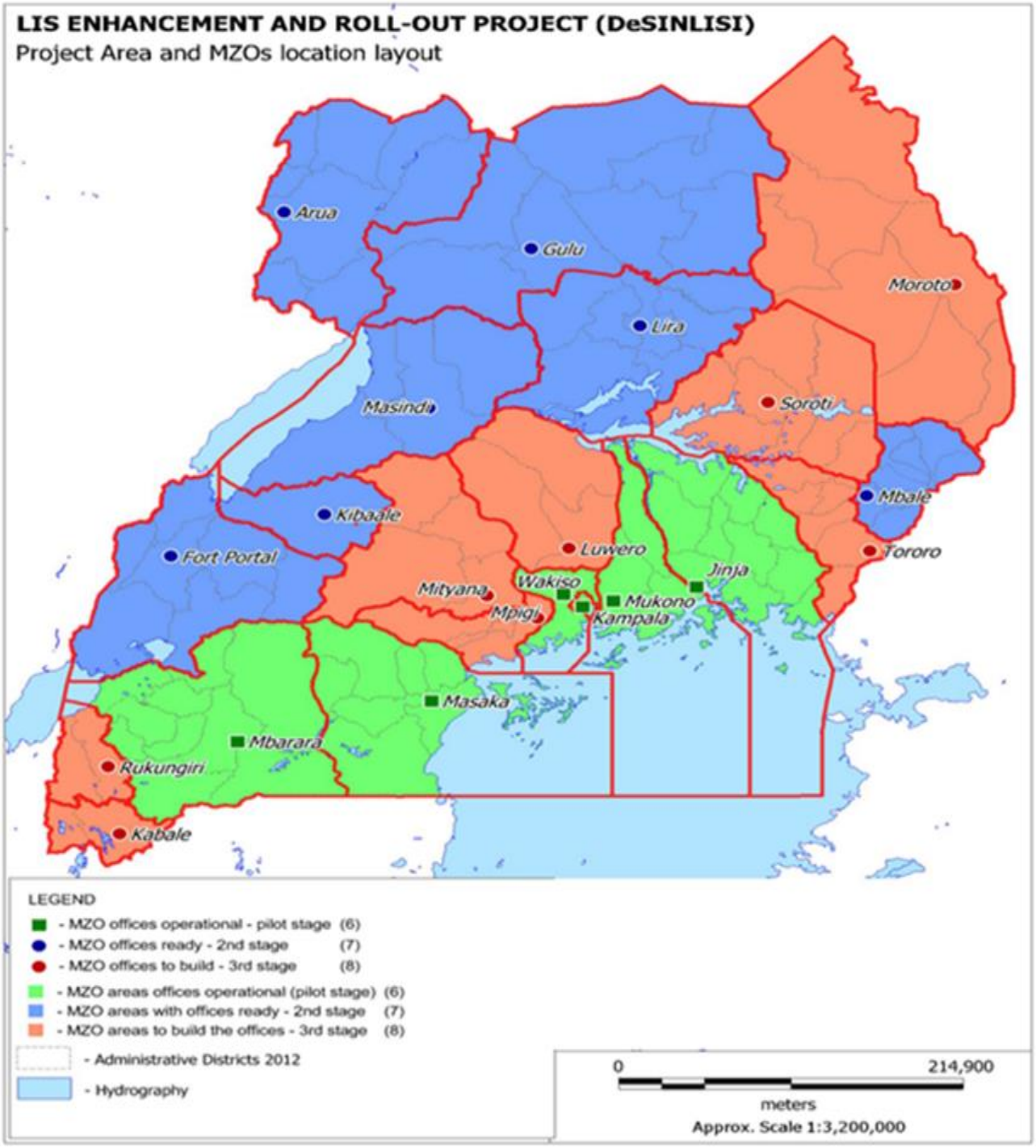
THE REPUBLIC OF UGANDA

NATIONAL LAND MONITORING REPORT

2021

Ministry Zonal Offices (MZOs)



A cadastral zone represents a service area within which clients will conduct business with a larger land office to facilitate service provision and minimize the costs of establishing LOs in each district. Consolidation of services brings economies of scale whilst maintaining a decentralized land administration structure for the country

FACT SHEET

Location: East Africa and neighboring; Kenya to the east, Tanzania to the south, Rwanda to the south-west, Democratic Republic of the Congo to the west, and South Sudan to the north.

Capital City: Kampala

Number of districts: 135

Number of Cities: 10 Cities

Area Total: 241,555sq km Land: 196,237sq km Water: 45,081sq km

Population:

Year	2007	2010	2014	2021
Total	30 263 000	31,848,169	34,634,650	42,885,900
Female	51%	51.2%	51.21%	51.21%
Male	49%	48.8%	48.79%	48.79%

Land use: Arable land (21.57 per cent); permanent crops (8.92 per cent); other (69.51 per cent)

SUMMARY OF FINDINGS

No	Indicator category / Indicators	Definition	Sources of data	Computation Method	Result	Reason
1	**Policy development/Reform**					
1.1	A comprehensive policy exists or can be inferred by the existing legislation.	A comprehensive policy exists or can be inferred by the existing legislation.	Expert assessment	Presence/absence of a comprehensive national land policy	Yes	• Adopted by Cabinet in 2013
1.2	The extent to which the policy formulation process is consultative, representative and participatory	A consultative process requires participation of stakeholders in inputs on the final policies, laws and procedures. Representative participation (i.e. gender) in terms of numbers of participants.	Records of participants, expert and participatory assessment.	Establish that there was participation by stakeholders; Confirm that at least a third of the participants consulted were females.	Highly Consultative and Participatory	• Regional consultative meetings held • All interest groups participated • NLP Process Report reviewed
2	**Land tenure security**					
2.1	Proportion of national land areas with rights holders identified that is incorporated into cadastral maps / land information systems	This is the percentage of total land area captured under the cadastral maps.	Secondary and Administrative data from MLHUD	Total land area captured under the cadastral maps divided by the total National land area multiplied by 100	23.8%	• Limited to only 3 tenure systems in Uganda (Mailo, Freehold and Leasehold) Land area Mapped (Ha): 4,667,976 Total land: 19,623,700

No	Indicator category / Indicators	Definition	Sources of data	Computation Method	Result	Reason
						area for Uganda (Ha) | % mapped **23.8%**
2.2	Proportion of women and men with legally recognized documentation or evidence of secure rights to land.	This refers to percentage of women and men with legally recognized documentation or evidence of secure rights to land. Legally recognized documents include: title deed	Administrative data – LIS and CCO Database	Number of women and men with legally recognized documentation or evidence of secure rights to land divided by total adult population (18 years & above) multiplied by 100.	2.27% women 7.04% men	Considered adult population above 18 years From the analysis, out of the 10,843,100 adult women in Uganda, only 245,828 adult women (2.27%) had titles while out of the 9,689,900 adult men, only 682,168 men (7.04%) had titles.
2.3	Percentage of women and men who perceive their rights to land are protected	Percentage of the women and men that have equal rights to land to total adult population	• Nationally, this indicator is not reported on. • To be included in upcoming Household Surveys and Census • A desk review on	Number of women and men who perceive their rights to land are protected divided by the adult population (18 years & above) area multiplied by 100.	Not available	• Indicator to be integrated in Household surveys and/or census

No	Indicator category / Indicators	Definition	Sources of data	Computation Method	Result	Reason
			existing literature was considered.			
2.4	Proportion of women and men that have equal rights to land, including rights to use, control, own, inherit and transact these rights	Percentage of the women and men that have equal rights to land to total adult population Equal rights to land including rights to use, control, own, inherit and transact these rights	• A desk review on existing literature was considered. • Adoption of a universal tool to assess the different aspects.	Number of women and men with that have equal rights to land divided by the adult population (18 years & above) area multiplied by 100.	Not available	• A comprehensive framework is required to assess all the listed aspects
3	**Land conflicts and land disputes**					
3.1	Proportion of land cases to total court cases	Percentage of reported land cases in court to total cases	JLOS Reports	Number of concern land cases reported divided by the total number of cases reported disaggregated	12.6%	• For FY 2020/21 All Cases: 324,135 Land Cases: 40,944 **Percentage: 12.6%**
3.2	Percentage of women and men that perceive to	Percentage of women and men, that have had land	• Nationally, this indicator is	Number of women and men with pending and	Not available	• To be incorporated in surveys and/or census

No	Indicator category / Indicators	Definition	Sources of data	Computation Method	Result	Reason
	have access to effective dispute-resolution mechanisms reported that have been resolved.	disputes and have access to effective dispute-resolution mechanisms against total reported land disputes.	not reported on. To be included in upcoming Household Surveys and Census. • Further defining of the indicator after literature review was provided based on the available data/information.	unresolved land cases in formal dispute-resolution institutions divided by the total reported land disputes multiplied by 100. Disaggregated by: sex, age groups, urban and rural.		
4	**Land administration services**					
4.1	Range of time required to conduct land transactions	The estimated average amount of time involved for a specified type of transaction of land. **Types of transaction include:** Mortgage charge/	MLHUD's Client Charter	The average number of official days taken to carry out the specified transaction.	**Averages (Days)** Search = 2 Transfer = 5 Mortgage = 16 Lease = 8	

<table>
<tr><th>No</th><th>Indicator category / Indicators</th><th>Definition</th><th>Sources of data</th><th>Computation Method</th><th>Result</th><th>Reason</th></tr>
<tr><td></td><td></td><td>transfer of ownership and leasing/subleasing.</td><td></td><td></td><td></td><td></td></tr>
<tr><td>4.2</td><td>Range of cost incurred to conduct land transactions</td><td>The costs involved for specified transactions of land

Types of transaction include: Mortgage charge/ transfer of ownership and leasing/subleasing.</td><td>MLHUD's Client Charter</td><td>The amount of money one should spend for a specified transaction</td><td>Average = USD 3 (for most of the transactions)</td><td>Stamp duty is 1.5% and paid as per the assessed value of the property.

Premium and Ground Rent for Lease transactions is assessed and paid</td></tr>
<tr><td>4.3</td><td>Government tax derived from land-based sources as a percentage of total government revenue.</td><td>Percentage share of land –based taxes to the total government revenue.</td><td>Administrative data (LIS and other government agencies).</td><td>Total revenue collected from land based source divided by the total government revenue expressed as a percentage</td><td>0.28%</td><td>This result is computed for FY 2020/21
<table><tr><th>Item</th><th>UGX (Billion)</th></tr><tr><td>Country Revenue</td><td>19,263</td></tr><tr><td>Land Revenue</td><td>54.764</td></tr><tr><td>Percentage</td><td>0.28%</td></tr></table></td></tr>
<tr><td>5</td><td colspan="3">Capacity of land administration systems</td><td></td><td></td><td></td></tr>
<tr><td>5.1</td><td>Transactions concluded as a</td><td>The proportion of transactions</td><td>Administrative data (LIS)</td><td>Number of completed</td><td>83.6%</td><td>For period running 2013 till 2021</td></tr>
</table>

No	Indicator category / Indicators	Definition	Sources of data	Computation Method	Result	Reason
	percentage of the total number of processes in a given year	concluded per year as the total of transactions submitted		transactions expressed as a percentage of the number of transactions received in a given period of time		
6	**Sustainable land use**					
6.1	Changes in the sustainable land use, measured by land cover	Change in land area covered by vegetation and biomass (due to the removal or degradation of forest and vegetation) as a proportion of the initial land cover by the various classes.	Remote sensing	(i) Change in vegetation and biomass land cover between given time periods as a percentage of the initial forest and vegetation cover disaggregated by different land use types/classes	11% (247,661 Ha)	Based on existing literature
6.2	Proportions of rural and urban administrative units with sustainable land-use plans	The percentage of the lowest level planning units with sustainable land use plans prepared and approved that take account of the rights and interests of the local land users and	Administrative data (National Physical Planning Board Reports)	The lowest level planning units with sustainable land use plans prepared and approved that take account of the rights and interests of the local land	15%	Information provided by NPPB

No	Indicator category / Indicators	Definition	Sources of data	Computation Method	Result	Reason
		landowners		users and landowners expressed as a percentage of the total of the lowest level planning units disaggregated by rural and urban		

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ACRONYMS AND ABBREVIATIONS

ADR	Alternative Dispute Resolution
ALCs	Area Land Committees
AU	African Union
CAO	Chief Administrative Officers
CCO	Certificate of Customary Ownership
CEDAW	Convention on Elimination of all forms of Discrimination Against Women
CEDP	Competitiveness and Enterprise Development Project
CEDP-AF	Competitiveness and Enterprise Development Project-Additional Financing
CLA	Communal Land Association
CO	Customary of Occupancy
DLBs	District Land Boards
DLO	District Land Office
DPs	Development Partners
FY	Financial Year
GDP	Gross Domestic Product
GIS	Geographical Information System
GSP	Governance and Security Programme
Ha	Hectares
IGAD	Intergovernmental Authority on Development
JLOS	Justice, Law and Order Sector
LCs	Local Councils
LHUD	Lands, Housing and Urban Development
LIS	Land Information System
LOs	Land Officers
LSRCU	Land Sector Reform Coordination Unit
LSSP	Land Sector Strategic Plan
LTRP	Land Tenure Reform Project
M&E	Monitoring and Evaluation
MDAs	Ministries, Departments and Agencies
MLHUD	Ministry of Lands, Housing and Urban Development
MoGLSD	Ministry of Gender Labour and Social Development
MZO	Ministry Zonal Office
NDP	National Development Plan
NGO	Non-Government Organization
NLP	National Land Policy

NLUP	National Land Use Policy
NPA	National Planning Authority
PPA	Physical Planning Act
PPC	Physical Planning Committee
PSCP	Private Sector Competitiveness Project
PSFU	Private Sector Foundation Uganda
RDC	Resident District Commissioner
SDGs	Sustainable Development Goals
SLAAC	Systematic Land Adjudication and Certification
UBOS	Uganda Bureau of Statistics
UGX	Uganda Shillings
ULC	Uganda Land Commission
URA	Uganda Revenue Authority
USD	United State Dollars

ACKNOWLEDGEMENT

We would first like to express our indebtedness to the Intergovernmental Authority on Development (IGAD) Secretariat for initiating the Monitoring of Land in Africa (MELA) Project in its member states especially Uganda. Taking lead in this project at the IGAD Secretariat were Ms. Esther Obaikol, Mr. Addis Teshome, Ms. Joselyn Bigirwa, Mr. Abdourahman Hassan and the entire staff at the IGAD Secretariat.

