



POLICY AND LEGAL FRAMEWORK FOR SECURING COMMUNAL LAND RIGHTS IN KARAMOJA

**Challenges, opportunities and entry points for
interventions**

SEPTEMBER, 2018

Table of Contents

Abbreviations and Acronyms	3
Acknowledgements	4
1. Introduction	5
Mercy Corps – BRACED and Lands Governance	5
Assessment methodology	6
2. Policy, Legal and Institutional Context for Land Governance in Karamoja	7
2.1 The Constitution 1995.....	8
2.2 The Land Act 1998.....	9
2.3 The Uganda National Land Policy.....	9
2.4 The National Land Policy Implementation Action Plan 2015/16 – 2018/19.....	11
2.5 Other relevant policies.....	12
2.6 Major stakeholders in registration of communal land.....	13
3. Opportunities and challenges for securing communal land rights in Karamoja	14
4. Good practice examples of securing communal land rights	15
5. Step by Step Guide for Registration of Communal Land in Uganda	18
5.1. Registration of a Communal Land Association.....	18
5.2. Registration of Communal Land.....	19
5.3. How development partners can support communities to secure their land rights.....	21
6. Conclusions and Recommendations to Mercy Corps – BRACED on support to securing communal land rights in Karamoja	22
REFERENCES	25
Policy and Legal Instruments.....	25
PERSONS AND GROUPS INTERVIEWED	27
Kampala.....	27
Moroto and Napak.....	27
FGD with Executive Committee of Lokuwas Parish CLA at Lokuwas Parish.....	27
FGD with Executive Committee Lokupoi Parish CLA at Lokuwas Parish.....	28
FGD with Executive Committee, Nakicumet Parish CLA at Natirae Village.....	28
FGD with Members of RUCODET, ALCs and DLB, Moroto.....	28
Debriefing Workshop with Mercy Corps Staff.....	28

Abbreviations and Acronyms

AU	African Union
BRACED	Building Resilience to Climate Extremes and Disasters
CCO	Certificate of Customary Ownership
CLA	Community Land Association
COPACSO	Coalition of Pastoral Civil Society Organizations
DLB	District Land Board
DRT	District Registrar of Titles
EAC	East African Community
FGD	Focus Group Discussion
GLTN	Global Land Tool Network
IGAD	Intergovernmental Authority on Development
KADP	Karamoja Agro-Pastoral Development Programme
KDF	Karamoja Development Forum
KIDP	Karamoja Integrated Development
KII	Key Informant Interview
KRSU	Karamoja Resilience Support Unit
LARITES	Land Rights and Land Tenure Security
LEMU	Land and Equity Movement in Uganda
MADEFO	Matheniko Development Forum
MLHUD	Ministry of Lands, Housing and Urban Development
NDP	National Development Plan
NLPIU	National Land Policy Implementation Unit
NSAs	Non-State Actors
PROGRESS	Programme for Resilient Systems
RUCODET	Rupa Community Development Trust
SDGs	Sustainable Development Goals
ULA	Uganda Land Alliance
VSF	Veterinaires Sans Frontieres

Acknowledgements

This study was carried out under the Building Resilience and Adaptation to Climate Extremes and Disasters (BRACED) programme, a global climate resilience initiative funded by the United Kingdom (UK) Department for International Development (DFID). BRACED is being implemented by Mercy Corps and partners in Wajir County in Kenya and the Karamoja region of Uganda. The activities are designed to build the resilience capacities of vulnerable people to prepare for, cope with and recover from climate related shocks. This has included activities aimed at supporting land rights and improving land security for vulnerable communities including pastoralists and agro-pastoralists in Uganda. This study was commissioned to provide guidance on how best to achieve these goals within the project timeframe but also to identify good practice and recommendations for other actors involved in the land sector in Karamoja. An independent researcher Mr. Michael Ochieng Odhiambo carried out the study and prepared the final report with support from Mercy Corps BRACED staff. The contents of the report do not necessarily reflect the views of DFID, the UK Government or Mercy Corps and BRACED partners.

