Management</b></p>	<ol style="list-style-type: none"> <li>1. Business Process for Applying up to Acquisition of Certificate of Title</li> <li>2. Mass handling of Applications by ALC and DLB</li> <li>3. Structure and Content of Database for storage of Land Records ( Survey, Land Rights, holders and Interested parties)</li> <li>4. Standards for Cadastral Index Map compilation and Display</li> <li>5. Preparation and format of Certificates of Titles</li> </ol>
<p><b>SLT 05: Fit-for-Purpose Survey and Mapping of Parcels</b></p>	<ol style="list-style-type: none"> <li><b>1. Preparation of Tablet for Adjudication</b> <ol style="list-style-type: none"> <li>i. Introduction to the mapping software</li> <li>ii. Creation of project</li> <li>iii. Checking and arranging the necessary layers</li> <li>iv. Manipulation of layers (turning layers on, off, creation of new layers, setting target editing layers)</li> </ol> </li> <li><b>2. Creation of a Parcel from Adjudicated corners of land</b> <ol style="list-style-type: none"> <li>i. Identification of boundary marker on orthophotos image</li> <li>ii. Identification of a point by method of intersection</li> <li>iii. Using a handheld GPS to mark a point</li> <li>iv. Drawing a parcel using boundary corners (drawing primitives, snapping, completion)</li> <li>v. Editing parcels using editing tools in the mapping software</li> <li>vi. Snapping new parcels to existing parcels</li> </ol> </li> </ol>

	<ul style="list-style-type: none"> <li>vii. Coordinate Systems and Units to be used</li> <li>viii. Handling already surveyed land, Enforcement of planning constraints (Road reserves, government land etc)</li> <li>3. Saving work and updating the server</li> </ul>
<b>SLT 06 : Re-orientation in GIS/Digital Mapping, Massive data processing and handling</b>	<ul style="list-style-type: none"> <li>1. GIS Basics</li> <li>2. Components of a GIS database</li> <li>3. Exploring Data in the database</li> <li>4. Querying data</li> <li>5. Exporting GIS data to other formats</li> <li>6. Cartography basics ( map symbols, components of a cadastral, labels and annotations, compilation of map layouts, map scale, map standard sheets, creating deed-plans from cadastral maps)</li> <li>7. Compilation of display lists for verification</li> <li>8. Generation of applicant lists</li> <li>9. Checking applications before approval</li> </ul>



## 1.7 Estimation of number of Trainees and Facilitators

The Ministry will be responsible for training its staff involved in the SLAAC Programme as well as the local government/community personnel working with Consultants at National and Local Government levels. Table 5 below provides an estimation of the numbers of persons to be trained in each category and the entity responsible for the training.

**Table 5: Categories and Numbers of Trainees**

Category of Trainees	Total Trainees	Responsibility for Training	Rationale/Assumption
DLB	5	MLHUD	Each district has 5 members
ALC	18	MLHUD	3 parishes x 6 villages per district
Sub & Parish Chiefs	6	MLHUD/Consultant	2 chiefs per site x 3 sites
Religious leaders	18	MLHUD/Consultant	2 per religion x 3 parishes x 3 religions
Traditional Leaders	6	MLHUD	2 per parish x 3 parishes (1 woman)
Consultant Project Managers	10	MLHUD	1 manager x 10 firms
MZO and DLO staff (Estimate)	14	MLHUD	7 staff from MZO and 7 from DLO
Data Processing Centre	12	MLHUD	1 person per firm + 2 extra
staff(Estimate)			
Systematic Adjudication Teams	39	Consultant	6 villages x 2 persons x 3 parishes + 3 site managers

## 2 DETAILS OF THE TRAINING PROGRAM

### 2.1 Introductory session

*(Duration 2 hours)*

#### 2.1.1 Overview

The training program shall bring together individuals of diverse professional and social backgrounds, some of whom may be meeting for the first time. There shall be a need for a “*meet and greet*” session during which, trainees and trainers will interact to get to know each other and also be introduced to the training program.