And equally deep debt of gratitude is due to the Embassy of Sweden and the Swiss Agency for Development and Cooperation for providing the necessary funding for the Monitoring and Evaluation of Land in Africa project.

We would also like to appreciate the Political and Technical leadership of the Ministry of Lands, Housing and Urban Development that has the responsibility to oversee the project and has carried out that responsibility with persistent dedication despite numerous setbacks and delays along the way. Notably, the team thanks Hon. Judith Nabakooba (Minister of Lands), Mrs. Dorcas W. Okalany (Permanent Secretary – MLHUD), Mr. Juuko Richard (Under Secretary – MLHUD), Mrs. Kabanda Naome (Ag. Director Land Management), Her Worship Patricia Muhumuza Amoko (Chief Registrar's Office), Mr. Turyomurugyendo R. William (Commissioner Planning and Policy Department), Mr. Irumba Henry Harrison (Assistant Commissioner Policy), Mr. Twinamatsiko Smith (Assistant Commissioner Monitoring and Evaluation), Ms. Rachel Odoi-Musoke (Senior Technical Advisor – Governance and Security Programme Secretariat (former Justice Law and Order Sector Secretariat)) and the different key stakeholders from the different Ministries, Departments and Agencies that were involved in this process.

This Land Monitoring Report, of course, can ultimately be no better than the quality of the Working Group Members involved, and in this regard the project is fortunate to have a stellar team, patiently and professionally guided and supervised by the National Land Monitoring Coordinator Mr. Ndawula Nicholas (one of the authors of this report). Their hard work, diligence, energy, and commitment to the project was exemplary. Whatever worth and impact this Land Monitoring Report might have is due first and foremost to the following Working Group Members: Dr. Brian Makabayi (Lecturer - Makerere University), Mr. Ochom Jonathan (Ag. Executive Director – LANDNET), Mr. Brian Masimbi (Monitoring and Evaluation Officer – MoGLSD), Ms. Nabakembo Peace (Senior Policy Analyst/Gender Focal Point Officer – MLHUD), Ms. Grace Angeline Chelimo (GSP Secretariat), Ms. Arinaitwe Justine (National Planning Authority) and Mr. Henry Mubiru (Uganda Bureau of Statistics). To all of you, our profound thanks.

EXECUTIVE SUMMARY

This monitoring report provides an overview of Uganda's performance in relation to selected key indicators on the country's land administration and management arena with a view of improving land governance in the country. The selected indicators are categorized under: policy development/reform; land tenure security; land conflicts and disputes; land administration services; capacity of land administration systems; and sustainable land use.

The report comprises of five chapters split into various sub-sections therein. Chapter One is introductory and provides an overview of land in Uganda as well as the land administration and management frameworks in the country. It also traces the land policy development and implementation in Uganda; and how land monitoring is streamlined within the above areas.

The second chapter provides the context of land monitoring in Uganda under the different thematic areas. It examines various sources of land data and reports published in relation to land indicators.

The third chapter focuses on the methodology and details out the approach used for developing this report. These include constituting a working group, desk review, inception meeting, technical review meetings and validation meeting.

The fourth chapter details the findings of the report. This is clustered into the six thematic areas under review. Overall, the finding show that Uganda has a comprehensive policy whose development and formulation process was consultative, representative and participatory. It also demonstrates efforts at enhancing tenure security (23.8% of the land in Uganda is mapped), documenting land rights and protecting women's land rights, among others.

The Fifth and final chapter provides conclusion and recommendations for further action. It was noted that out of fourteen indicators, only three indicators did not have data because they required perception surveys to be undertaken. Five key recommendations are proposed, namely: Integration of CCO data into the LIS; Sensitization and capacity building of key stakeholders on data management; undertaking national surveys for the indicators with limited or no data as highlighted in the report; establishment of a comprehensive Lands M&E Information System with capacity to capture data from lower level land management units. Lastly, the report recommends the need to be fully implement the laws and policies on women's land rights and monitor the progress recorded.

INTRODUCTION

1.1 Preamble

Land in Uganda is the most invaluable asset for the citizens. The Country's population is still predominantly rural (73%) according to the UNHS 2019/20 report. Majority of the households in Uganda (53%) reported subsistence agriculture as their main source of income (livelihood). Uganda commenced the implementation of major land reforms aimed at enhancing security of tenure and as such land access, ownership and use are core economic, social and environmental drivers of land reforms in the Country.

Uganda as a member State of IGAD committed to the realization of the AU Declaration on Land Issues and Challenges which aim at improving land governance amongst the member states. In order to successfully improve land governance and implement the desired land reforms, there is need for effective monitoring of the process with a view of tracking progress on the implementation of land reforms across IGAD member states.

In view of the above, the initiative on land monitoring in Uganda is therefore an attempt to bridge the existing gap and come up with recommendations to further refine monitoring and evaluation frameworks on land.

This monitoring report provides a snapshot on performance of selected key indicators intended to measure the land reform agenda in Uganda and ultimately provide information that will support the improvement of land tenure security and land governance. The selected indicators are categorized under 6 thematic areas, namely:

1) Policy Development/Reform;
2) Land tenure security;
3) Land conflicts and disputes;
4) Land administration services ;
5) Capacity of land administration systems; and
6) Sustainable land use.

1.2 Background to Land Monitoring in Uganda

Uganda is one of the founding member states of the Intergovernmental Authority on Drought and Development (IGADD) which was founded in 1986 and later transformed to the present day Intergovernmental Authority on Development (IGAD) in 1996. IGAD region comprises the eight (8) countries, namely: Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan and **Uganda**. The founding leaders of IGAD envisioned a

region where its people would develop a regional identity, live in peace and enjoy a safe environment alleviating poverty through appropriate and effective sustainable development programmes. The IGAD Secretariat as the executive body of the Authority was given the mandate to achieve this goal.

Through the AU Declaration on Land Issues and Challenges (AU Declaration on Land), the Heads of State and Government resolved to take ownership of and lead land reform processes by strengthening institutions for effective land governance and allocating adequate budgetary resources for policy development, implementation and tracking of progress.

Since 2002, the situation in the land sector has been dominated by the impact of Uganda's continuing population growth at an annual growth rate of 3% from 2014. A high level of public awareness of land sector issues raised during the National Land Policy consultations, and land administration and land information management reforms initiated by LSSP-I to computerize access to land information, and to transform the systems and processes for delivering land services.

In order to ensure effective and efficient implementation of the AU Declaration and other commitments, there was need to develop a Monitoring and Evaluation Framework as a guiding tool for tracking progress.

Therefore, with support from the Embassy of Sweden and the Swiss Agency for Development and cooperation a regional program to improve land governance in the IGAD Region is being implemented. This program requires tracking of progress in implementation of the AU Declaration on Land Issues and Challenges in the IGAD Member States. The Program will deliver the following four results:

1) Enhanced Capacity Development of IGAD Region on gender responsive land administration;
2) Strengthened gender mainstreaming in land administration for the IGAD Region;
3) Strengthened Capacity of the IGAD Region to implement land monitoring; and
4) Strengthened IGAD Land Governance project coordination and Implementation.

During land monitoring, the Framework and Guideline on Land Policy in Africa (F&G) guided on the key functions and principles to a Monitoring and Evaluation (M&E) system for the development and implementation of land policies.

1.3 Objective of Land Monitoring in Uganda

The overall purpose of land monitoring in Uganda is to provide evidence-based information that will support the improvement of land tenure security and land governance.

1.3.1 Specific objectives of land monitoring

These are:

i. To build a common understanding and stakeholder learning regarding the achievements and challenges identified during implementation of Uganda's land policy and land reform agenda.
ii. To inform review of Uganda's land policy taking into account the implementation of the principles, practices and approaches recommended by the VGGT (FAO 20123), the Framework and Guidelines on Land Policy in Africa (LPI 2010) and the Principles on Responsible Agricultural Investment (CFS 2014), and other relevant instruments.
iii. To promote a 'race to the top' by identifying and recognising effective policies and related good practice that are helping to achieving positive outcomes, by adoption of the principles and practices enshrined in the AU Framework and Guidelines on Land Policy in Africa as well as the VGGTs.
iv. To promote better understanding of gender and social (in)equalities in land rights and the effects of land governance practices and arrangements on different social groups, through a disaggregated monitoring approach.
v. To encourage and agree on common and harmonized standards for assessment of progress and performance in land governance and in extending and improving tenure security
vi. To identify specific responsibilities in relation to land governance of different branches of government, civil society, academia, and private business, and contribute to better integration across government and amongst stakeholders in dealing with land and land rights.
vii. To promote greater transparency and access to information about land ownership, land use and planning of land developments, and greater public accountability of governments, private investors and of large-scale and institutional landowners in decision making over land.

1.4 Country Land Information

1.4.1 Land Holding in Uganda

There are four legally recognized land tenure regimes in Uganda (freehold, leasehold, customary and Mailo):

a) **Customary tenure** means a system of land tenure regulated by customary rules which are limited in their operation to a particular description or class of persons.
b) **Mailo land tenure** means the holding of registered land in perpetuity and having roots in the allotment of land pursuant to the 1900 Uganda Agreement and subject to statutory qualifications.
c) **Leasehold land tenure** means the holding of land for a given period from a specified date of commencement, on such terms and conditions as may be agreed upon by the lessor and lessee.
d) **Freehold land tenure** means the holding of registered land in perpetuity subject to statutory and common law qualifications.

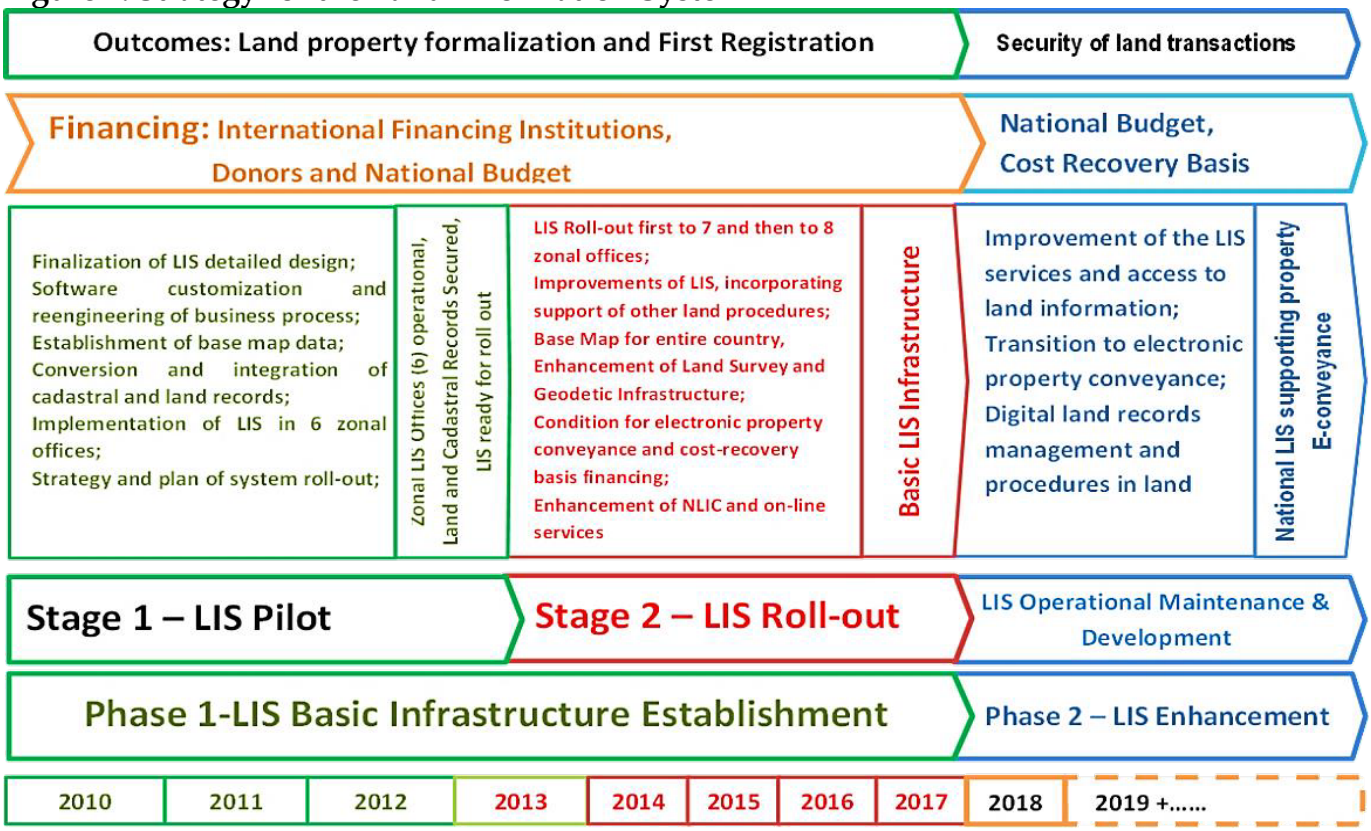
1.4.2 Uganda's Land Information System

Uganda developed and rolled out the Land Information System (LIS) to ease storage and retrieval of land information. The system covers the entire country in 22 Ministry Zonal Offices. The details of development of the LIS are highlighted below:

a) In 2007-2008 within the Land Component of the PSCP II a comprehensive Baseline Study of the land administration sector was carried out and a long term Strategy (10-15 years) of the Land Information System development was proposed and adopted by MLHUD. The strategy included 3 main stages of the LIS development: LIS pilot stage, LIS basic Infrastructure establishment and finally LIS maintenance and enhancement. This strategy marked a new phase in the land administration reform and transition from studies to practical steps of the land records rehabilitation and land information system implementation.
b) The 2007-2008 study resulted also in the development of the LIS Conceptual Design, Implementation Plan as well as Bid Documents for the implementation of the "Design, Supply, Installation, Implementation of the Land Information System and Securing of Land Records Project (DeSILISoR), as the first stage of the LIS Strategy.
c) The project development began in February 2010, with some delay related with the procurement procedures. The implementation stage of the project was completed in February 2013 as planned. The pilot stage resulted in the implementation of the Land Information System in pilot offices, rehabilitation of the land records, and establishment of the base map for pilot area as well as geodetic network of zero order.

d) The second stage of the LIS development began in 2015 which led to the rollout of the Land Information System to the 22 Ministry Zonal Offices across the country.