1. Introduction

Mercy Corps has implemented the Programme for Resilient Systems (PROGRESS) in north-eastern Kenya and northern Uganda since January 2015, with funding support from the Building Resilience to Climate Extremes and Disasters (BRACED) project. In the course of implementing the Programme, Mercy Corps came to realize that land issues are critical to building resilience to climate change in Karamoja, particularly because the way in which land is governed and managed has implications for access to and control of natural resources, which in turn has implications for security of livelihoods and determines the opportunities for adaptation to climate change. Rights of access and control of land and natural resources are a function of the land tenure system, which defines how land is held in a specific locality. As such, Mercy Corps – BRACED is implementing the Lands Governance Project to support communities' land use and investment planning to strengthen their resilience to climate change.

To better understand the nexus between land governance and livelihoods in Karamoja region, Mercy Corps commissioned an assessment of the policy and institutional framework for land governance in Uganda generally and Karamoja in particular. The assessment will enable BRACED to appreciate policy and institutional opportunities for strengthening the land rights of pastoral and agro-pastoral communities, and to identify entry points for strategic interventions that will have lasting impact.

This report presents the findings, conclusions and recommendations of the assessment. It is divided into six sections. This section introduces the assessment and explains the methodology used. Section 2 presents the policy, legal and institutional context for land governance in Uganda and how it applies to Karamoja. Section 3 discusses the challenges and opportunities for securing access to communal land tenure within the existing framework. Section 4 examines some examples of good practice in securing communal land tenure. Section 5 provides a step-by-step guide for registration of communal land in Uganda. Section 6 presents the conclusions and recommendations from the assessment.

Mercy Corps – BRACED and Lands Governance

As part of the work within PROGRESS, Mercy Corps – BRACED supported the creation of awareness about land rights, establishment of Communal Land Associations (CLAs), and registration of lands held under customary tenure. In the current extension of BRACED (known as BRACED X), it seeks to continue, building on the gains made in the last three years. In particular, it seeks to provide technical support to formalization of CLAs and registration of communal land through project hired lawyers and land surveyors. This intervention aims to enable communities and individuals register their land in order to secure their land rights from threats of land grabbing.

With respect to CLAs, the project commits to establish four additional CLAs in Moroto and Napak Districts, complete with Constitutions and formal registration. The four CLAs are envisaged to reach a total of nine out of the 13 clans in the two districts. In addition, the project shall train 80 elders and community leaders in the running of CLAs and on protection of land rights. Support to land registration shall involve the hiring of land surveyors to address financial obstacles faced by landowners in registering their land rights. The land surveyors employed by the project shall complete surveying, mapping and official registration of land in the two districts. It is envisaged that these interventions shall protect an estimated 1,050 miles² from land grabbing, and secure the land rights of an estimated 6,000 households from future land grabbing.

The proposed interventions shall build on the work that has been done previously with the support of Mercy Corps –BRACED. Specifically, the project partnered with Riamriam Civil Society Network between September 2016 and September 2017 to implement the Land Rights and Land Tenure Security (LARITES) project in eight rural sub-counties of Moroto and Napak districts¹. The project initiated a process to establish CLAs in the sub-counties of Napak district, given that a similar process had previously been initiated in the subcounties of Moroto district by the Uganda Land Alliance (ULA). As a result, the five parishes of Lokali, Lokuwas, Lokupoi, Morulinga and Nakichumet each started the process of establishing a CLA in its name. The process ended with the election of nine Executive Committee members for each of the five CLAs. Additional work shall need to be done to complete the process of formally establishing and registering the CLAs and thereafter initiating the process of registering communal land in the names of the CLAs, as explained in section 5 below.

Assessment methodology

The overall objective of the assessment was to identify opportunities within the existing policy and legal framework in Uganda for securing communal land tenure for the agro-pastoral communities in Karamoja. This will enable Mercy Corps – BRACED to better target its interventions in support of communities' land use and investment planning to strengthen resilience to climate change.