The objective of setting the stage is to prepare the trainees for what to expect and for the facilitators to identify the needs of trainees.

**The specific Objectives of this session shall include.**

- Acquainting the trainers and trainees to each other
- Obtaining the trainees' expectations of the training
- Establishing a conducive climate and spirit of cooperation
- Providing suggestions for effective participation in the training
- Introducing the approach to the training
- Introducing the overall goal of the program
- Introducing other administrative issues such as responsibilities and logistics

#### 2.1.2 Steps

1. Greet the trainees; introduce yourselves as trainers giving details which have a bearing to the subject matter
2. Let the trainees introduce themselves to each other
3. Distribute Manila-cut to size cards for the trainees to write down their expectations from the training
4. Ask the trainees to break out into 4 groups (depending on their number) and have them set rules for creating a positive learning environment and cooperation, and to come up with measures for adhering the rules
5. Give the trainees additional suggestions or developed rules (Dos and Don'ts) to facilitate smooth running of the sessions

6. Record all listed rules on a flip chart for future reference

## **2.2 Session 2 Introduction of the Training Objectives**

*Duration 2 hours*

### **2.2.1 Overview**

In this session, the trainees will be introduced to the training program, the general objectives and intended outcomes. By the end of the session, the trainees shall have full knowledge of the SLAAC program, understanding of why they are participating in the training as well as their roles and responsibilities in the SLAAC program.

### **2.2.2 Steps**

1. Using Manila Cards, involve the trainees in giving their views of what they understand about the SLAAC program, benefits and challenges
2. Discuss the results of the views while providing an overview of the training objectives
3. Request the trainees to project the existing tenure systems in (a) their area (b) national level
4. Using the list generated, prompt the trainees to discuss the advantages and disadvantages of the listed land tenure systems
5. Using new manila cards request the trainees to indicate the perceived benefits and challenges of the SLAAC Program
6. Discuss the benefits of the SLAAC Program

**What is SLAAC?**

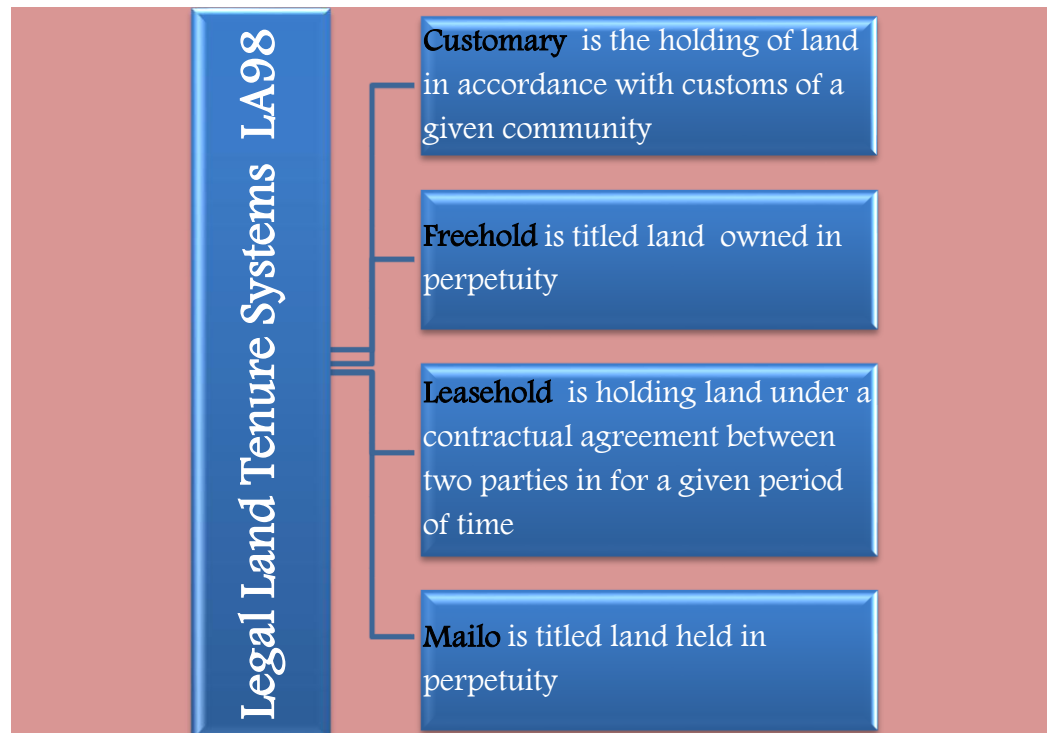
SLAAC is an acronym for Systematic Land Adjudication And Certification