Figure 1: Strategy for the Land Information System



1.5 Land Reform in the National Development Frameworks

1.5.1 Vision 2040

Uganda's development agenda is contained in the country's Vision 2040 which recognizes land as a factor of production and a crucial resource for transformation through various business ventures and provision of public utilities. For the proposed investments to materialize, both the Government and other investors must have easy access to land for that purpose.

The Vision 2040 further notes that the land holding in Uganda is characterized by multiple land tenure systems (freehold, mailo, leasehold and customary land) and multiple land rights for the same land holding with only 20% of the land titled and 80% under customary tenure system.

In order to ensure that land ownership facilitates development, Government proposed the following:

a) The need to roll out a systematic land demarcation and survey the entire country over the Vision period.
b) Computerize the Land registration system to ensure efficient and effective land management
c) Undertake massive sensitization programmes and promote negotiations under the auspices of Government or other mutually trusted organizations or persons to ensure that the interests of all parties are duly protected
d) Activate land tribunals to provide redress for people or organizations that feel aggrieved in land matters
e) Make land reforms to facilitate faster acquisition of land for planned urbanization, infrastructure development, and agricultural commercialization among other developments
f) Put in place a mechanism to ensure that district and international boarders are secured and any disputes addressed.

1.5.2 National Development Plan III (FY2020/21- 2024/25)

According to the third National Development Plan, Sustainable land management is critical for harmonising environmental, economic and social opportunities for the benefit of present and future generations while maintaining and enhancing the quality of the land resource. However, there is poor management of natural resources including land due to poor land use and insecurity of tenure.

Therefore, the NDP identified the following key results to be achieved in the five year period for the land sub-programme:

i) Increase the percentage of titled land from 21 percent to 40 percent; and
ii) Reduce land related conflicts by 30 percent

1.5.3 Land Sector Strategic Plan II (2013 – 2023)

The second Land Sector Strategic Plan (LSSP-II) provides a broad framework for implementing the land administration and management mandate guided by the principles that find origin in the National Land Policy and the provisions of the Land Act Cap 227.

The overarching national vision is: "optimal use of Uganda's land and land-based resources for a prosperous, industrialized and developed service sector economy."

To achieve this vision, the mission of the land sector as embodied in the strategies outlined below is: "to foster delivery of efficient and transparent land services"

The LSSP-II aims to enhance land sector service delivery effectiveness and assure public confidence in a system of land tenure and land administration institutions that respect the land rights of citizens. The plan, summarized in a simplified logical framework below, identifies the following six objectives which will help achieve the mission of the sector and full realization of the sector's contribution to national development and land monitoring in Uganda.

a) To create inclusive policy frameworks for land administration and land management.
b) To ensure efficient management, utilization, and protection of land and land based resources for transforming Uganda's economy.
c) To improve equity in access to land, livelihood opportunities and tenure security of vulnerable groups
d) To increase availability, accessibility and affordability of land information for planning and development
e) To ensure transparent, accountable and easily accessible land rights administration institutions, and strengthen capacity for effective delivery of land services
f) To promote a "business approach" to the delivery of land services through multi-sectoral approach

1.6 National Land Policy 2013 development and implementation

1.6.1 National Land Policy development process

By the close of 2001, the Ministry of Lands, Housing and Urban Development (then referred to as Ministry of Water, Lands and Environment) embarked on drafting the Uganda National Land Policy. Simultaneously, the Government of Uganda also published the Constitutional Review Report by the Ssempebwa Commission in 2003, which intensely implored that "the pursuit of social justice should not blur the necessity for a more fundamental objective of adopting a comprehensive land policy" through which the diverse needs for human settlement, production and conservation could be harmonized. It also contended that while emphasis on structuring the land tenure systems was necessary, the nature of the land use systems should ideally be shaped by the national policy in place. It therefore recommended that, the land policy should address the following issues:

a) The best practice in land utilization for purposes of growth in the agricultural, industrial, and technological sectors taking into account population trends;

b) Urban and rural planning having due regard for balanced development between urban and rural;
c) Conservation of and sustainable utilization of natural resources such as forests, water, wetlands, and the fauna;
d) Social justice in acquisition and utilization of land plus security of land use;
e) Periodic reassessment of plans in order to meet the development and environment needs of the present and the future.

In 2003, the Issues Paper for the National Land Policy was finalized on the basis of which, five studies were commissioned to fill information gaps that had come to the fore during the assessment, these included:

(i) Study on Revenue Generation, Utilisation, sharing and mechanism for Fiscal Transfer;
(ii) Study on Integration of Traditional Land Administration in the Land Act and Management of common property resources in Uganda;
(iii) Study on Resettlement, Landlessness and Internally displaced persons;
(iv) Study on Privatisation and Divesture of Land Services;
(v) Study on HIV/AIDS, Property Rights and Agricultural Productivity.

The outcomes of the above reviews were consolidated into Draft One of the National Land Policy for Uganda, which was reviewed and discussed by the National Land Policy Working Group (NLPWG) at the close of 2005. The outputs of this review, the most important being a need to contextualize each issue dealt with, were incorporated as changes to the first draft to produce draft two of the National Land Policy.

The NLPWG advised that policy options be explored and included in a subsequent draft three to aid country-wide regional consultations. Draft three of the National Land Policy (NLP) emerged as a document for country-wide circulation during stakeholder consultations and media briefings. On realizing the complexity associated with its technical presentation, the Working Group devised a consulting document to guide the solicitation of views. Draft three of the national land policy and the attendant consulting document were produced in 2006 and circulated for public consultations.

After stakeholder consultations and feedback from special interest groups, draft four of the National Land Policy was produced which was later on validated. A national Land Conference was held which attracted 900 key stakeholders namely: His Excellency, the President of the Republic of Uganda; Cabinet Ministers, Honourable Minsters of State,

Honourable Members of Parliament, Cultural Institutions Representatives, Representatives of Faith Based Organisations, Civil Society Organisations, Political Representatives from the Districts and Sub county Levels, Administrative and Technical staff from the Districts and Sub Counties, Members of the Judiciary, Academia, Ministries (Permanent Secretaries and Various Levels of Commissioners), Government Statutory Bodies, Members of the Press and other distinguished invited guests. The National Land Policy was finally adopted in March 2013 by Cabinet.

1.6.2 National Land Policy Implementation

The Uganda National Land Policy Implementation Action Plan provides for a phased approach to comprehensive implementation of reforms for the revitalisation of the land sector for immeasurable economic and social benefits. This involves the conversion of policy principles, statements, and strategies into a comprehensive program of land reform clearly outlined in the NLP Implementation Action Plan.

After approval of the policy by Cabinet, the Ministry instituted an Interim Technical Implementation Committee (ITIC) and a Secretariat to oversee the process and guide in preparation of a systematic framework for implementation of the reforms envisaged by the National Land Policy. The participation of key stakeholders was sought and enhanced by encouraging regular consultations and dialogue during the preparation of this plan.

The NLP Implementation Action Plan is a deliberate move on the part of Government to address major challenges that have hindered the implementation of land reforms for optimum utilisation of land and land-based resources for socio-economic development and transformation of the country. The Government, on its part, provides an enabling policy environment through the establishment of essential institutions and the provision of sufficient financial support. Other stakeholders are called upon to identify areas for collaboration and build synergies with the Ministry in the implementation of the NLP.

Key achievements realized during implementation of the NLP include:

a) Developed the National Land Policy Implementation Action Plan and established a multi-sectoral and multi-disciplinary Secretariat to oversee the NLP implementation;
b) Built capacity of Government, Private Sector, Civil Society Organisations and non-state on land laws, NLP Implementation, their roles and functions;
c) Sensitization and awareness creation against negative social norms on Land rights of women, girls, and other vulnerable groups including joint or spousal co-ownership; matrimonial property;

d) Amended the Succession Act Cap162 to provide for the right to succession and inheritance of family land by women and children;
e) Ensured effective participation of women in decision-making structures, development planning; and processes relating to access and use of land;
f) Developed a National Gender Strategy for Implementation of the National Land Policy;
g) Development and adoption of a Fit For Purpose Strategy
h) Developed guidelines for Alternative Land Dispute Resolution;
i) Legal aid and other community resources provided to vulnerable communities affected by land conflict to facilitate dispute resolution;
j) Re-established and demarcated Uganda's national borders in agreement with neighboring states;
k) Rolled out systematic land demarcation and titling of customary land rights;
l) Piloted identification and resolving multiple, overlapping, and conflicting land rights on Mailo land in Mityana;
m) Compensated Landlords and issued land titles to Bonafide occupants in Kibaale, Bunyagabu;
n) Registration of tenure rights through issuance of mailo, freehold, leasehold and Certificates of Customary Ownership to individuals, communities including rights of ethnic minorities and tenure rights of pastoralist communities;
o) Other Reforms related to the National Land Policy include ; amending the Physical Planning Act, development of the National Urban Policy and National Housing Policy;
p) Development of the National Physical Development Plan, Regional Physical Development Plans, Local Government Physical Development Plans and plans for other special Planning areas.

1.6.3 Land Reform Priorities in Uganda's NLP

The land reform priorities in the land sector are covered under 12 thematic areas which guided the implementation of the National Land Policy and these include:

a) Administrative Measures Needed for Coordinated NLP Implementation
b) Capacity Building and Training Programme for Government, the Private Sector, Civil Society, and other Key Actors
c) Promotion and Protection of Women's Secure Rights and Access to Land
d) Land Disputes and Land Conflicts Resolution Programme
e) Institutional Reform and Land Services Delivery Programme
f) Land Tenure Regularization and Securing of Land Rights
g) Legal and Regulatory Reform Programme

h) Research and Studies Programme
i) Policy Reform Programme
j) Land Rights Civic Education and Public Awareness
k) Fulfilling Regional and International Obligations
l) Land Use and Land Management Reforms

1.6.4 Role of land monitoring in national policy development processes

The Ministry developed the NLP Implementation Action Plan that highlighted 12 priority areas to be focused on during implementation. In order to track progress in implementation of the NLP, monitoring of these interventions is critical.

Continuous assessment and evaluation of the implementation of the actions as set out in the NLP and the Implementation Action Plan (IAP) provides the extent to which the implementation of such actions are aligned to the attainment of the objectives as set out in the NLP.

Monitoring of land provides the basis for accurate reporting and the identification of lessons learned and obstacles faced. It supports planning and monitoring of new interventions as well as to adjust and tailor land policy programs and projects to address land concerns in the country.

Lastly, monitoring of land helps Government to make informed decisions regarding implementation of the NLP. It facilitates effective and efficient use of resources; assist in determining whether the NLP-IAP implementation is on right track and where changes need to be considered. It also helps stakeholders, most importantly the development partners, government agencies and the general public establish whether the implementation of the NLP is on the right track and will lead to the attainment of the country's development goals.

1.7 Structure of the Land Monitoring Report

The structure of the Land Monitoring Report consists of five (05) chapters with various contents as discussed hereunder;

Chapter One: Introduction

This chapter provides an overview of land in Uganda, land administration and management in Uganda and land policy development and implementation in Uganda; and how land monitoring is streamlined within the above areas.

Chapter Two: Context Analysis
This section will review land performance under the different thematic areas over time.

Chapter Three: Methodology
This section provides the approach and methodology adopted during development of the Land Monitoring Report.

Chapter Four: Findings
This presents the findings under the 6 thematic areas and the baseline information on the selected indicators.

Chapter Five: Conclusion and Recommendations
This section will provide the overall conclusion on the findings and provide recommendations to address the challenges identified during data collection.

CONTEXT ANALYSIS

2.1 Introduction

Land has the potential to elevate all the key productive sectors in Uganda to new levels by creating the right environment for exploiting the inherent wealth and opportunities for land-based investments. This is because land is the ultimate resource and of vital importance for human survival. Land also benefits livelihoods; and facilitates infrastructure, service provision and economic development. With proper legal and regulatory framework for land administration, land can be used as collateral in obtaining finance and capital for the benefit of both the land users and investors. Lands sector services are necessary for mapping and geo-referencing of resources and therefore facilitate decision making for policy makers. In addition, Uganda has been blessed with the human resources and institutions of higher learning for capacity building, and financial institutions and land management professional associations to spearhead partnerships between the public and private sector. Therefore, proper information/data on land is important to inform the development agenda of the country.

This section presents the background to monitoring of these reforms in the land sector that eventually contribute to the socio-economic development of the country. It also presents the challenges in the land sector, opportunities analysis of land related data and monitoring initiatives.

2.2 Land Management in Uganda

Articles 238 - 243 of the 1995 Constitution of the Republic of Uganda provide for land management structures in Uganda which include:

a) Uganda Land Commission (ULC) which manages land vested in or acquired by the state and has powers to purchase land and other interests therein;
b) District Land Boards (DLB) which exist in every district and own land not owned by anyone else and they can lease, sell or otherwise deal with such land, facilitate the registration, transfer of issuance of land, survey, valuate and issue certificates for it; and
c) Area Land Committees (ALC) that determine, verify and mark boundaries of customary land in a parish, urban or city division. Importantly, the ALCs are required to work in close collaboration with traditional institutions particularly elders.

The same legal framework of Uganda stated above provides that all these structures should have a third of their membership made up of women.

2.3 Analysis of trends in the land sector

2.3.1 Land Ownership and Registration in Uganda

The Constitution of the Republic of Uganda, 1995 (Articles 237-245) and the Land Act, 1998 (Sections 2 and 3) provide the means by which a person can acquire and own land in Uganda. In Uganda, land is commonly transmitted through inheritance or succession or donation, purchase and borrowing. The acquired Land can then be registered under the customary, mailo, freehold and leasehold systems.

Ownership of land is usually evidenced by having a legally recognized documentation or evidence of secure rights to land. A legal document for a parcel is a piece of written, printed, or electronic matter that provides information or evidence or serves as an official record concerning the use rights over the parcel.