To realize this overall objective, the assessment pursued the following four specific objectives, namely:

1. To undertake in-depth analysis of land governance framework and its application to Karamoja, including linkages between land tenure and livelihoods, and challenges to communal land tenure;
2. To identify major stakeholders involved in land registration and protection, and what they are doing to secure land rights in Karamoja;
3. To identify best practices in rural land protection of relevance to Karamoja; and
4. To provide a step-by-step guide on land registration in Uganda

The assessment was undertaken during August and September 2018, using a three-fold methodology that included desk review of policy, legal and institutional frameworks; key informant interviews in Kampala, Moroto and Napak; and focus group discussions in Napak. A comprehensive review of literature, policies and laws on communal land tenure was undertaken. Key informant interviews (KII) were conducted in Kampala, Moroto and Napak with land administration officials at national and district levels and other stakeholders engaged in promoting communal land governance at both levels. Focus group discussions (FGDs) were held with community members in Napak who had undergone training through the support of Mercy Corps – BRACED with a view to establishing Communal Land Associations (CLAs). In Moroto FGDs were held with members of Area Land Committees (ALCs) and the District Land Board (DLB). At the end of the fieldwork, the consultant presented key findings, conclusions and recommendations to the staff of Mercy Corps –BRACED in Moroto, who provided useful feedback and comments to inform the writing of this report. By the end of the assessment, the consultant had interacted directly with a total of 40 respondents.

¹ Rupa, South Division, Tapac and Katikekile in Moroto district, and Matany, Lopei, Lokopo and Iriiri in Napak district

2. Policy, Legal and Institutional Context for Land Governance in Karamoja

Napak and Moroto are two neighbouring districts situated in central Karamoja. Napak is bordered by Abim district to the West, Kotido to the North and Nakapiripirit to the South and Southeast; while Moroto is bordered by Kotido to the Northeast, Kaabong to the North, and Nakapiripirit and Amudat to the South. Outside Karamoja, Napak borders Teso region, while Moroto borders Kenya.

Communities in Karamoja access land, hold and use it communally under customary land tenure. Protecting and securing communal land rights for the communities is central to the sustainability of their livelihoods as agro-pastoralists. The opportunities and challenges to securing communal the said rights are defined by four critical factors that underpin the context for governance of communal land. These are, respectively, the land use and production system; the natural resource endowment of the region; the history of conflict and insecurity; and the changes and transformations taking place within the region.

Agro-pastoralism is the main land use, livelihoods and production system in Karamoja. The system, which entails seasonal movement of livestock herds and small-scale crop production through rainfed agriculture is most appropriate to the region given its highly variable rainfall patterns. Communal land tenure is well aligned to the nature of the pastoral production system, which is based on collective action. The tenure system permits for mobility from wet season to dry season grazing areas and back in response to the variability of rainfall in space and time. Such mobility may extend across national borders into Kenya and South Sudan.

Karamoja is endowed with an abundance of natural resources in terms of vast land, minerals and wildlife, but it is axiomatic that this natural resource wealth has not translated into benefits for the local communities, with the region being described as the place “where abundant natural resources haven’t transformed lives” (Baleke, 2015). The natural resource wealth has historically been ‘nationalized’ by the Government of Uganda as wildlife or forest reserves. At one point, more than 90% of the land area of Karamoja was reserved for wildlife conservation (Rugadya et al., 2010). Although this area has now been reduced to under 50% through degazettement, little has happened on the ground to effect the changes in ownership and affirm the rights of communities to the land. Instead, there have been complaints about local and national elites grabbing the degazetted land. A Technical Committee was set up in 2015 to review the boundaries of protected areas in Karamoja, but its report has never been published. Apart from wildlife and forest reserves, large areas of land in Karamoja are subject to mining concessions. These competing land uses reduce the land available for agro-pastoralism and are thus causes of conflicts pitting communities against government institutions as well as investors.

In the past, Karamoja has been characterised by conflict and insecurity, which in a perverse way, shielded the region and its resources from external interests. However, with the improved security following the disarmament carried out in the region between 2006 and 2011, and increased investments in infrastructure, the region has become open to diverse groups, including investors attracted by its land and natural resources wealth. For pastoralists and agro-pastoralists, the increased investor interest in mining is a major threat to livelihoods directly attributable to improved security. Mining concessions shrink the rangelands available for grazing of livestock, mining operations degrade the environment, and the rise in land values occasioned by the promise of mining investments provides an incentive for land grabbing by elites from the community.

