

SECURITY OF TENURE IN UGANDA: The Experience of Land Reform

**ESTHER OBAIKOL
UGANDA LAND ALLIANCE**

IMPLEMENTATION OF LAND REFORM

- The Land reform in Uganda is anchored in the Constitution of the Republic of Uganda.

Key changes

- Vesting of Land in the citizens
- Elimination of public land replaced by 4 tenure types
- Restriction of eminent domain to exclude physical planning
- Recognition of Customary tenure and legalizing tenancies at sufferance
- Decentralization of Land Administration
- Introduction of Land dispute Resolution structures other than courts
- Vesting of Natural resources in the Government.

The Land Act, the Land Sector Strategic Plan and the National Land Policy

1998 Land Act and its several amendments -

- robust structures for land administration and dispute resolution
- Clarifying the rights of spouses
- Clarifying the tenant – Landlord relations
- Expounding the governance of customary tenure

- **The LSSP – Set out a 10year implementation plan 2001 – 2011**, designed to provide the operational, institutional and financial framework for the implementation of sector wide reforms and land management including the implementation of the Land Act. As reflected in the table below.
- **Challenges met have been addressed through the National Land Policy 2013.**
- **16 Land Laws under Review**

Strategic Objective	To create an inclusive and pro-poor policy and legal framework for the land sector	To put land resources to sustainable productive use	To improve livelihoods of poor people through a more equitable distribution of land access and ownership, and greater tenure security for vulnerable groups	To increase availability, accessibility, affordability, and use of land information for planning and implementing development programmes	To establish and maintain transparent, accountable and easily accessible institutions and systems for decentralized delivery of land services
Strategies	<ul style="list-style-type: none"> •development and implementation of a comprehensive national land policy and district land policies. •development and implementation of land use policy . •review and revision of land sector legislative and regulatory framework 	<ul style="list-style-type: none"> •planning of land use; •identification and assessment of use and suitability of government land; •supporting the land market and land rental market 	<ul style="list-style-type: none"> •to increase security of access to and ownership of land; •to improve access to justice in land cases; •to increase awareness of land rights 	<ul style="list-style-type: none"> •to undertake systematic adjudication and demarcation of land rights; •to introduce a unified, relevant and accessible Land Information System 	<ul style="list-style-type: none"> •to develop capacity for land management at all levels; •to undertake reform of the land sector according to Government policy

CHALLENGES OF URBAN LAND REFORM

- Multiplicity of tenure types
- Eminent domain does not extend to physical planning as was prior to 1995.
- Enforcement mechanisms
- No regulatory framework for parcel sizes
- Urban poor excluded from planning and decision making
- Services delivered through slum upgrading programmes in areas with high tenure insecurity.

CHANGES IN LAND REGISTRATION

- Uganda adopted the Torrens system of registration
- Decentralization of land admin -18 zonal offices created
- Recording of Tenancies by occupancy on registered land
- The rights of women/spouses
- Customary land recordation either individual, family or communal
- Freeholds to have terms and conditions
- Land Information system for efficiency and elimination of fraud.