According to the National Forestry Authority (NFA), in the year 2015, about 43 percent of the total land area in Uganda was being used for agriculture. Agricultural land includes land under cropland (land under temporary and permanent crops, land temporarily fallow and land under temporary meadows and pastures), permanent meadows, and permanent pastures (FAO, 2015).

A parcel is any piece of land of one land tenure type, surrounded entirely by other land, water, road, forest or other features not forming part of the holding, or forming part of the holding under a different land tenure type (FAO, 2015).

The Uganda Annual Agricultural Survey (AAS, 2019) collected data on whether the Agricultural Households (Ag HHs) had a formal document issued or registered with government authorities for the parcel it operated. The AAS, 2019 survey adopted the Parcel definition as presented in the FAO, 2015 concept and definitions document, as any piece of land of one land tenure type, surrounded entirely by other land, water, road, forest or other features not forming part of the holding, or forming part of the holding under a different land tenure type.

During the AAS data collection, a household was asked whether they had a formal ownership document issued or registered with government authorities for the parcel being operated. If there was no positive response to either of these two options, it implied that the agricultural Household was operating without a legally recognized document. The results indicated that nationally, 30 percent of parcels were operated with a legally

recognized documents. The other parcels were operated without a legally recognized document (65 percent) or status under which the parcels were being operated could not be established (5 percent).

The annual survey was based on Zonal Agricultural Research and Development Institute (ZARDI) of Abi, Buginyanya, Bulindi, Kachwekano, Mukono, Ngetta, Nabuin, Serere, Mbarara and Rwebitaba.

Table 1 shows that overall, 16 percent of the agricultural population had a legally recognized document for a parcel in their name. The findings further showed that the percentage of adults with a tenure right document in their name was higher among men (22.7 percent) than women (9.2 percent).

Table 1: Distribution of adult (18+) agricultural population with a land document[1]

ZARDI	Percentage of adults with a tenure right document in their name		
	Total	Males	Female
Abi	2.0	2.5	1.5
Buginyanya	16.3	22.5	10.4
Bulindi	19.7	30.0	9.7
Kachwekano	11.5	13.9	9.4
Mukono	21.1	33.4	10.1
Ngetta	8.9	11.7	6.3
Nabuin	3.0	5.0	1.6
Serere	3.4	5.8	1.2
Mbarara	19.8	28.3	11.9
Rwebitaba	27.4	38.1	17.6
Uganda	**15.7**	**22.7**	**9.2**

Uganda Annual Agricultural Survey, 2019

Table 2 shows that 41 percent of the adults were owners or right holders over agricultural land where 52 percent were male and 30 percent were female respectively. The share of women among owners /rights holders in 2019 dropped to 39 percent from 41 percent in 2018. In conclusion, the data discloses the presence of a gap in ownership and tenure between men and women.

[1] The list of legal documents considered by the survey are a title deed, a customary certificate of ownership, a certificate of occupancy, a certificate of hereditary acquisition, a written sale agreement and a rental or lease contract

Table 2: Adults (18+) with ownership or tenure rights over agricultural land

ZARDI	Percentage of adults with ownership** or tenure rights over agricultural land, by sex (SDG 5a1 – part a)			Share (%) of women among the owners/rights holders (SDG 5a1 – part b)
	Total	Adult males*	Adult females*	
Abi	34.8	56.3	15.8	24.1
Buginyanya	37.6	49.3	26.5	36.3
Bulindi	36.6	47.4	25.9	35.7
Kachwekano	51.7	53.3	50.3	50.6
Mukono	35.5	49.9	22.5	33.4
Ngetta	40.8	51.3	30.6	38.2
Nabuin	52.9	63.6	45.6	51.3
Serere	23.0	37.0	9.8	22.0
Mbarara	54.7	58.0	51.6	48.7
Rwebitaba	51.6	63.4	40.9	41.5
Uganda	**40.8**	**52.0**	**30.4**	**38.7**

Note: **Based on totals within each category. **An individual is considered to have ownership or rights over the land, if s/he has a legal document in his/her name or if s/he enjoys alienation rights (can sell/can bequeath the land).*

Uganda Annual Agricultural Survey, 2019

Table 3 indicates that majority of agricultural land is owned by men (61%) and women (39%). Whilst, 67 percent of women jointly own land with a non-household member as compared to 33 percent for men. 64 percent of men don't own any agricultural as compared 36 percent women who don't own any form of land holding.

Table 3: Ownership of Agricultural land

Agricultural land	Male	Female	Total	Male	Female	Total
Yes, individually	1,988,937	1,257,542	3,246,480	61%	39%	100
Yes, jointly with Household member	2,097,916	341,481	2,439,397	86%	14%	100
Yes, jointly with non-household member	101,673	203,348	305,021	33%	67%	100
No	1,867,487	1,043,441	2,910,927	64%	36%	100
Total	**6,056,013**	**2,845,811**	**8,901,824**			

Uganda National Household Survey (2019/2020)

Tenure type of the Residential land that is owner occupied

The Uganda National Panel Survey 2019/20 (UNPS) collected information on the tenure type of the parcel occupied by the household and if they owned the dwelling unit (residence).

About half of the owner occupied residential land is under the customary type of tenure which is predominant in the Eastern and Northern Regions of the country as in table 4 below.

Table 4: Tenure type of Owner occupied Residential land

Sex of household head	Customary	Freehold	Leasehold	Mailo	Permit	Others	Total
Male	50.6	39.9	2.4	6.3	0.5	0.3	100
Female	48.0	39.3	2.6	9.6	0.2	0.3	100
Residence							
Rural	54.5	38.5	1.4	4.9	0.4	0.4	100
Urban	33.4	44.0	6.1	16.0	0.4	0.2	100
Regions							
Kampala	16.9	27.7	10.7	44.1	0.5	0.0	100
Rest of Central	14.1	56.7	3.1	24.6	1.0	0.4	100
Eastern	80.3	15.6	2.6	0.8	0.0	0.6	100
Northern	92.1	4.8	2.8	0.0	0.1	0.2	100
Western	20.8	77.4	0.6	0.7	0.4	0.1	100
Uganda	**49.8**	**39.6**	**2.5**	**7.4**	**0.4**	**0.3**	**100**

Source: UNPS 2019/20

2.3.2 Land Disputes and Conflicts

Land related disputes and conflicts are among the most prevalent types of disputes and conflicts occurring within and among communities in Uganda both in the rural and urban areas. The conflicts and disputes are mainly between land users and owners, families, clans, neighbors, ethnic groups, districts and neighboring countries. These disputes and conflicts are fueled by a number of factors and drivers, which include: population growth and pressures, poverty, greed, ignorance of the law, corruption, unfair land tenure regimes, changes in land laws, lack of clearly demarcated boundaries, discriminatory customary laws and practices, inheritance practices, outdated statutory laws,

underdeveloped land markets as well as limited accessibility to available land information.

Land is a very emotive subject in Uganda because it is a critical factor of production, a store of wealth and is closely tied to people's identity and heritage. As such, even when land cases might have a strict meaning, they contribute to most criminal and civil cases. The common criminal cases arising out of land conflicts and disputes include: criminal trespass, affray, malicious damage to property, murder, grievous bodily harm, assaults, defilement and different forms of violence.

The centrality of land poses greater demands on institutions which adjudicate land disputes. These institutions are hindered by several constraints in the resolution of land conflicts and disputes which include: financial resource constraints, case backlog in courts, limited access to legal aid services by the poor and vulnerable persons, ignorance of the populace on land laws and legal procedures, institutional technical and capacity challenges among others.

The government is implementing interventions and reforms to enhance access to land justice and addressing constraints that limit expeditious adjudication of land disputes. The reforms include: implementation of ADR mechanisms, Small Claims Procedure, the specialized land courts and capacity building which are all implemented by the National Courts. Government is also strengthening the capacity of Local Council Courts to enable them effectively handle land cases and other cases.

2.4 Challenges of the land sector

Land is one of the most important resource held by Ugandans. However, the lack of real time, clear and accurate gender disaggregated statistics has repeatedly made it a challenge to develop policy responses to inequalities faced by women in Uganda. Indeed, reliable gender disaggregated statistics is fundamental in highlighting the disparities in land rights between men and women, and monitoring the progress of policy formulations for gender equality in the land tenure system.

Women's land rights are internationally and nationally recognized. These rights are given legal and practical effect through the various legal and policy frameworks at work in Uganda. Uganda is a signatory to a number of international legal/policy instruments that grant women rights to land ownership namely Universal Declaration of Human Rights, 1948, Convention on the Elimination of Discrimination against Women (CEDAW), 1979, The African Charter on Human and Peoples' Rights (ACHPR), 1981 and The Protocol

(Maputo) to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, 2003. This obliges the country to domesticate the various laws and to implement them to great effect.

The Constitution of the Republic of Uganda, 1995 has been proclaimed as the most gender sensitive constitution in Sub-Sahara Africa since it protects women's rights. Firstly, the Constitution provides rights to equality and freedom from discrimination - including that based on sex (Art. 21), and guarantees rights for women (Art. 33). It entrusts to the State the responsibility to take steps that favour disadvantaged groups, women inclusive (Art. 32 (1)). One of these steps is to prohibit laws, cultures, customs and traditions which are against the dignity or interests of women (Art. 32 (2)). Secondly, Art. 26 (1) provides rights to all persons (including women) to own property individually or with others. One of the most vulnerable in this respect is widows, and the Constitution protects them by enjoining parliament to make laws which enable widows to inherit property of their dead spouses (Art. 14 (5)). Thirdly, it gives women the framework to challenge any violations of these rights in competent courts of law (Art. 50).

2.5 National land monitoring initiatives/activities

National Land Monitoring is part of an overall country framework that Government has adopted to measure progress of implementation of its interventions. The sub-sections below detail the different frameworks used to monitor land among other interventions.

2.5.1 National Land monitoring Frameworks

The government has established sustained efforts to strengthen the monitoring and evaluation function of programmes in Uganda. There have been notable efforts aimed at strengthening pre-requisites and mechanisms for public sector monitoring and evaluation through establishing various M&E Frameworks intended to achieve various functions. The country is also obliged to follow various international M&E framework for an integrated reporting at both national and international level. Some of these efforts include;

(i) Sustainable Development Goals (Goal 1 & 5, 16):

The country's planning frameworks are strongly linked to the International planning arrangements of the Sustainable Development Goals (SDGs). It is thus critical that national planning responds to the SDGs to inculcate ownership at all levels. Hence, the Vision 2040 and the NDPs respond to the national obligations outlined in the SDGs. In the same line, the LHUD sector contributes to the performance of the NDP III and Vision 2040, and consequently to the achievement of the SDGs, in particular Goal 5. The Ministry Plans outlined strategic interventions to achieve gender equality and empowerment of all

women, particularly on land ownership and security of tenure.

(ii) *National Public Sector M&E Policy:*
This focuses on monitoring, evaluation, and review functions and intends to improve the performance of the public sector through the strengthening of the operational, coordinated, and cost-effective production and use of objective information on implementation and results of national strategies, policies, programmes and projects.

(iii) *NDP M&E Framework:*
This provides the design for the overall integrated multi-level NDP Results Framework and Reporting System. The institutional framework for the NDP related M&E arrangements involve (a) the National Planning Forum where MLHUD is a partner at the Ministerial Level, (b) Sector Level including private sector and donors), (c) Local Government Level, (d) Community Level and (e) Households.

(iv) *National Integrated Monitoring and Evaluation (NIMES):*
The NIMES is a framework for ensuring that the culture of evidence-based decision making is entrenched in the public sector. It aims at harmonizing existing systems of data collection, reporting and review in order to encourage, facilitate and promulgate the use of Monitoring and Evaluation information in policy making and resource allocation at all levels of Government in Uganda.

(v) *The M&E Framework for the Plan for National Statistical Development (PNSD):*
In order to develop a coherent, reliable, efficient and demand-driven NSS that supports management and development initiatives, UBOS in collaboration with key MDAs and LGs developed a 5-year comprehensive Plan for National Statistical Development (PNSD). The PNSD provides a framework for strengthening statistics and capacity in order to achieve an integrated, efficient and reliable National Statistical System (NSS).

(vi) *The M&E Framework for the Ministry and NLP:*
These two frameworks ensure that Ministry interventions in the land sector are monitored and progress is tracked.

2.5.2 National monitoring systems/tools
The country has also developed various tools to capture information for synthesis and reporting purposes to support decision making at Cabinet, Parliament, Sector and MDAs level. These include;

(i) *Program Based Budgeting (PBB):* The government rolled out the Program Based Budgeting (PBB) tool aimed at improving budget efficiency and transparency. This reporting and budget performance tool is used to monitor the budget and physical performance of the sector. It addresses the pertinent question of whether the available funds allocated are spent efficiently and effectively.

(ii) *Donor funded projects M&E systems in the Project Appraisal Documents:* The Ministry of Finance, Planning and Economic Development (MFPED) has developed a monitoring framework for externally financed projects[2]. The monitoring framework is used to enhance aid management and inform policy decisions over on-going and future externally financed projects. As a key part of the framework, all externally-financed projects under all MDAs are required to submit to MFPED quarterly reports filling out the monitoring template in their respective Project Appraisal Documents. The monitoring template is in addition to other required reports.

(iii) *Integrated Financial Management System (IFMS)*: The IFMS is the main system by which MoFPED makes and accounts for payments within government. The IFMS was implemented in a phased manner to ensure success and learning within government and effectively and efficiently manage systems transition. It links sectors and MDAs to a single payment / financial instructions mechanisms.

(iv) *Land Information System (LIS)*
The land information system consists of a database containing spatially referenced land-related data for a defined area and, on the other, of procedures and techniques for the systematic collection, updating, processing and distribution of the data.

(v) *Physical Planning and Urban Management Information System (PPUMIS)*
The overall aim of the Physical Planning and Urban Management Information System (PPUMIS) was to set up Geographical Information and related systems in order to store, validate and coordinate spatial data, prepare and implement Physical Development Plans and manage Urban Development faster, more effectively and efficiently.