As a result of the improved security and other developments at the national and regional levels, “Karamoja is a region in transition socially, ecologically, and economically” (Mercy Corps 2016). There is increasing differentiation within communities as a result of education, modernization and

increased integration into national, regional and even global economies. This has seen to the rise of a Karamoja elite that sees land in terms of individual rather than collective interests, and seeks to individualize rights to land for personal benefit. The elites see the potential of investments in land and take advantage of the weak land governance frameworks in the region to appropriate communal lands and register them in their individual names.

These factors and developments pose significant challenges for communal land rights and associated livelihoods. The need to protect and secure communal land rights is thus a critical livelihoods, governance and development challenge in Karamoja. A review of the policy, legal and institutional framework for land governance clarifies the opportunities and challenges to securing communal land rights, including through registration. In this connection, the major policy and legal instruments are the Constitution; the National Land Policy, and the Land Act. Also, of relevance are sectoral policies such as the Mining Policy, Uganda Wildlife Policy, and Agricultural Sector Development Strategy.

2.1 The Constitution 1995

The adoption of the Constitution of Uganda 1995 marked an important threshold for communal land tenure. The Constitution recognizes customary tenure as one of the four land tenure systems in Uganda², and provides for a person owning land under customary tenure to register the same and acquire a Certificate of Customary Ownership (CCO)³. Thus, the Constitution places customary tenure to the same level as other tenure systems. The Constitution also entrenches the decentralization of land administration by establishing DLBs, which are mandated, among other things, “to facilitate registration and transfer of interests in land; and to deal with all other matters connected with land in the district...”⁴ It mandates Parliament to make laws providing for establishment of land tribunals to arbitrate and determine land related disputes⁵.

Also of relevance are the provisions of the Constitution vesting mineral and petroleum in the Government. The Constitution further provides that minerals and petroleum shall be exploited taking into account interest of individual landowners, local governments and the national government⁶. This is in recognition of the need to balance interests over mineral resources between the national government, local government, and landowners, which has proved quite problematic in Karamoja where land is held under customary tenure. A major concern for communities is compensation for land that is used for mining and exploration of mineral resources.

² Article 237(3). The other land tenure systems are freehold, *mailo* and leasehold

³ Article 237(4)(a)

⁴ Article 241 (b) and (c)

⁵ Article 243. According to section 32A of the Land Act, introduced by the Land (Amendment) Act 2010, a Land Tribunal is a court presided over by a Magistrate Grade 1 or a Chief Magistrate.

⁶ Article 244(3)

2.2 The Land Act 1998

The Land Act 1998 was enacted to give effect to the provisions of the 1995 Constitution that mandated the Parliament elected under it to enact a law on land within two years of its first sitting. The Act specifies attributes of customary land tenure under section 3(1) (see Box).

A major achievement for customary land tenure arising from the constitutional recognition is the possibility for registration. The Act sets out the procedure for applying for a CCO (see section 5 below for a more detailed discussion of the procedure for registration of a CCO and establishment of a CLA).

Once issued, a CCO is conclusive evidence of the customary rights and interests specified in it, and “the land shall continue to be occupied, used, regulated and any transactions in respect of the land undertaken and any third-party rights over the land exercised in accordance with customary law⁷. With a CCO, an owner of land held under customary tenure may lease, mortgage, subdivide, sell, or dispose of the land by will, subject only to conditions, restrictions and limitations contained in the certificate⁸.