Systematic land adjudication is where land rights, rights holders and interested parties are ascertained in a methodical and systematic manner, parcel by parcel for a large area.

SLAAC falls under strategic Objective No.4 of the LSSP II. This objective aims at increasing availability, accessibility and affordability of land information for planning and development. Objective No. 5 aims at enabling effective utilisation of Uganda’s land resources through systematic land adjudication. The activities under SLAAC include.

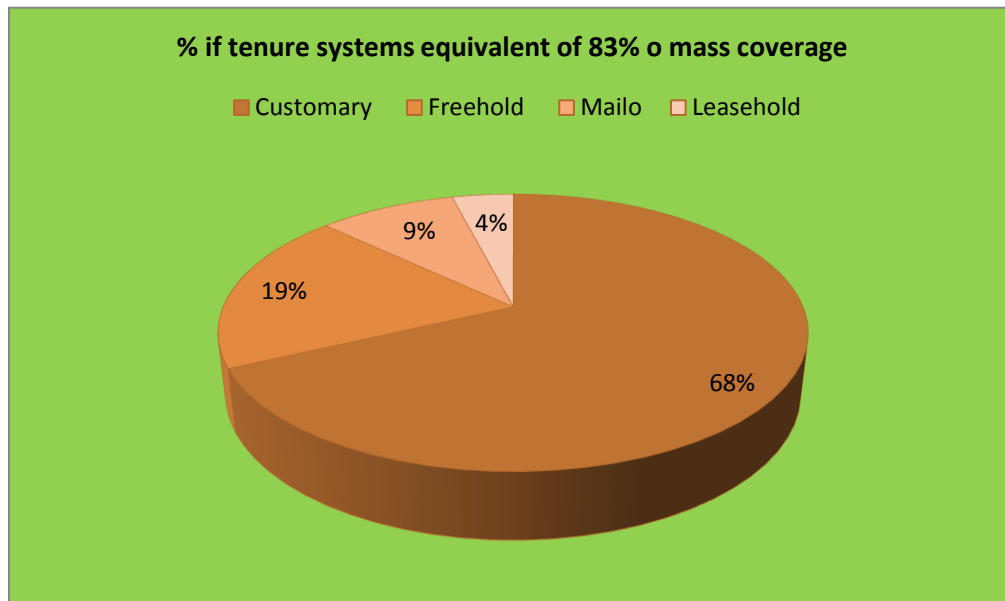
- Undertake a comprehensive review of previous activities related to systematic adjudication, demarcation, survey, registration and certification.
- Needs assessment for systematic adjudication, demarcation and survey
- Roll out National Program for SLAAC

**Legal tenure systems**



## Technical Notes

### Tenure coverage – the current situation



Source: National Land Information Statistics 2013

## Technical Notes

### Mailo

- **Advantages**

- permanent rights
- collateral
- Indisputable security
- not easy to grab

- **Disadvantages**

- multiple claim to land between landlords & tenants
- require legal procedures to transfer
- potential for family wrangles in case of death without wills

### Leasehold

- **Advantages**

- secure time bound rights
- collateral
- Indisputable security
- not easy to grab

- **Disadvantages**

- not permanent rights
- pay annual property rates
- must abide with terms of the lease

### Freehold

- **Advantages**

- permanent rights
- collateral
- Indisputable security
- not easy to grab

- **Disadvantage**

- require legality to transfer
- potential for family wrangles in case of death without wills