The PPUMIS enhances planning, preparation, implementation and monitoring of the urban processes. The system includes a database to facilitate data collection,

[2]The necessary information can be accessed at
http://www.finance.go.ug/index.php?option=com_content&view=article&id=84&Itemid=134

storage, display and spatial analysis and it is based on a comprehensive Geographical Information System with the abilities to synchronize data between the Ministry and the municipalities; import, enhance and display Physical Development Plans for intelligible use; provide analysis and update capabilities for urban data, in particular, Street Naming and Building Numbering Process and Monitoring of Urban Indicators.

PPUMIS is currently installed and functional in 4 Municipalities of Entebbe, Tororo, Kabale and Moroto; and 10 Cities of Lira, Gulu, Soroti, Mbale, Jinja, Masaka, Mbarara, Fort portal, Arua and Hoima.

METHODOLOGY

3.1 Introduction

This section presents the methodology used in the developing Uganda's Land Monitoring Report. Specifically, it highlights approach and methodology used in collection of the land monitoring data and tools/instruments used. It should further be noted that different approaches were used to collect data on the different indicators.

3.2 Indicator definition and computation

This section details the indicators that were considered to monitor land in Uganda that have been categorized under 6 thematic areas. Their definitions and computation methods are detailed below:

Table 5: Indicators for the regional land monitoring framework

No	Indicator category / Indicators	Definition	Sources of data	Computation Method
1	**Policy development/Reform**			
1.1	A comprehensive policy exists or can be inferred by the existing legislation.	A comprehensive policy exists or can be inferred by the existing legislation.	Expert assessment	Presence/absence of a comprehensive national land policy
1.2	The extent to which the policy formulation process is consultative, representative and participatory	A consultative process requires participation of stakeholders in inputs on the final policies, laws and procedures. Representative participation (i.e. gender) in terms of numbers of participants.	Records of participants, expert and participatory assessment.	Establish that there was participation by stakeholders; Confirm that at least a third of the participants consulted were females.
2	**Land tenure security**			
2.1	Proportion of national land areas with rights holders identified that is	This is the percentage of total land area captured under the cadastral maps.	Secondary and Administrative data from MLHUD	Total land area captured under the cadastral maps divided by the total National land area

No	Indicator category / Indicators	Definition	Sources of data	Computation Method
	incorporated into cadastral maps / land information systems			multiplied by 100
2.2	Proportion of women and men with legally recognized documentation or evidence of secure rights to land.	This refers to percentage of women and men with legally recognized documentation or evidence of secure rights to land. Legally recognized documents include: title deed	Administrative data – LIS and CCO Database	Number of women and men with legally recognized documentation or evidence of secure rights to land divided by total adult population (18 years & above) multiplied by 100.
2.3	Percentage of women and men who perceive their rights to land are protected	Percentage of the women and men that have equal rights to land to total adult population	• Nationally, this indicator is not reported on. • To be included in upcoming Household Surveys and Census • A desk review on existing literature was considered.	Number of women and men who perceive their rights to land are protected divided by the adult population (18 years & above) area multiplied by 100.
2.4	Proportion of women and men that have equal rights to land, including rights to use, control, own, inherit and transact these rights	Percentage of the women and men that have equal rights to land to total adult population Equal rights to land including rights to use, control, own, inherit and transact these rights	• A desk review on existing literature was considered. • Adoption of a universal tool to assess the different aspects.	Number of women and men with that have equal rights to land divided by the adult population (18 years & above) area multiplied by 100.
3	**Land conflicts and land disputes**			
3.1	Proportion of	Percentage of reported land	JLOS Reports	Number of concern

No	Indicator category / Indicators	Definition	Sources of data	Computation Method
	land cases to total court cases	cases in court to total cases		land cases reported divided by the total number of cases reported disaggregated
3.2	Percentage of women and men that perceive to have access to effective dispute-resolution mechanisms reported that have been resolved.	Percentage of women and men, that have had land disputes and have access to effective dispute-resolution mechanisms against total reported land disputes.	• Nationally, this indicator is not reported on. To be included in upcoming Household Surveys and Census. • Further defining of the indicator after literature review was provided based on the available data/information.	Number of women and men with pending and unresolved land cases in formal dispute-resolution institutions divided by the total reported land disputes multiplied by 100 Disaggregated by: sex, age groups, urban and rural
4	**Land administration services**			
4.1	Range of time required to conduct land transactions	The estimated average amount of time involved for a specified type of transaction of land. **Types of transaction include:** Mortgage charge/ transfer of ownership and leasing/subleasing.	MLHUD's Client Charter	The average number of official days taken to carry out the specified transaction.
4.2	Range of cost incurred to conduct land transactions	The costs involved for specified transactions of land **Types of transaction include:** Mortgage charge/	MLHUD's Client Charter	The amount of money one should spend for a specified transaction

No	Indicator category / Indicators	Definition	Sources of data	Computation Method
		transfer of ownership and leasing/subleasing.		
4.3	Government tax derived from land-based sources as a percentage of total government revenue.	Percentage share of land – based taxes to the total government revenue.	Administrative data (LIS and other government agencies).	Total revenue collected from land based source divided by the total government revenue expressed as a percentage
5	**Capacity of land administration systems**			
5.1	Transactions concluded as a percentage of the total number of processes in a given year	The proportion of transactions concluded per year as the total of transactions submitted	Administrative data (LIS)	Number of completed transactions expressed as a percentage of the number of transactions received in a given period of time
6	**Sustainable land use**			
6.1	Changes in the sustainable land use, measured by land cover	Change in land area covered by vegetation and biomass (due to the removal or degradation of forest and vegetation) as a proportion of the initial land cover by the various classes.	Remote sensing	(i) Change in vegetation and biomass land cover between given time periods as a percentage of the initial forest and vegetation cover disaggregated by different land use types/classes
6.2	Proportions of rural and urban administrative units with sustainable land-use plans	The percentage of the lowest level planning units with sustainable land use plans prepared and approved that take account of the rights and interests of the local land users and landowners	Administrative data (National Physical Planning Board Reports)	The lowest level planning units with sustainable land use plans prepared and approved that take account of the rights and interests of the local land users and landowners expressed

No	Indicator category / Indicators	Definition	Sources of data	Computation Method
				as a percentage of the total of the lowest level planning units disaggregated by rural and urban

3.3 Methodological approaches

The execution of this assignment was largely based on the availability of data from the surveys and administrative processes of the Government Institutions especially Ministry of Lands, Housing and Urban Development and the Judiciary. The following methodologies were adopted:

3.3.1 Establishment of a National Land Monitoring Working Group

In order to execute this assignment, key stakeholders were identified from different Ministries, Departments and Agencies to form the National Land Monitoring Working Group. It was composed of staff from the Ministry of Lands, Housing and Urban Development, Uganda Bureau of Statistics, Civil Society, Ministry of Justice and Constitutional Affairs, Ministry of Gender, Labour and Social Development, Academia (Makerere University) and the National Planning Authority.

The purpose of the Working Group is to provide support to Uganda in terms of data collection and manage land related data for routine production of the country report using a set of agreed to indicators. The Working Group consisted of:

No.	Name	Institution	Responsibility
1.	Nicholas NDAWULA	Ministry of Lands, Housing and Urban Development/National Land Monitoring Coordinator	Development and submission of Inception Report and Land Monitoring Report; analysis of NLIS data; and coordination activities
2.	Henry MUBIRU	Uganda Bureau of Statistics (UBOS)	General guidance of management and dissemination of national data and provision of data

No.	Name	Institution	Responsibility
			on surveys and censuses undertaken
3.	Peace NABAKEMBO	Ministry of Lands, Housing and Urban Development (MLHUD)	Provision of data/information on gender responsiveness and other cross cutting issues
4.	Brian MASIMBI	Ministry of Gender, Labour and Social Development (MGLSD)	
5.	Justine ARINEITWE	National Planning Authority	provision of information related to Physical Planning matters
6.	Jonathan OCHOM	LANDNET	Provision of data/information on participatory approaches and level of engagements
7.	Grace Angeline CHELIMO	Governance and Security Programme Secretariat (GSP) (Former JLOS Secretariat)	Provision and guidance on data related to disputes and conflicts
8.	Brian MAKABAYI	Makerere University, Kampala	Provision of data/information on registration of customary land in Uganda
9.	Mivule Joseph (Co-opted)	Ministry of Lands, Housing and Urban Development	Extraction of data from the National Land Information System (NLIC)

3.3.2 Desk Reviews

The qualitative nature of the development of the land monitoring report required comprehensive desk reviews. A desk review was conducted on the existence of the relevant policy frameworks and other relevant literature in relation to land management in Uganda. A review of existing statistical reports like the statistical abstracts, surveys and census containing land related information in Uganda was conducted.

3.3.3 Review Meetings

The Working Group convened routine review meetings to assess progress of development of the monitoring report and data collection status. During the review meetings, challenges were discussed and members proposed recommendations.

The meetings also reviewed the collected data before inclusion into the Land Monitoring Report. Assessments of selected indicators using the agreed upon Assessment Frameworks were also undertaken.

3.3.4 Validation meeting/workshop

A validation meeting/workshop was held on Thursday 1st December, 2022 whose major objective was to review the draft land monitoring report for Uganda. This meeting attracted key stakeholders identified in Uganda from relevant Ministries, Departments and Agencies. The Validation Report is annexed.

3.4 Limitations of the report

1) Time constraint: There was need to further collect data from the Local Council Courts in regards to dispute resolution. Thus, the report only considered the available data and information on land cases in Courts of Judicature due to time constraints.
2) Lack of survey information for some indicators especially perception related indicators. The report only took into consideration the available literature which may or may not have statistical information or the scope in the report was narrow.

FINDINGS

4.1 Introduction

This section presents data analysis, tables and figures, and interpretations made in accordance with the selected indicators. The section is divided into six thematic areas that were discussed earlier.

4.2 Findings per Thematic Areas

The baseline data and/or information on the fourteen (14) indicators categorized under the six (6) thematic areas is presented under this sub-section. The Baseline year is December 2021.

4.2.1 Policy development/Reform

Under Policy development/reform, two indicators were considered and the summary findings are detailed in table 6:

Table 6: Summary on the indicators on Policy development/ reforms

No	Indicator	Result	Reason
1.	A comprehensive policy exists or can be inferred by the existing legislation.	Yes	• Adopted by Cabinet in 2013
2.	The extent to which the policy formulation process is consultative, representative and participatory	Highly Consultative and Participatory	• 10 Regional consultative meetings held (150 - 200 stakeholders per workshop) • All interest groups consulted and participated • National Land Conference with more than 900 stakeholders held • See Annex A and B

Source: National Land Policy and Process Report 2013

4.2.1.1 A comprehensive policy exists or can be inferred by the existing legislation

The Uganda National Land Policy (NLP) was approved by Cabinet and published in February 2013. The goal of the NLP is "to ensure efficient, equitable, and optimal utilization and management of Uganda's land resources for poverty reduction, wealth creation, and overall socio-economic development."

The vision of the National Land Policy is "a transformed Ugandan society through optimal use and management of land resources for a prosperous and industrialized economy with a developed services sector".

The NLP provides the framework for land tenure management and a land governance regime necessary for making progress and attaining the growth called for by Vision 2040.

The NLP is a framework policy instrument designed to address current and future challenges so that land governance may provide a solid foundation for socio-economic development and transformation in Uganda.

4.2.1.2 The extent to which the policy formulation process is consultative, representative and participatory

The drafting of the Uganda National Land Policy followed a participatory process, with consultations, whose objective was to obtain stakeholder consensus. Stakeholders' views and opinions were necessary for the government to make conclusive decisions of what should be included in the Policy.

The consultations were carried out in ten sub-regional consultative workshops in: West Nile in Arua; Eastern region in Mbale; Karamoja region in Moroto; Busoga in Jinja; North Eastern Region in Soroti; Acholi/Lango region in Lira; Mid-Western region in Fort Portal; the Western region in Mbarara; South Buganda in Masaka; and Central Buganda in Mukono. Each regional workshop was held for three days, in a location categorized by region and based on common issues i.e., tenure and geographical setting, language and ease of access to locations.

Each consultation workshop attracted between 100 and 200 participants in the following categories:

(i) Political leaders (District Chairpersons, LC III Chairpersons, Mayors, District Secretary for Women, Women Councilors, District Secretaries for production, District Secretary for Youth);
(ii) Resident District Commissioners (RDCs);
(iii) Chief Administrative Officers (CAOs) and Town Clerks;
(iv) Technical staff at the District level from Agriculture, Water, Production and Gender sectors;
(v) All technical officers in the District Land Offices;
(vi) NGOs working on land in the specific districts;

(vii) Religious organizations in the districts;
(viii) Cultural leaders or their designated representatives
(ix) The academia;
(x) Representatives of Political Parties; and
(xi) Other stakeholders

Special Interest Groups consultative meetings were held targeting professional bodies, civil society organizations, government agencies concerned with regulation of land use and planning and government departments responsible for enforcement of law and maintenance of order and other major stakeholders. Memoranda and submissions were received from professional bodies, technical agencies, the academia and interested individuals.

4.2.2 Land tenure security

The measure of land tenure security considered four (4) basic indicators and the findings are summarized below.