Attributes of customary tenure (Section 3(1) of the Land Act

Customary tenure is a form of tenure –

- (a) applicable to a specific areas of land and a specific description or class of persons;
- (b) subject to section 27, governed by rules generally accepted as binding and authoritative by the class of persons to which it applies;
- (c) applicable to any person acquiring land in that area in accordance with those rules;
- (d) subject to section 27, characterised by local customary regulation;
- (e) applying local customary regulation and management to individual and household ownership, use and occupation of; and transactions in, land
- (f) providing for communal ownership and use of land
- (g) in which parcels of land may be recognized as subdivisions belonging to a person, a family or a traditional institution; and
- (h) which is owned in perpetuity

2.3 The Uganda National Land Policy

The Uganda National Land Policy was adopted and published in February 2013, driven in part by the need to address poor implementation of the Land Act. The fact that constitutional and legal recognition of customary land tenure has not had the intended impact of securing customary land rights is due in large measure to poor implementation of the Act. In the absence of a land policy competing sector imperatives frustrated implementation of the Act. The Policy seeks to create coherence in the land sector by reconciling the competing demands from different land uses.

⁷ Section 8(1)

⁸ Section 8(2)

Objectives of the National Land Policy that are of relevance to customary land tenure and to this assessment are: to harmonize and streamline the tenure regimes for equitable access to land and security of tenure; to redress historical land injustices in order to protect the land rights of groups and communities marginalized by history or on the basis of gender, religion, ethnicity and other forms of vulnerability; to reform and streamline land administration to ensure efficient, effective and equitable delivery of land services; and to strengthen institutional capacity at all levels of government and cultural institutions for the sustainable management of land resources. The Policy acknowledges the challenge of administering customary land tenure, and proposes policy options affirm the equal status of customary tenure with other tenure systems that is entrenched in the Constitution and the Land Act.

It commits the State to recognize customary tenure to be at par with other tenure systems, and to establish a registry system for it⁹. In addition, it commits the State to facilitate the evolution and development of customary tenure by: issuing certificates of customary ownership that confer rights equivalent to freehold tenure; facilitating conversion of customary land which is already privatised and individualized into freehold tenure; documenting customary land tenure rules applicable to specific communities at the district or sub-county levels; promoting systematic demarcation as a measure to reduce the cost of registering rights under customary tenure; and making inventory of common property resources owned by communities and vesting the resources in the communities to be managed under their customary law.

The Policy commits the State to facilitate the design and evolution of a legislative framework for customary tenure. Measures to be taken in this regard include: amending the Land Act to permit only individually owned customary land to be converted to freehold; amending the Registration of Titles Act to place customary tenure at par with other tenure systems; modifying the rules of transmission of land rights under customary tenure to guarantee gender equality and equity; making provision for joint ownership of family land by spouses; recognizing the role of customary institutions in making rules governing land, resolving disputes and protecting land rights; defining family and individual land rights from communal rights; and providing for registration of customary land held under trusteeship by traditional institutions or cultural leaders on behalf of communities in the names of trustees.

To strengthen traditional land management and administration institutions, the Policy commits the State to: recognize and enforce decisions of traditional land management institutions; ensure full judicial backing for traditional institutions as mechanisms of first instance for disputes over land held under customary tenure; ensure that the decisions of traditional land management institutions uphold constitutional rights and obligations with regard to gender equity; and develop guidelines and procedures under customary land law for the allocation and distribution of land in conformity with principles of equality and natural justice.

The Policy acknowledges that pastoral land rights are under threat, particularly from privatization, which constrains mobility that is a critical coping strategy for pastoral livelihoods; and commits the State to guarantee and protect land rights of pastoral communities¹⁰. It enumerates measures that government shall take in order to secure pastoral land rights and promote pastoral development¹¹. Also of relevance is the policy commitment to protect land rights of individuals and communities,

⁹ para. 39, at p.17

¹⁰ para. 60, at p.23

¹¹ paras. 61 and 62, *ibid*

including those who hold customary land rights in areas where mineral and petroleum exist or are discovered.

2.4 The National Land Policy Implementation Action Plan 2015/16 – 2018/19

To implement the Uganda National Land Policy, the Government established the National Land Policy Implementation Unit (NLPIU) within the Ministry of Lands, Housing and Urban Development (MLHUD). NLPIU published the National Land Policy Implementation Action Plan for the period 2015 to 2019 in March 2015, outlining actions to be taken to give effect to the reforms envisaged in the National Land Policy.