### Customary

- **Advantages**

- permanent rights
- easy to transfer
- **Disadvantages**
- difficult to sale.
- fluid/not specific rights

- require legality to transfer

- limited potential for collateral

- easy to grab
- intractable

**Advantages & disadvantages of the different tenure systems**

## Technical Notes



### National benefits

### Individual benefits

### SLAAC Processes

- Mobilisation and sensitisation of the target communities
- Mediation and reconciliation of parties with differences or disagreement over land rights
- Establishing and authoritatively ascertaining the existing land rights, limitations, rights holders and rights of other interested parties
- Demarcation of parcel boundaries and planting of boundary markers;
- Measurement of the dimensions of land and producing index maps as well as a Land rights database
- Preparation, printing and issuance of freehold certificates of title to rights holders.

## **2.3 UNIT 1: SLT-01: Community Mobilization & Sensitization**

**2.3.1 Duration:** This Unit will be covered in 1 day.

### **2.3.2 Learning objectives/Outcomes**

By the end of the unit, the trainees will be able to:

- Explain all the provisions in the SLAAC Mobilisation and Sensitisation Manual
- Articulate procedures for effective mobilisation and sensitisation of communities to embrace SLAAC activities
- Articulate the likely aspects (such as gender, rights, disputes) to arise out of the SLAAC Program
- Explain the core activities of the SLAAC programme to the communities

### **2.3.3 Methods of Instruction**

The facilitator shall determine appropriate methods to use depending on the learning domain of the individuals. The methods should include: Lectures, Group discussions, Illustrations and practical demonstrations. Use of visual materials is highly recommended

### **2.3.4 Methods of Assessment**

The facilitator shall ask questions aligned to each of the learning objectives and solicit responses with the view to gauging the trainees understanding of the unit.

### **2.3.5 STEPS**

1. Explain, step by step the concepts, principles, need and rationale as stipulated in the SLAAC Mobilisation and Sensitisation Manual.

### **2.3.6 References**

- (1) SLAAC Mobilization and Sensitization Manual
- (2) SLAAC Operations Manual



## **2.4 UNIT 1: SLT-02: SYSTEMATIC ADJUDICATION AND DEMARCATION**

*(Legal and institutional framework, concept of adjudication, benefits of systematic adjudication, concept of land rights, adjudication and demarcation of rights)*

### **2.4.1 Duration**

This Unit shall be accomplished in 1.5 days

### **2.4.2 Learning objectives/Outcomes**

By the end of this Unit, trainees should be able to:

- Explain the pre-conditions to adjudication and demarcation (presence of all parties, resolution of disputes and boundary clearance)
- Demonstrate skills for initiating adjudication and demarcation activities at the household level
- Demonstrate skills on the actual adjudication and demarcation
- Demonstrate skills for planting boundary markers and simple line ranging

### **2.4.3 Methods of Instruction**

The facilitator shall determine appropriate methods to use depending on the learning domain of the individuals in the session. The methods should include: Group discussions, Illustrations and practical demonstrations. Use of visual materials is highly recommended (*such as photos of a well-planned city verses a slum, people physically fighting over land verses an organised dispute resolution session*).

### **2.4.4 Methods of Assessment**

The facilitator shall ask questions aligned to each of the learning objectives and solicit responses with the view to gauging the trainees understating of the unit.

For the practical component, the facilitator should assign a practical assignment to assess the participants understanding of the topic.