Table 7: Summary on the indicators on Land tenure security

No	Indicator	Result	Reason
1.	Proportion of national land areas with rights holders identified that is incorporated into cadastral maps/land information systems	23.8%	• Covering all the 4 tenure systems in Uganda (Mailo, Customary, Freehold and Leasehold)
2.	Proportion of women and men with legally recognized documentation or evidence of secure rights to land.	2.27% women 7.04% men	• Considered adult population above 18 years
3.	Percentage of women and men who perceive their rights to land are protected	Not available	• Indicator to be integrated in Household surveys and/or census
4.	Proportion of women and men that have equal rights to land, including rights to use, control, own, inherit and transact these rights	Not available	• A comprehensive framework is required to assess all the listed aspects

Source: Land Information System and CCO Database 2021

4.2.2.1 Proportion of national land areas with rights holders identified that is incorporated into cadastral maps / land information systems

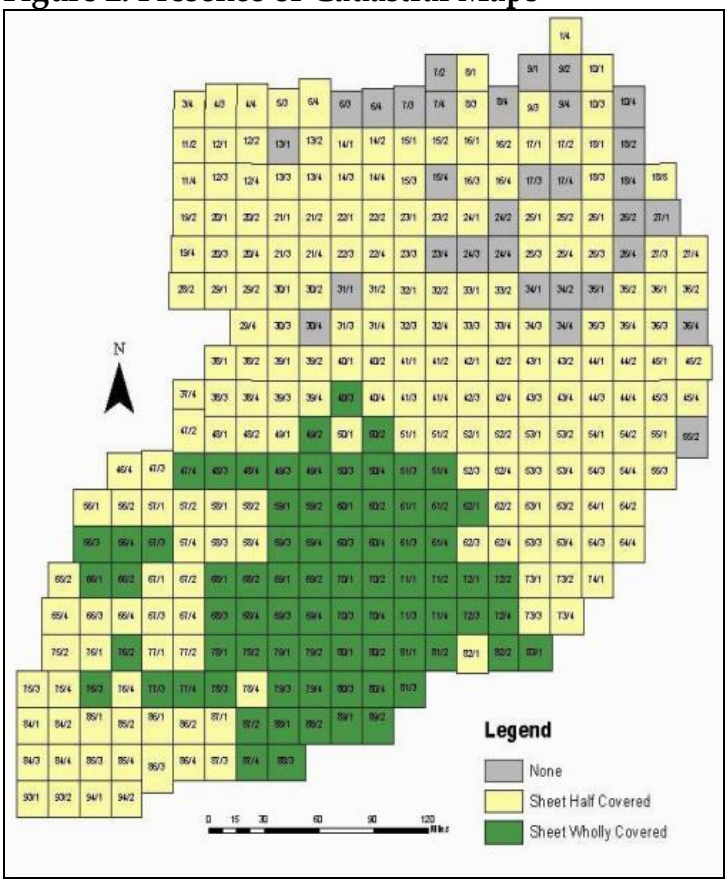
Cadastral maps are essentially descriptions of parcels of land with reference to rights in land and holders of these rights identified. Cadastral maps are not in themselves a record of any right held although it is true that they may be used to differentiate certain types of tenure. The formal record of rights is normally contained in one or more registers and these registers are supported by cadastral maps.

About 23.8%[3] of land in Uganda is mapped and incorporated into cadastral maps under the four (4) tenure systems that is freehold, leasehold, customary and Mailo recorded in the national land information system and CCO Databases. This leaves approximately 76% of the land in Uganda not mapped. The documented land rights were manual but since the deployment of the National Land Information System, the land records have been digitized and uploaded onto the system except land documented under the customary tenure with CCOs which is still in separate digital databases at the different District Local Governments.

The largest proportion of documented land in Uganda is found in the central and this is dominated by Mailo tenure see Figure 2 below. The least mapped land is in the north and this is attributed to the existence of the customary tenure system which is least registered. The central has cadastral sheets which have fully covered as shown in green. The majority of land in Uganda is partially covered as shown in yellow while the north and northeast has areas which are completely not covered with cadastral sheets as shown in Figure 2.

[3]Uganda Land Information System data and CCO Data

Figure 2: Presence of Cadastral Maps



Land area Mapped (Ha)	4,667,976
Total land area for Uganda (Ha)	19,623,700
% mapped	**23.8%**

Source: LIS Reports 2021

In relation to Customary tenure, the registration of customary land using Certificates of Customary Ownership (CCOs) commenced in Kasese district in 2012 and as at December 2021 about 55,625 Certificates of Customary Ownership (CCOs) have been issued using Fit For Purpose Technology. This is formal documentation of customary land that has been silent in the 1998 land ACT and 1995 Constitution. The CCOs are currently stored in separate digital databases at the different District Local Governments as shown in **Annex D**. It is planned to have these CCOs incorporated into the National Land Information System.

4.2.2.2 Proportion of women and men with legally recognized documentation or evidence of secure rights to land

Land, by virtue of being the main productive asset and means of wealth accumulation for majority of Ugandans, dominates the discourse on asset rights in the country. Evidence on gender inequities in asset ownership, particularly land, has in recent years helped move an extensive legal reform process to define and protect women's right to own, use, and transfer land and other assets (2011 ICRW Report).

From the analysis, out of the 10,843,100 adult women in Uganda, only 245,828 adult women (2.27%) had titles while out of the 9,689,900 adult men, only 682,168 men (7.04%) had titles.

4.2.2.3 Percentage of women and men who perceive their rights to land are protected

There is no available data on the percentage of women and men who perceive their rights to land are protected.

However, the indicator under review provides critical and complementary information on tenure security and resource rights. In addition, it highlights outcomes, knowledge and on-the-ground realities. Further the perceptions measure provides valuable complementary information and it may further facilitate more useful comparisons in the region.

Data on this indicator is not readily available but questions to opinion surveys or household surveys can be added. The disaggregation will be in terms of sex, urban/ rural, indigenous people, persons with disabilities and local communities. It can be measured through designing a likert scale for the different perception levels.

4.2.2.4 Level to which women and men have equal rights to land, including rights to use, control, own, inherit and transact these rights

There is no available data on the level to which women and men have equal rights to land, including rights to use, control, own, inherit and transact these rights.

However, majority of the people in Uganda including some women assert that, traditionally land belongs to men. For example, the traditional and cultural practices of most communities in pre-colonial Uganda enabled both women and men to access land. Neither men nor women owned land; they both had equal access to land and the issue of ownership did not arise. It is only when colonialists introduced capitalism that the issue of men owning land was introduced while women and children were expected to provide free labor in order to maximize on profits. Land and property were appropriated by men as "bread-winners" surprisingly today, men continue to be regarded as bread-winners even in circumstances where it is their wives sustaining the families (Rogers Mugabo, 2015).

4.2.3 Land conflicts and land disputes

In Uganda, it is estimated that every one in four people experience land-related justice problems (HiiL, 2020). Land conflicts and disputes are handled by the national Courts of Judicature, Local Council Courts, customary institutions, Presidents Office-Land Directorate and Resident District/City Commissioners. The Courts of Judicature and Local Council Courts apply both the adversarial adjudication and alternative dispute resolution mechanisms in resolving the land conflicts and disputes, while the customary institutions, Civil Society Organizations, Civic and Religious leaders, Presidents Office-Land Desk and Resident District/City Commissioners apply alternative dispute resolution mechanisms specifically mediation to amicably resolve land conflicts and disputes. All land conflicts and disputes which are unsuccessfully handled through alternative dispute resolution mechanisms by the different platforms are referred to the Courts of Judicature for resolution through either ADR mechanisms or adjudication.

The measure of land conflicts and land disputes considered two (2) basic indicators and the findings are summarized in table 8.

Table 8: Summary on the indicators on land conflict and disputes

No	Indicator	Result	Reason
1.	Proportion of land cases to total court cases	12.6%	• For FY 2020/21
2.	Percentage of women and men that perceive to have access to effective dispute-resolution mechanisms reported that have been resolved.	Not available	• To be incorporated in surveys and/or census

Source: JLOS Reports, 2021

4.2.3.1 Proportion of land cases to total court cases

The data considered below is from the national courts of Judicature (Supreme Court, Court of Appeal, High Court, Chief Magistrates' Court and Magistrates Grade I Court levels). Cognizance should be taken that the data below on court performance was documented during the Covid 19 pandemic which negatively affected Courts performance in several ways.

Table 9 indicates that the proportion of land cases in court stood at 15% in FY 2019/20 and 12.6% in FY 2020/21. By end of the FYs, 20% and 18.9% of the land cases remained pending in courts respectively.

Table 9: Court cases

FY	Item	Cases (Brought forward and registered within the FY)	Completed	Pending
2019/20	All Cases	289,436	130,885	158,583
	Land Cases	43,367	10,256	33,143
	Percentage	**15%**	**7.8%**	**20.9%**
2020/21	All Cases	324,135	156,875	167,260
	Land Cases	40,944	9,303	31,641
	Percentage	**12.6%**	**5.9%**	**18.9%**

JLOS Reports for FY 2019/20 and 2020/21

4.2.3.2 Percentage of women and men that perceive to have access to effective dispute-resolution mechanisms

There is no available gender disaggregated data on perception regarding access to dispute resolution mechanisms. It is recommended that there is need for a perception survey on access to effective dispute resolution mechanisms by women and men.

4.2.4 Land administration services

Land registration has increased from the 1980s to date due to the following reasons. Registered land guarantees ownership and security of tenure particularly from land grabbing and illegal evictions. Land registration provides security for credit because there is a certainty of ownership which encourages land owners to invest in their land.

Demarcation and titling of conservation areas have supported the protection and management of protected areas. Land has been made available for land markets with ease of access through registration. Land registration supports land and property taxation. A summary of findings on the selected indicators is shown table 10:

Table 10: Summary on the indicators on Land administration services

No	Indicator	Result	Reason
4.1	Range of time required to conduct land transactions	**Averages (Days)** Search = 2 Transfer = 5 Mortgage = 16 Lease = 8	
4.2	Range of cost incurred to conduct land transactions	Average = USD 3 (for most of the transactions)	Stamp duty is paid as per the assessed value of the property Premium and Ground Rent for Lease transactions is assessed and paid
4.3	Government tax derived from land-based sources as a percentage of total government revenue.	0.28%	This result is computed for FY 2020/21

Source: MLHUD Clients Charter 2021

4.2.4.1 Range of time required to conduct land transactions

The range of time to conduct land transactions ranges from 1 to 70 working days. The land transactions that take the least time (1 working day) are; conducting a physical/personal search on a registered piece of land, lodgment of a caveat, lodgment of a court order and registration of court orders/decrees. On the other hand, the land transactions that take the longest time are; Removal of a Caveat (based on requests by another party other than the person who placed it (70 working days), Issuance of a special certificate of Title (to replace owners copy) (45 working days), Removal of an expired mortgage (40 working days), Rectifying the register (with notice) (40 working days) and Amendment of the register (30 working days). The time required to perform the other land transactions is shown in **Annex C**.

In regard to searches, transfers, mortgages and leases in Uganda, a search takes 1 day and issuance of a letter for a search 2 working days. Registration of a transfer of a title is 5 working days, registering a mortgage 3 working days, the release of a mortgage 5 working days and removal of an expired mortgage 40 working days. Issuing a lease takes 10 working days, extending a running lease on a certificate of title 5 working days and renewal of an expired lease on a certificate of title 10 working days (**see Table 11)**.

Table 11: The time required to conduct selected Transactions in Uganda

No	Service	Time
1.	Conduct a search Issue a search letter	1 working day 2 working days
2.	Register Transfer on a Title	5 working days
3.	Register a Mortgage Release a mortgage Remove expired mortgage	3 working days 5 working days 40 working days
4.	Issuance of a new Lease Extend a running lease on a certificate of title Renew an expired lease on a certificate of title	10 working days 5 working days 10 working days

Source: MLHUD Clients Charter 2021

In addition, land transactions that have statutory periods for notice are the removal of an expired mortgage (30 days), removal of a Caveat (based on requests by another party other than the person who placed it (60 days), the rectification of the register (with notice) (21 days) and issuance of a special certificate of Title (to replace owners copy) (30 days).

4.2.4.2 Range of cost incurred to conduct land transactions

The cost of land transactions ranges from 10,000 UGX (3 USD) to 120,000 UGX (34 USD) except for those whose cost will vary for example payment of stamp duty which is 1.5% of the value of land estimated by the chief government valuer for either registration of transfers on Certificate of Title and renewal of a lease on a certificate of title (for expired leases) and stamp duty of 0.05% paid when registering a mortgage. Some of the land transactions are free, which include; lodgment of a caveat, lodgment of a court order, rectifying the register (with or without notice), Issuance of a substitute certificate of title (to replace registry copy) and acknowledgement of receipt of communication to office of titles/ departments of land registration.

Conducting a search and issuance of a search letter cost 3 USD each, registration of a transfer on a title costs stamp duty of 1.5% of the value of the property and registration of 3 USD. Registering a mortgage costs a stamp duty of 0.05% of the value of a property, registration of 3 USD, and the perusal of 2 USD and 1 USD in case an extra copy is needed by the customer. The release of a mortgage costs a stamp duty of 2 USD and registration of 3 USD while the removal of expired mortgage costs 3 USD. Issuance of a lease and extending a running lease each cost 3 USD while renewal of an expired lease costs a stamp duty of 1,5% on the revised rent (**see table 12)**.

Table 12: The cost for selected transactions in Uganda

No	Service	Cost
1.	Conduct a search Issue a search letter	3 USD 3 USD
2.	Register Transfer on a Title	Stamp duty 1.5% of the value of the property Registration 3 USD
3.	Register a Mortgage Release a mortgage Remove expired mortgage	Stamp duty 0.05% of the mortgage sum Registration 3 USD Perusal 2 USD and 1 USD for an extra copy Stamp duty 2 USD Registration 3 USD 3 USD
4.	Issuance of a new Lease Extend a running lease on a certificate of title Renew an expired lease on a certificate of title	Registration 3 USD Registration 3 USD Stamp duty is paid as to 1.5% of the revised rent

Source: MLHUD Clients Charter 2021

4.2.4.3 Government revenue derived from land-based transactions as a percentage of total government revenue

Government revenue or national revenue is money received by a government from taxes and non-tax sources to enable it to undertake public expenditure.

During FY 2020/21 (July 2020 to June 2021), the total Government revenue was UGX 16,751.64 Billion and revenue derived from land-based transactions was 54.764 Billion which gives a 0.28% as shown in the table 13.

Table 13: Revenue collected in FY 2020/21

Item	UGX (Billion)
Country Revenue	19,263
Land Revenue	54.764
Percentage	**0.28%**

Source: URA and LIS Reports 2021

4.2.5 Capacity of land administration systems

Government of Uganda has for the past years put effort in strengthening the land administration system through a combination of systems improvements and physical infrastructure, systematic registration of communal and individually owned land, enhancements in land valuations capacity; and strengthening of institutional and dispute resolution capacity and human capital with a view to enhance the capacity of the land administration Institutions.

The summary results of the assessed indicator under Capacity of land administration systems is given table 14:

Table 14: Summary on the indicators on Capacity of land administration systems

No	Indicator	Results	Reasons
1.	Transactions concluded as a percentage of the total number of processes in a given year	83.6%	For period running 2013 till 2021

Source: LIS Reports 2021

4.2.5.1 The proportion of transactions concluded per year as the total of transactions submitted

Between 2013 and 2021, the Land Registry received 1,549,489 requests to process. Of the 1,549,489 submitted transactions, 83.57% (1,294,901 transactions) were completed within that period.