The Action Plan lists 12 priority areas to be pursued in the first three years, all of them of relevance to securing communal land rights (see Box). The Action Plan proposes the following specific actions, which have a direct bearing on strengthening customary land tenure and pastoral land rights, namely:

1. assistance to customary tenure institutions to fulfil their responsibilities;
2. review and regulation of implementation of customary rules to ensure that women's rights to family land are protected;
3. developing and providing training and resources to traditional dispute resolution mechanisms;
4. establishment and operationalization of a customary land rights registry;
5. designing of formalization schemes appropriate to different customary rights situations and needs of rights holders;
6. roll out and scale up of systematic land demarcation and titling of customary land rights;
7. review and amendment of laws governing land and resource access and tenure rights of pastoralist communities; and
8. policy reforms in respect of rights and responsibilities relating to pastoralist communities

NLP Priority Actions for the First Three Years

1. Administrative measures for coordinated NLP implementation
2. Capacity building and training programmes for government, civil society and other key actors
3. Measures to protect and improve women's secure rights and access to land
4. Measures to manage and resolve land disputes and conflicts
5. Institutional reforms for delivery of land services
6. Regularizing and securing land rights across the four land tenure systems
7. Legal and regulatory reforms
8. Research and studies to support the land reform programme
9. Reforms related to the National Land Policy
10. Land rights civic education and awareness programme
11. Fulfilling regional and international obligations
12. Land use and land management reforms

The Ministry, with funding support from Global Land Tool Network (GLTN), is supporting the issuance of CCOs in the districts of Kabale and Adjumani. As the current Action Plan comes to an end during this financial year, the Ministry is in the process of reviewing its implementation, with a view to developing a new one. This provides an opportunity for Mercy Corps – BRACED and other actors to engage with the Ministry to learn from the experience of the current Action Plan and to

influence the design of the next Plan and ensure that it supports work on communal land tenure in Karamoja.

2.5 Other relevant policies

Although the policy and legal instruments that of direct relevance to this assessment are the Constitution, the Land Policy and the Land Act, it is important to recognize that other policies such as those on development planning and management of natural resources also touch on land. In this connection, Uganda Vision 2040 and the National Development Plan (NDP) are critical as they define the overall context for formulation and implementation of development policies in the country. Uganda Vision 2040 articulates the country's vision of transforming from a peasant to a modern and prosperous country by 2040 and outlines strategies to that end; while NDP defines the actions for realizing the vision. The current NDP runs from 2015/16 to 2019/20 and is the second of six medium term plans to be implemented over the period of the Vision.

Since Uganda Vision 2040 looks to mining as one of the key drivers of the economy, its implementation has a direct bearing on Karamoja generally and on the land rights of local communities in particular given that the region's mineral resources endowment. What is more, the Vision prioritizes land tenure reforms which directly respond to land governance and administration challenges that are of direct relevance to Karamoja and to this assessment.

Land use and management is prioritised as one of the development fundamentals under NDP II, with interventions to ensure "easy access to land for productive investments, progress towards the harmonization of land sector institutions, policy, legal and regulatory framework for land management, modernization of land services delivery, land information and valuation systems and supporting infrastructure for planning and decision making"¹². Among the challenges to land management identified by the Plan are: encroachment on protected land, underutilization and scrambling over communal lands; discrimination of women and youth in accessing land; inadequate land administration services especially with regards to land dispute resolution, valuation and land use planning; and poorly functioning land sales and rental markets; all of which have a direct bearing on security of communal land rights in Karamoja.

NDP II proposes to embark on nationwide systematic land demarcation and survey with a view to titling the remaining 80 percent of the land, mostly under customary tenure system by 2040. In this regard, the Plan integrates priorities around land reform that are articulated in the Constitution, Uganda Vision 2040, East African Community (EAC) Regional Integration Protocols, Africa Agenda 2063 and the Sustainable Development Goals (SDGs) integrated. These priorities are also integrated into the Second Karamoja Integrated Development Plan (KIDP II), which within the strategic objective "to strengthen security of land tenure and alleviate land disputes" plans to provide training and capacity building to local land administration and management structures and traditional leaders, support surveying of land and issuance of CCOs, and establish a land registry in Moroto, among other interventions.