### 2.4.5 STEPS

1. Using the operations manual, explain, the pre-conditions for adjudication and demarcation
2. Introduce different scenarios that are likely to arise upon approaching the household/rights holders for adjudication and demarcation.
  - a. Engage the group in a discussion on the possible approach for each scenario
  - b. Describe the standard acceptable ways in dealing with different scenarios.
3. Explain the basic information to be collected from the parcel and the relevant forms to be used (land regulations 2001/4) on the revised forms.
4. Using an ortho-photo map or google maps explain the outputs of the demarcation; how a parcel will be created out of the adjudication exercise.
5. Organize a practical session of boundary demarcation outside the classroom. The practical shall include:
  - a. boundary identification, marking, line ranging, give and take principles, and sketching.
  - b. recordation of rights

### 2.4.6 References

SLAAC Operations manual

SLAAC Mobilisation and Sensitisation Manual

## 2.4.7 TECHNICAL NOTES

### Technical Notes

1. The preconditions to adjudication and demarcation include:

- a) Ensure that the person whose land is adjudicated is physically present and has consented to the exercise.
- b) Persons claiming rights on the neighboring land should be present and actively participating in the processes.
- c) Make effort to ensure full participation of all (men, women, youth and disabled persons)
- d) Boundaries should be cleared and there should be consensus on the position of the boundary markers.

2. Handling different scenarios at house hold level.

A number of scenarios may arise:

(a) Where the team is well received at the household level, the following should be done:

- i. Appreciate the gesture with a THANK YOU.
- ii. Briefly reiterate what adjudication is all about.
- iii. Promise to deliver to the expected professional standard.

(b) In case of resistance to the program at household level:

- Make an effort to establish rapport with the family/household
- Listen and take note of the reasons why they reject the program
- Explain to them what the program is about and how they may benefit from it.
- Ask them again if they (after your explanation) embrace the program such that you can proceed with the work.
- Make an effort to convince but not coerce them into acceptance.
- In case they say NO after all the above, thank them for their time, give them contact information for someone they can contact in case they need any further information about the program, or in case they change their mind and would be willing to take part.

## **2.5 UNIT 2: SL-02 FIT FOR PURPOSE SURVEY AND MAPPING OF PARCELS**

### **2.5.1 Duration**

This Unit shall be accomplished in 1.5 days

### **2.5.2 Learning objectives/Outcomes**

By the end of this Unit, participants should be able to:

- Check Tablets to ensure that all the basic datasets such as Administrative boundaries, Ortho-photo maps, have been uploaded and are in the correct spatial reference system
- Interpret ortho-photos maps to identify corners of parcels
- Use the tablet to accurately draw parcels with the guide of ortho-photos maps or GPS coordinates.
- Check quality of the drawn parcel using simple techniques.

### **2.5.3 Methods of Instruction**

The facilitator shall determine appropriate methods to use depending on the learning domain of the individuals in the class. The methods should include: Lectures, Group discussions, Illustrations and practical demonstrations in and outside the classroom environment. Field practicals should take a substantial amount of time for the unit.

### **2.5.4 Methods of Assessment**

Assessment shall include questions and answer and ‘do it yourself’ simple tests. Finally, trainees should be subjected to a practical assignment involving extensive use of the tablets and ortho-photo maps to draw parcels. Trainees who fail to get a pass-mark of 80% shall be asked to retake the unit and another assessment given, and so on, until a pass-mark of 80% is obtained.

## 2.5.5 STEPS

- (1) Introduce the Unit objectives and outline
- (2) Provide Tablets to the Trainees and ensure that they are familiar with the operating system of the tablet. At least 15 minutes should be dedicated to explaining the features of the tablet.
- (3) Introduce the Mapping Application for creating parcels. Explain the interface in general.
- (4) Explain the basic layers that **MUST** be loaded on the tablet before undertaking the exercise. Explain the role of each layer. Using the preloaded layers, demonstrate how:
  - i. A new project(or equivalent) is created and saved)
  - ii. Layers could be added or remove from the project and from view, how layers are re-arranged, how to set current(editable) layer ...
  - iii. Give a short practical assignment that tests the trainees' understanding of the above functions.
- (5) Introduce the drawing features of the Mapping Application. Explain how to:

Draw lines, points and polygons using the drawing primitives. How to snap to existing features how to add attributes. At this level, the target should be that participants are able to draw but the accuracy of the drawing should not be a big concern. Each trainee should be asked to draw a fictitious cadastral index map of about 20 parcels. The trainer should check to see if snapping has been done properly.
- (6) Explain how to use the ortho-photos map to create a parcel. Explain how a boundary can be identified by associating features on the ground and estimating distances/angles on the image. Trainees should practice this in the field to ensure

that the estimation on the ground is comparable to what they draw in the image. Use of handheld GPS, measuring tapes should be demonstrated.