Table 15 provides a summary of the key results on proportion of transactions concluded for selected transaction types from 2013 to 2021. It can be observed that Mortgage Charge and Transfer of title are highly registered (96% and 92.5% respectively). Overall, 83.6% of the selected transactions were completed out of the 1,002,609 submitted requests between 2013 and 2021.

Table 15: Selected transaction completed

Transaction	Number			Percentage Registered
	Registered	Pending	Submitted	
Leasehold by District Land Board	4,409	2,059	**6,468**	68.2
Leasehold by Uganda Land Commission	442	316	**758**	58.3
Leasehold Extension for Expired Lease	2,038	666	**2,704**	75.4
Leasehold Extension for Unexpired Lease	2,524	212	**2,736**	92.3
Mortgage	215,172	9,060	**224,232**	96.0
Search	177,779	87,596	**265,375**	67.0
Search by URSB	35,002	31,921	**66,923**	52.3
Transfer of Title	400,727	32,686	**433,413**	92.5
Grand Total	**838,093**	**164,516**	**1,002,609**	**83.6**

Source: LIS Reports 2021

4.2.6 Sustainable Land Use

Planning is key in development because it plays a key role in what and how development should occur. Planning for urban areas can be traced back as far as the 1890s when Kampala was planned to look like a European city. Ideas and theories of planning emerged from the British concept of cities taking into consideration health, aesthetics, and exclusive settlement areas and this was made law through the Town and Country planning act of 1951.

The physical planning act 2010 stipulates the approval of physical development plans. Section one of the physical planning act declared the whole country a planning area. Section 18 mentions the national, regional and local physical development plans. The national physical development is the master plan to which all the other plans must conform. The physical planning pyramid see **figure 3** shows the hierarchy of planning in Uganda. This has majorly been from top to bottom but the bottom-up approach is being adopted. The planning is from National to Regional, District, City, municipalities, town councils and then sub counties (**see Figure 3)**.

Figure 3: The physical planning Pyramid

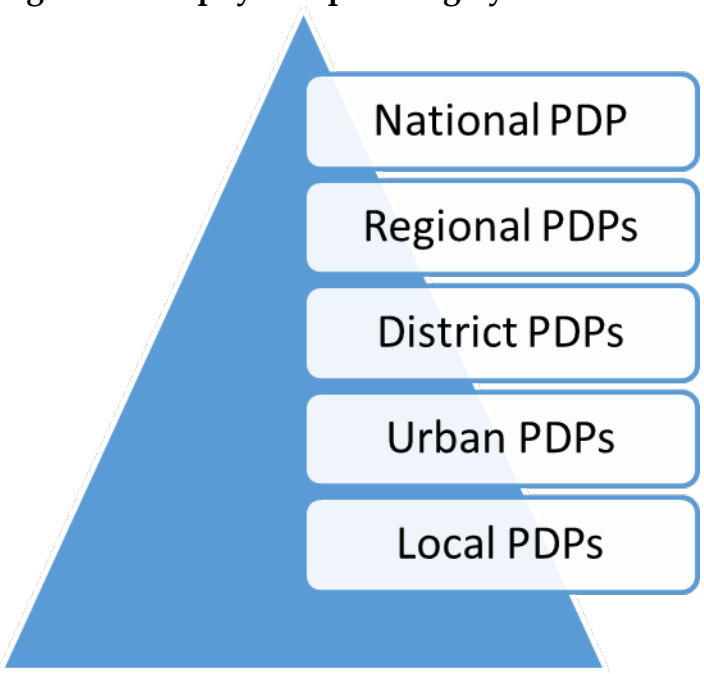


Table 16: Summary on the indicators on sustainable land use

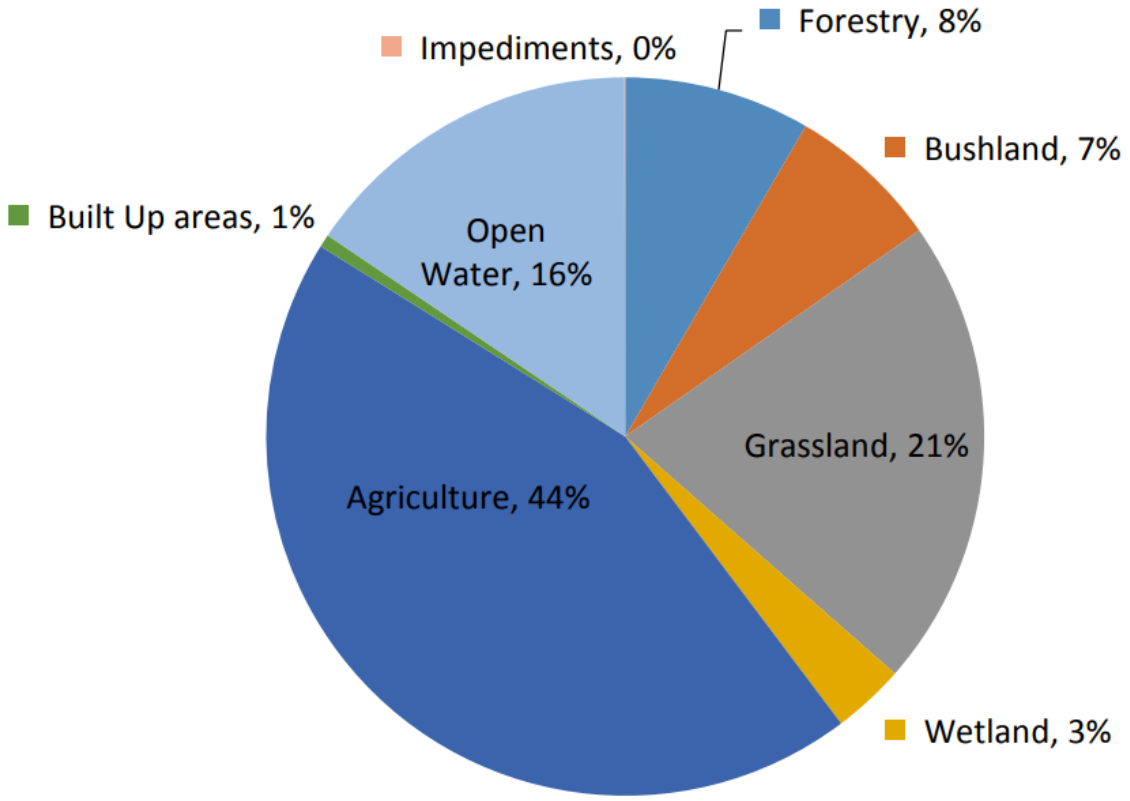
No	Indicator	Results	Reason
1.	Changes in the sustainable land use, measured by land cover	11% (247,661 Ha)	Based on existing literature
2.	Proportions of rural and urban administrative units with sustainable land-use plans	15%	Information provided by NPPB

Source: MLHUD Reports 2021

4.2.6.1 Changes in the sustainable land use, measured by land cover

Uganda is environmentally challenged by land use/cover change (Mbogga et al., 2014). The rate of land use/cover change in Uganda was estimated to be 7% in 1990 but today it has increased to about 11% (247,661 Ha). Eastern Uganda has the highest rate of change in land use and land cover compared to other regions in the country and is estimated to be about 20% (Akello et al., 2018; UBOS, 2020). The drastic increase in the change of land use and land cover may be attributed to the increase in the country's population which grew from 5 million in 1950 to 47 million in 2022. The increase in population has caused pressure on the limited resources which have to support the growing population. Land has to be cleared for increased food production and settlement and trees cut to provide materials for construction and fuel for cooking.

Figure 4: Land use/land cover for Uganda as of 2017

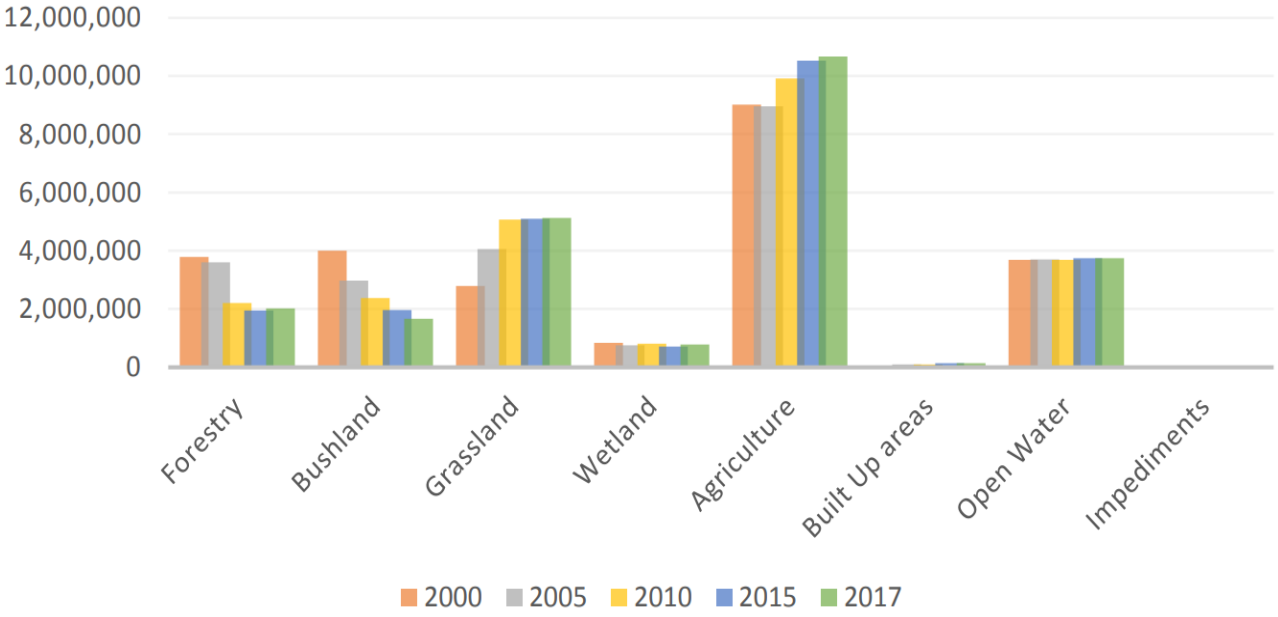


The Cultivated / agriculture land cover /land use (44%) is the most dominant and has increased from 1990 to date due to the increased demand for food by the larger population **see figure 4**. The second land cover/ land use is grasslands (21%), this has majorly been preserved due to the government's deliberate intervention to protect the national parks where wildlife is found. The national parks continued existence has benefited from the promotion of tourism in the country. Open water (16%), Forestry (8%), Bushland (7%), Wetland (3%), Built up (1%) and impediments (below 1%) follow respectively in that order.

The forest and bushland cover and land use have significantly reduced from 2000 as can be observed in **figure 5**. The reduction in forest and bushland has mainly been due to encroachment by communities living adjacent to both settlement and agriculture. This justifies the increased agricultural land cover land use as observed in **figure 5**. The increased population has also led to a rise in demand for timber and charcoal for construction and fuel which is obtained from the forest and bushlands. It is observed that built-up areas have slightly increased from 2000 **see figure 5**. Grassland has increased since 2000 and this could be attributed to the conservation of national parks and also the conversion of forests to grassland through the destruction of forests over time. Wetlands

are observed to slowly and gradually reduce since 2000 and this is attributed to the continued reclamation of wetlands for settlement. The wetlands have significantly encroached also for agriculture which may not be observed in **figure 5**. The open water and impediments have remained stable since 2000.

Figure 5: Change in land cover/land use from 2000 to 2017



4.2.6.2 Proportions of rural and urban administrative units with sustainable land-use plans

It is only 15% of the country is planned today with the effort put into planning the municipalities and the national plan which has been recently approved. Uganda has 135 districts and of these districts only 7 have Physical Development Plans approved. The cities are 11 and only one city has an approved PDP. Municipalities are 31 and 14 municipalities have approved PDPs. Of the 580 town councils, 45 have approved PDPs while 23 subroutines have their PDPs approved. Two regional plans have been approved of the six and these are the Albertine and greater Kampala special plans (see table 17).

The absence of planning in most parts of the country has caused inefficient utilization of land resources and the destruction of some in the country. Since land belongs to the people in Uganda, unplanned land has made it difficult or impossible for the country to access land for infrastructure development. High compensation has been demanded by holders of rights on land due to the absence of plans before rights are given to holders. Even post-planning after rights have been issued has posed a challenge as people have to

be compensated to change the land use to state control, for example, the construction of roads.

Table 17: Physical Development Plan (PDP) Availability Status

No	Planning Level	Expected PDPs	Actual PDPs	Performance
1.	National	1	1	100%
2.	Regional	6	2	33%
3.	District	135	7	5%
4.	Cities	11	1	9%
5.	Municipalities	31	14	45%
6.	Town Councils	580	45	8%
7.	Sub-county	2,184	23	2%
The current level of Physical Planning in the Country: is **15%**				

Source: MLHUD Reports 2021

4.4 Challenges and gaps identified

1) Data gaps: Some of the indicators completely lacked data while other proxy data was used to reference some particular indicator. In addition, the different databases being used to manage land information in Uganda namely: the Land Information System (LIS) and CCO Databases. For the LIS, land data was readily available whereas for the CCO databases, land data was not readily available. This is because different databases were being used to map customary land which were not managed by the Ministry. These databases were being managed by the different Development Partners and Civil Society Organizations.

2) There are some inconsistencies and gaps in land laws in relation to women's ownership. An example is the Domestic Relations Bill, 2003, which is crucial for women's land rights yet it remains shelved because it is considered culturally sensitive.

3) Weak enforcement modalities and resources that are needed for the effective implementation of the policies and strategies for example the structures have been established but not operational.

4.5 Lessons learnt

Some lessons learnt during this exercise include:

a) Involvement of other actors like the Non-governmental Organizations (NGOs) academics and others. It is very important to have all key actors on board to have credible information on all the indicators. Particularly, if data on perception is to be collected, there is need to have most of the CSOs and NGOs dealing in land on board.

b) Having a unified database for storing land information is important. All the Customary Certificates of Ownership information should be integrated into the Land Information System for ease of storage and retrieval. This will also create a one-stop centre for all land related information.