The Mineral Policy 2002, Uganda Wildlife Policy 2014, and Uganda Forestry Policy and their implementing legislation are also of relevance in discussions about protection and promotion of communal land rights in Karamoja. The pursuit of imperatives of these policies entails the implementation of land uses that compete with pastoral and agro-pastoral land uses in Karamoja.

¹² Paragraph 142, p.40

Thus, a major challenge for government is how to reconcile those imperatives with the imperative of securing communal land rights and land-based livelihoods.

2.6 Major stakeholders in registration of communal land

Major actors whose activities have a bearing on communal land tenure in Karamoja can be classified by the level at which they operate, that is to say, national, district/regional, and community levels; or by category, that is to say, as state actors or non-state actors (NSAs). There are also community level frameworks, comprising mainly of traditional institutions.

Table 1 lists the major actors. Though by no means exhaustive, the list is indicative of major categories of actors and identifies the major players currently engaged in different ways with promotion and protection of communal land tenure in Karamoja.

Table 1: Major stakeholders in securing communal land rights in Karamoja

Categories	National Level	District/Regional Level
State Actors	<ol style="list-style-type: none"> 1. MLHUD <ul style="list-style-type: none"> - Department of Land Administration - Department of Land Registration 2. National Land Policy Implementation Unit 3. Ministry of Energy and Mineral Development 4. Ministry of Water and Environment 5. National Forest Authority 6. Ministry of Tourism, Wildlife and Antiquities 7. Uganda Wildlife Authority 	District Local Governments Local Councils I, II, III, V District Land Boards Area Land Committees
Non-State Actors	<ol style="list-style-type: none"> 1. Uganda Land Alliance (ULA) 2. Land and Equity Movement in Uganda (LEMU) 3. Coalition of Pastoral Civil Society Organizations (COPACSO) 	<ol style="list-style-type: none"> 1. Riam Riam Civil Society Network 2. Karamoja Development Forum (KDF) 3. Karamoja Agro-Pastoral Development Programme (KADP) 4. Matheniko Development Forum (MADEFO) 5. Northern Uganda Land Platform 6. Rupa Community Development Trust (RUCODET) 7. Karamoja Miners Association
Community Level	Councils of Elders (<i>Akirirket</i>)	
Projects/Development Partners	Mercy Corps - BRACED GIZ Civil Peace Service VSF-Belgium	

3. Opportunities and challenges for securing communal land rights in Karamoja

The policy, legal and institutional context discussed in the previous section provides both opportunities and challenges for securing communal land rights. In its endeavour to support the strengthening of communal land rights, Mercy Corps will take advantage of the opportunities as entry points for designing interventions, while looking out for and putting in place strategies to overcome the challenges.

The most significant opportunity for communal land rights is the recognition of customary land tenure by the Constitution, the National Land Policy and the Land Act. This affirms the legal legitimacy and standing of customary tenure and effectively puts it at par with the other tenure systems. Although the recognition has not translated into security of communal tenure two decades down the line, this is a challenge of implementation, and is the justification for the kind of interventions that Mercy Corps – BRACED is contemplating.

Another important opportunity is provided by the decentralization policy entrenched in Chapter Eleven of the Constitution and implemented through the Local Government Act 1997. The policy has seen to the establishment of decentralized governance frameworks, which are close to the people, including those responsible for land. The policy also makes it possible for communities to mobilize and organise at the community level to influence planning and implementation of policies.

The National Land Policy explicitly addresses pastoral land rights, and articulates specific commitments by the State to guarantee and protect land rights of pastoral communities held under customary tenure. These include: protection of the land of pastoral communities “from indiscriminate appropriation by individuals or corporate entities under the guise of investment”¹³; promotion of establishment of CLAs and the use of communal land management schemes; consideration of land swapping, resettlement or compensation of pastoral communities displaced by government from their ancestral lands; and establishment of mechanisms for “flexible and negotiated cross-border access to pastoral resources among clans, lineages and communities for their mutual benefit”¹⁴. The National Land Policy Implementation Action Plan contains activities, including research studies and legal and regulatory reforms aimed at fulfilling these policy commitments¹⁵.