The trainer should identify a good site that exposes trainees to a number of drawing issues such as: where boundary corners are very clear, where boundaries are not clear but could be offset from nearby features, where there are no guiding features, where the boundary is in thick vegetation etc. The trainees should draw at least 10 parcels in the field using the orthopho-map. The trainer should check the accuracy of each and award a mark. Trainees who don't meet the pass-mark should be trained, assessed until they attain the pass-mark.

(7) Incorporating planning constraints

Explain the benefits of planning prior to SLAAC.

Explain the planning constraints such as road reserves, wetlands, government land and communal property resources and how these should be dealt with. Provide a list of sizes for various road classes. Demonstrate how to measure offsets before drawing parcels.

(8) The trainer should introduce the trainees on how to fill attribute information on rights holders and rights, how to take pictures of rights holders and any other evidence on ground.

(9) The trainer should include other aspects of the software that are not covered here.

(10) Saving work and updating the server

## **2.6 UNIT 3: SL-03: Land Dispute Resolution**

### **2.6.1 Duration**

This Unit should be accomplished in 1 day

### **2.6.2 Learning objectives/Outcomes**

By the end of this Unit, trainees should:

- Know the institutional framework for land dispute resolution in Uganda
- Be able to articulate meaning of various dispute resolution mechanisms
- Apply their knowledge to disputes that may arise on land
- Articulate the limitations of Alternative Dispute Resolution (ADR) mechanisms.

### **2.6.3 Methods of Instruction**

The trainer shall use interactive methods and chose appropriate case studies/cases for the delivery of the session. It is also recommended that the practical session should involve participants' engagement in a mock dispute resolution, or discuss a video/audio clip involving resolution of a land dispute. In both cases, with the guidance of the trainer, the participants should engage in a discussion on how it was handled.

### **2.6.4 STEPS**

1. Ask the trainees to list the formal and informal (judicial and other) dispute resolution mechanisms in their area/community..
2. Divide the trainers into two groups (formal and informal (ADR) mechanisms) and let them discuss the functions and challenges of the group's respective mechanism.
3. Have representatives of each group to present to the plenary and discuss the views of the group. They should identify which of the two mechanisms is most appropriate for their setting.

4. Introduce the Dispute Resolution Committee (DRC); composition and role in the SLAAC program.
5. Introduce the guiding principles to be applied in dispute resolution before the DRC.
6. Engage the trainees in a mock dispute resolution session or watch a video or listen to an audio clip.
7. Together with the trainees, assess the performance of the participants in the mock, or the techniques used to resolve the dispute in the audio/video.

### 2.6.5 References

Local Council Act No 2006 of 2006 Laws of Uganda.

USAID- handbook for LC courts

Anthony Conrad Kakooza, *Arbitration, Conciliation and Mediation in Uganda. A focus on the Practical Aspects*, Paper Presented to Bar Course Students at the Law Development Center's Training in Alternative Dispute Resolution, January 7, 2009 at Law Development Centre

#### Technical Notes

- Land disputes in Uganda can be resolved mainly through courts of law and ADR mechanisms in the community and as provided for in the law.
- The courts of law are of a hierarchy; from the magistrates' courts, up to the Supreme Court while ADR exists in the community and are also provided for in the Local Council Act (2006).
- Local Council Courts have unlimited mandate to deal with 'disputes in respect of land held under customary tenure' (Third Schedule to the Local Council Court Act). Their mandate with respect to other land matters that do not necessarily relate to customary tenure can be found in sec 10(e) of that Act which provides that these institutions have the general power to adjudicate



‘matters relating to land’

- Traditional Institutions/Authorities have mandate to mediate disputes under customary tenure (Land Act, section 88).