CONCLUSION AND RECOMMENDATION

5.1 Conclusion

The Land Monitoring Working Group and the Validation Meeting underscored the importance of land monitoring in enhancing access to land information for transparency and accountability, uptake of responsible investments models, land transactions and tax collection, and securing land tenure rights for women and indigenous communities.

It was also noted that land monitoring generates evidence regarding the actual state of land governance that helps curtail political speculation on land while calling for accountability by local and central government authorities that deal with land.

Overall, 3 out of 14 indicators lacked data to be reported on. Basically these indicators are perception in nature and require surveys to be undertaken. During the validation meeting, a team was nominated to develop a concept note on collection of data for the 3 indicators. It was also agreed in the meeting that UBOS should be further engaged in order to include these indicators in their forthcoming surveys and censuses.

5.2 Recommendations

a) Integration of CCO data: All the Customary Certificates of Ownership information should be integrated into the Land Information System for ease of storage and retrieval. This will also create a one-stop centre for all land related information.

b) Sensitization and capacity building of key stakeholders, especially the personnel in charge of capturing data on the importance of Gender Disaggregated Data (GDD) in the Lands and Justice Sectors/Programmes. Capacity building should entail training on data collection according to national and international standards, strategies to communicate and disseminate statistics to a wide range of users, and establishing networks of different actors in various countries for generating and sharing comparable gender statistics.

c) Mainstreaming gender into the Ministry plans, programmes and policies by strengthening the operations of the Gender established Committees within the different Ministries, Departments and Agencies. This will go a long way in ensuring that gender related data is collected and reported upon.

d) Conducting National Surveys for the indicators with data gaps as highlighted in the report. This will increase gender data in the land sector critical for monitoring policies aimed at addressing gender disparities in the land sector.

e) Establish a comprehensive Lands M&E Information System with capacity to capture data from lower-level land management units such as Area Land Committees and Local Council Courts etc. to feed into the central system at the Ministry.

f) The provisions in Uganda's laws that protect women's land rights need to be fully implemented, and this implementation should be monitored. For this to succeed the institutional structures – land bodies and courts - should be fully constituted and well facilitated.

ANNEX

Annex A: Participation in the National Land Policy consultation

RDCs, LCV Chairpersons, District Secretaries for Gender & Community Development, CAOs, Mayors, Town Clerks, District Land Boards, Experts on Land Law, Women Councilors, District Speakers, Sub-County Chiefs, LC111 Chairpersons, Technical Staff from the District Land Office, Forest Officers, NEMA/Environment officers, Directors of Production, NGOs/CSOs, District Farmers Associations, Religious leaders and District Chamber of Commerce personnel

Region and Date	Districts	Venue	Number
South Western Region - 19th to 21st Feb 2007	Mbarara, Ntungamo, Isingiro, Bushenyi, Rukungiri, Kanungu, Kisoro, Kabale, Ibanda and Kiruhura	Lake View Hotel-Mbarara	130 (16 women and 114 men)
Busoga Region - 19TH - 21ST March, 2007	Jinja, Kamuli, Iganga, Mayuge, Bugiri, Namutumba, Kaliro, Butaleja, Budaka And Busia.	Sunset Hotel - Jinja	150 (114 men & 36 women)
Eastern Region - 23rd - 25th July 2007	Mbale, Pallisa, Kapchorwa, Bukwa, Sironko, Manafwa, Bududa, Tororo and Bukedea	Wash & Wills - Mbale	147 (25 women and 122 men)
Acholi and Lango region. - 15th - 17th August 2007	Gulu, Pader, Kitgum, Dokolo, Lira, Amuru, Apac, Oyam and Amolatar	Lira Hotel , Lira	142 (22 women and 120 men)
West Nile - 12TH - 14th November, 2007	Arua, Koboko, Nebbi, Adjumani, Moyo, Yumbe, and Terego/Maracha	Heritage Courts, Arua	149 (11 women and 138 men)
Karamoja Region - 30th June - 2nd July, 2008	Nakapiripirit, Moroto, Kotido, Kaabong and Abim	Italian Cooperation Hall, Moroto.	149 (22 women and 127 men)
Teso region - 3rd - 5th July, 2008	Kaberamaido, Katakwi, Kumi, Bukedea, Amuria and Soroti	Soroti Hotel, Soroti	171 (26 women and 145 men)
Mid Western Region - - 16th - 18th July, 2008	Kasese, Kabarole, Bundibugyo, Kamwenge, Kyenjojo, Kibaale, Hoima, Bullisa, and Masindi	Cornerstone Hotel, Fort Portal	142 (26 women and 112 men)
South Buganda Region - 2nd - 4th October, 2008	Masaka, Kiboga, Mubende, Mityana, Sembabule, Rakai, Lyantonde and Kalangala	Hotel Brovad, Masaka	225(31 women and 194 men)
Central Buganda Region - 6th - 8th October, 2008	Kampala, Wakiso, Mukono, Kayunga, Nakaseke, Nakasongola, Luwero and Mpigi	Collin Hotel, Mukono	252 (53 women and 199 men)

Annex B: Special Interest Groups Consulted during development of the NLP

Interest Group	Stakeholders involved in Consultations	Dates of Consultation and Venue
Buganda Kingdom / Mengo Administration	Katikkiro of Buganda Owek. Amb. Emmanual Ssendaula; Speaker of Buganda Lukiiko; Ministers from Buganda Cabinet; Members of the Lukiiko; The Bataka and representatives from the Saza of Buddu, Bugerere, Bulemezi, Bululi, Busiro, Butambala, Busujju, Buweekula, Buvuma, Gomba, Kyadondo, Kabula, Kooki, Mawogola, Kyagwe, Ssese and Ssingo; MPs from Buganda region; and Buganda Land Board.	11th June 2007, Ridar Hotel Seeta
Office of the Katikkiro of Buganda	Buganda Lukiiko	18th May 2009 (Lukiiko resolutions on the Draft National Land Policy)
Gender & HIV AIDS	Experts on Gender & Development and HIV/Aids	7th December 2008 at Hotel Africana
Traditional / Cultural institutions in Northern Uganda coordinated by Ker Kwaro Acholi	joint cultural/traditional communities covered : Acholi, Alur, Aringa, Jonam, Kakwa, Lango, Lugbara, Madi and Teso	2nd April 2009, Grand Imperial Hotel, K'la
Uganda Law Society	Private lawyers, Legal Aid clinic	20th Feb 2009, Kabira Club, K'la
JLOS	Ministry of Justice, Uganda Law Reform Commission, Uganda Prisons Service, Uganda Police Force, Judicial Service Commission, Human Rights Commission, Ministry if Internal Affairs, Directorate of Public Prosecutions, Judiciary, Law Development Centre, Law Society, Ministry of Gender, Labour and Social Development-Probation and Juvenile Justice section, and Ministry of Local Govt- LC Courts	15th June 2009, Grand Imperial Hotel, K'la
Surveyors /Physical Planners / Architects	Practicing Surveyors, Planners, Architects and Engineers	27th Feb 2009, Hotel Equatoria, K'la
Religious Institutions	Bahai Community	Submitted Written Memo
Political Parties	UPC	Submitted Written Memo
NUDIPU		

Annex C: Land Service, Standard time, Cost and Statutory period for notice

No	Service	Standard Time	Cost	Statutory Period for Notice
1	Conduct a physical/personal search on the registered piece of land	1 working day	10,000/= per search	Not Applicable
2	Issue a search letter	2 working days	10,000/= per letter issued	Not Applicable
3	Register Transfers on Certificate of Title	5 working day	Stamp duty: 1.5% of the value of the land Registration fees: 10,000/=	Not Applicable
4	Register a mortgage	3 working days	Stamp duty 0.05% of the mortgage sum Registration fee: 10,000/= Perusal 5,000/= And 2,000/= for an extra copy	Not A applicable
5	Release a mortgage	5 working days	Stamp duty 5,000/= Registration fee: 10,000/=	Not Applicable
6	Remove an expired mortgage	40 working days	Registration fee: 10,000/=	30 days
7	Lodgment of a caveat	1 working day	Not cost	Not Applicable
8	Register a caveat	2 working Days	Stamp duty: 10,000/= Registration fee: 10,000/=	Not Applicable
9	Remove a Caveat (based on requests by another party other than the person who placed it	70 working days	Stump duty 5,000/= Registration fee 10,000/=	60 days
10	Withdraw a caveat (based on request by the person who placed it)	10 working days	Stamp duty 5,000/= Registration fee: 10,000/=	Not Applicable
11	Lodgment of a court order	1 working	No cost	Not

No	Service	Standard Time	Cost	Statutory Period for Notice
		day		Applicable
12	Register court orders/Decrees	1 working day	10,000/=	Not Applicable
13	Rectify the register (with notice)	40 working days	No cost	21 days
14	Rectify the land register (without notice)	5 working days	No cost	Not Applicable
15	Register administrators or executors of a will on certificate of Title	5 working days	Registration fee: 10,000/=	Not Applicable
16	Issue of certificate of Title upon sub-division	10-20 working days	Registration fee 10,000/= Title charge per new certificate 10,000/=	Not Applicable
17	Issue condominium certificate of Title	10 working days	Registration fee: 10,000/= Title charge ug shillings 10,000/= per each condominium certificate of title	Not Applicable
18	Issue special certificate of Title (to replace owners copy)	45 working days	Stamp duty 10,000/= Registration fee: 15,000/= Gazettement fees 120,000/= (paid to Uganda printing and publishing cooperation)	30 working days
19	Issue substitute certificate of title (to replace registry copy)	10 working days	No cost	Not Applicable
20	Issue new leasehold and freehold certificates of title	10 working days	Registration fee; 10,000/=	Not Applicable
21	Extend a lease on certificate of title (for running lease)	5 working days	Registration fee: 10,000/=	Not Applicable

No	Service	Standard Time	Cost	Statutory Period for Notice
22	Renew a lease on certificate of title (for expired leases)	10 working days	Stamp duty is paid as to 1.5% of the revised rent	Not Applicable
23	Preparation of Variation	5 working days	Preparation fee: 10,000/=	Not Applicable
24	Register variation of a lease	5 working days	Stamp duty: 10,000/= for 2 copies of variation lease document Registration fee 10,000/=	Not Applicable
25	Preparation of surrender of a lease	5 working days	Preparation fee: 10,000/=	Not Applicable
26	Surrender of a lease	10 working days	Stamp duty 10,000/= Registration fees: 10,000/=	Not Applicable
27	Register certificate of re-possession and purchase of certificate of title	5 working days	Registration fee: 10,000/=	Not Applicable
28	Register corrections of errors on certificates of titles brought by the clients	5 working days	Registration fee: 10,000/=	Not Applicable
29	Amendment of the register	30 working days	Registration fee: 10,000/=	Not Applicable
30	Register change of names and address	5 working days	Registration fee: 10,000/=	Not Applicable
31	Acknowledgement of receipt of communication to office of titles/ departments of land registration	2 working days	No cost	Not Applicable

Annex D: Customary Land Registration (CCOs)

No	District	Subcounties / Divisions	Number of CCOs issued	Male	Female	Joint	Development /Implementing Partners involved	Total land demarcated (Ha)
1.	Kasese	All the sub counties and Divisions	18,900	15,687	1,512	1,701	FAO, Makerere University	19,164
2.	Nwoya	Alero, Lungulu, Purongo, Anaka, Koch Lii,	8,000	-	-	-	ZOA, Landnet and Makerere University	-
3.	Pader	Pader, Ogom and Pajule	1,000	10	10	980	UCOBAC /UNHABITAT/ GLTN	9,980.7
4.	Butaleja	Mazzi Masa, Kachonga, Nabweyo	1,200	-	-	-	UCOBAC /UNHABITAT/ GLTN	-
5.	Adjumani	Cifero, Ofua, Adropi, Pachara and Dzaipi	4,000	320	80	3600	Makerere University, MLHUD, UNHABITAT/GLTN	24,812.9
6.	Kisoro	Murora, Nyakabande, Muramba and Nyakinama	12,000	4,680	2,040	5,280	Makerere University / UNHABITAT /GLTN	2,072.8
7.	Kabale	Kitumba, Rubaya, Kamuganguzi	2,400	672	432	1,296	IIRR, MLHUD, UNHABITAT / GLTN	2,433.6

No	District	Subcounties / Divisions	Number of CCOs issued	Male	Female	Joint	Development /Implementing Partners involved	Total land demarcated (Ha)
		and Buhara						
8.	Mbale	Northern Division, Bukashaka and Bungokho	600	-	-	-	IIRR and Actogether/ UNHABITAT/GLTN	--
9.	Karamoja region (Napak, Moroto, Kotido, Kaabong, Karenga and Amudat)	558 Clans and Subclans and communities	7 (for Tepeth, Pokot and Pian	-	-	-	CEDP LEMU CARITAS	-
10.	Maracha	Kijomoro, Oluvu	1,459	-	-	-	EU/UNCDF/ CADASTA	-
11.	Apac	Chegere, Ibuje	1,537	-	-	-	EU/UNCDF/ CADASTA	-
12.	Soroti and Katakwi	Katine, Asuret, and Tubur. Toroma and Omodoi	13,623 parcels mapped (3,412 CCOs issued)	-	-	-	GIZ	28,003
13.	Dokolo and Amolatar	Dokolo, Matta, Amwoma	2,435 parcels mapped	-	-	-	GIZ	2,280

No	District	Subcounties / Divisions	Number of CCOs issued	Male	Female	Joint	Development /Implementing Partners involved	Total land demarcated (Ha)
			(100 CCOs issued)					
14.	Terego	Uriama, Udupi	1,113 parcels mapped (0 CCOs issued)	-	-	-	GIZ	8,055.6
15.	Namutumba	Ivukula, Nabweyo, Nangode and Kibale	602 CCOs (in advanced stages)	-	-	-	CEDP, Cadasta and Oxfam	-
16.	Agago	Paimol, Wol	1,010	-	-	-	-	EU/UNCDF/ CADASTA
	Total		**55,625**					

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