- Alternative Dispute Resolution (ADR)

- It is defined as a structured negotiation process whereby parties to a dispute negotiate their own settlement with the help of an independent intermediary.
- disputes resolution through ADR is acceptable under the laws of Uganda
- The strategies employed in ADR include: Arbitration, negotiation, conciliation, Mediation, mini-trial/early neutral evaluation, and court annexed ADR.

- Arbitration: A case between the parties is referred to an independent (neutral) arbiter, whose decision binds them.
- Mediation: A mediator is chosen to facilitate mediation between two parties to a dispute to reach a settlement/an agreement.
- Conciliation: A conciliator is agreed upon by the parties to a dispute. The conciliator assists the parties to find a solution to a dispute, but has no power to enforce it.

Comparison of process in courts of law (litigation) and ADR based processes: ADR mechanisms are considered efficient, accessible, faster and cheaper and less intimidating to the common person than processes in courts of law.

- The likely limitations of ADR include: difficult parties that might not agree to a settlement; lawyers who may prefer court processes to ADR and advise clients accordingly.

#### **About the Dispute Resolution Committee (DRC)**

- This shall be established to deal with some disputes that may arise during SAT process and their mandate expires at the end of the adjudication processes.
- The LC II courts will be strengthened by co-opting other members such as the elders, and the parish chief to constitute a dispute resolution committee (DRC).

- The DRC shall deal with both the long-standing disputes and those that may arise out of the adjudication processes.
- The SAT shall endeavor to resolve minor disputes and the major ones shall to be referred to the Dispute Resolution Committee (DRC)

**Principles that should apply to proceedings before the DRC include:**

Upholding principles of fairness (Article 28 of the Constitution):

- The DRC should be ‘independent’, ‘competent’ ‘impartial’ and established in accordance with the law.
- All parties to a case should be notified of the time, date and venue of proceedings.
- All parties should be given a chance to talk and be listened to.
- Proceedings should take place in a neutral place.
- The DRC needs to visit the disputed land and receive explanations on the dispute.
- Uphold the rules against non-discrimination and promote equality of parties in all proceedings.
- Women should receive equal treatment with their male counterparts in all proceedings.
- Uphold the rule against corruption.
- Proceedings before the DRC are mainly of a Mediation type. These should therefore abide by the following principles:

The DRC should be impartial and neutral; not take sides with the parties to a dispute.

The mediator should ensure that the information in the proceedings is not spread to the public.

- The mediators should be competent to engage in the proceedings the mediator should ensure that the parties **are willing to appear before it and accept the outcome of the mediation.**

- Independence of the DRC. The members of the DRC should not be accountable to anyone but to ensuring dispute resolution in a professional/ethical manner.
- The DRC should **always operate in accordance with the law** but should at the same time avoid technical procedures and instead be informal.
- Involvement of third parties; witnesses may be called to assist in the verification of facts.
- At the end of the mediation processes, the parties should sign the document containing what they have agreed upon, witnessed by the mediating team and safely stored.

## **2.7 Land Administration and Land Records Management**

### **2.7.1 Duration**

This Unit should be accomplished in 1.5 days

### **2.7.2 Learning objectives/Outcomes**

By the end of the, participants will be able to:

1. Demonstrate an understanding of the land administration structure
2. Describe the land records in the different Land Administration Institutions and how to manage them.
3. Describe the relationship between records keeping and accountability.
4. Describe the relationship between records keeping, ethics and integrity
5. Demonstrate a functional and integrated understanding of Land Information System for sustainable land governance

### **2.7.3 Methods of Instruction**

The facilitator shall use the Lecture method, Visit to the District Land Board and Land Office, and Illustrations as methods to use depending on the learning domain of the individuals. Use of visual materials is highly recommended.

### **2.7.4 Methods of Assessment**

The facilitator shall ask questions aligned to each of the learning objectives and solicit responses with the view to gauging the trainees understating of the unit.

### **2.7.5 STEPS**

1. The trainer should start the sessions by asking the trainees to identify the different types of land records at the different Land Administration Institutions
2. Brief trainees about the field visit and the reasons for the visit. Encourage the trainees to ask questions and talk to some of the clients at the land office. They should note the processes and procedures in developing a land records

3. Visit to the DLB and DLO facilities to observe how land records are stored and retrieved.
4. At the plenary, have each participant to share 5 aspects she/he observed from the field
5. Have trainees discuss the positive and negative aspects observed and chart a way forward
6. Have the trainees brainstorm about the usefulness of the records to the institutions that keep them, to the public and to the individuals.
7. Have the trainees discuss the ethical and integrity implications of poor lands record keeping

### 2.7.6 References

Agrawal Arun and Ribot Jesse (2000); Accountability in Decentralization- Journal of Developing Areas

Economic Commission for Africa (ECA) Report: 2009:

Levy Brian (2006): Governance, Corruption and Social Accountability World Bank

World Bank 2002: Managing Records as the Basis for Effective Service Delivery and Public Accountability in Development: An Introduction to Core Principles for Staff of the World Bank and Its Partners

### 2.7.7 TECHNICAL NOTES

Technical Notes
<p>At the plenary after individual sharing of the observed aspects, go over the different types and usefulness of Land Records kept at:</p> <ul style="list-style-type: none"> <li>● District Land Office</li> <li>● District Land Board</li> <li>● Office of the Recorder</li> <li>● Area Land Committee</li> </ul> <p>Explain the storage and retrieval processes of different land records</p>

Ask the trainees to offer definition of the concept of accountability, types of accountability, its benefits and challenges.

Solicit views on different ways to account and why it is necessary to account

Identify beneficiaries of accountability and articulate consequences of non-accountability while linking it poor land record keeping

To make the point sink, have the trainees share experiences relating to them being a victim of poor land record keeping

The Trainees should identify the solutions to each of the identified dilemmas with the aim of building a solution tree [step by step] means of improving land records storage and retrieval.

**APPENDICE 1: DAILY EVALUATION**



**MINISTRY OF LANDS, HOUSING AND URBAN DEVELOPMENT SYSTEMATIC LAND  
ADJUDICATION AND CERTIFICATION: TRAINING**

Date: \_\_\_/\_\_\_/\_\_\_ UNIT

TITLE \_\_\_\_\_

Daily Evaluation for the training:

1. Please list 3 different aspects you learnt earn today?

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2. Of the 3 aspects learnt, what did you find most useful to you and why?

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3. What did you find hard to learn today and why?

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4. Did the trainers meet your learning expectations for today's topics? Please explain your response.

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5. What are your suggestions for improvements in the Unit.

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## APPENDICE 2: FINAL EVALUATION



### MINISTRY OF LANDS, HOUSING AND URBAN DEVELOPMENT SYSTEMATIC LAND ADJUDICATION AND CERTIFICATION TRAINING

Date \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Location of the Training \_\_\_\_\_

*Instructions:*

1. Writing your name is optional.
2. Your frank and clear expression of your opinion about the training will be highly appreciated.
3. Please indicate the level at which you are in agreement with the statements that are:

	<i>Tick only one of the views for each line</i>	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1.	The objectives of this training were clearly defined					
2.	The Trainer(s) encouraged participation and interaction					
3.	The Content was well organized and easy to follow through.					
4.	Sufficient and helpful materials were distributed					
5.	The training experience will be useful in my work on this project					

6.	The Trainer(s) were knowledgeable about the training topics					
7.	The Trainer(s) were well prepared					
8.	The training objectives were met					
9.	Sufficient time was allocated for the training					
10.	The meeting room and other facilities were adequate and comfortable					
11.	There was good time keeping					

12. Please write down what you liked most about this training

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13. Please write down what you think could be improved about the training

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14. Please indicate what new knowledge or skill you have acquired from the training?

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15. Give any other comment about the training

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THANK YOU FOR TAKING TIME TO PARTICIPTE IN THIS EVALUATION PROCESS.