There are other opportunities, which though not policy-related, may have a positive bearing on focusing attention on communal land rights. These include: increased interest on Karamoja and pastoral land rights on the part of development partners. The increased interest is triggered by the increased investor interest in the region, which in turn is a response to improved security and access to the region given improved and ongoing infrastructure developments. Also of relevance is the

¹³ para 61 (iii), p.23

¹⁴ para 62(iv), p.23

¹⁵ Annex 1 National Land Policy Implementation Matrix, p 14-15

emergence of a strong civil society and the presence of traditional leadership and structures at community level.

But there are also significant challenges to the promotion and protection of communal land rights. This is part of the explanation for the lack of progress over the past two decades even with the positive policy and legal framework. A key impediment to the effective implementation of the positive policy options on customary land tenure arise from conflicting policy imperatives on the part of government. This is most evident in the tensions between economic development planning and natural resource management policies on the one hand and land governance policies on the other. The modernization agenda pursued under Uganda Vision 2040 is underpinned by push for individualization of land tenure and transformation of the livestock sector from mobile pastoralism to settled ranching. These imperatives drive policy and strategic actions that contradict the imperative of securing communal land tenure. These contradictions explain the apparent tensions between political and technocratic imperatives around land administration evident in the failure to enact legislation, establish institutions and provide resources in support of policies that are supportive of communal land tenure. While political imperatives push the adoption of these policies, their implementation is frustrated by technocrats and bureaucrats who are sold to the modernization imperative.

It is these conflicting imperatives that explain the failure by government to support establishment of CLAs and operationalization of decentralized structures of land governance, namely DLBs and ALCs; the lack of adequate government support to build the capacity of land administration at district level, recruit and post land surveying, administration, valuation and registration personnel. As a result, the technical and institutional infrastructure needed for registration of CCOs, including forms, certificates, land records storage and management systems, technical support to ALC, DLBs and Recorders are lacking in Karamoja and elsewhere in Northern Uganda where customary tenure is most prevalent. Even traditional institutions lack the technical support and infrastructure to play their effective role in administering customary land law, and to engage effectively with government and other actors around land governance issues.

4. Good practice examples of securing communal land rights

There are a number of good¹⁶ practice examples that Mercy Corps – BRACED can learn from in seeking to secure communal land rights. Mercy Corps – BRACED has experience in this regard based on its work in Kaabong, where it has reportedly supported the establishment of CLAs and issuance of CCOs. This is the most relevant experience given that it has been implemented by the same organization and project within the same Karamoja region. The lessons learnt in Kaabong should inform the design of the process in Moroto and Napak.

Elsewhere in Karamoja, there are experiences from the work that was done by ULA in Napak, and which is reportedly being carried forward by the MLHUD. That work entailed the establishment of

¹⁶ We avoid use of the designation 'best practice' out of recognition that this is an evolving area of work, and examples provided here are work in progress, the effectiveness of which can only be judged over time.

CLAs and demarcation of boundaries of communal land with a view to applying for CCOs, but there is no evidence that it progressed beyond the establishment of CLAs. However, as Mercy Corps – BRACED intends to work in Napak, it should be able to establish the status of that process and determine how it can build on the work done by ULA and MLHUD.

Nearer home in Rupa Subcounty, the community has registered a Trust, Rupa Community Development Trust (RUCODET), and applied for a CCO in the name of the Trust. This procedure, which is governed by the Trustees Incorporation Act, chapter 165, provides an alternative to the CLA as the legal persona with which a community can apply to register communal land. The procedure is anticipated by the National Land Policy. Among the measures that the Policy commits the government to take in order to facilitate the design and implementation of a legislative framework for customary tenure is to *provide for registration of customary land held under trusteeship by traditional institutions or cultural leaders on behalf of communities in the names of trustees*¹⁷.

Other examples from which Mercy Corps – BRACED can draw for inspiration and experience include the work that LEMU is doing with traditional institutions in Acholi, Lango and Teso to strengthen governance of customary land and improve security of tenure thereof. Though instructive, that body of work is not directly relevant as the communities involved are not pastoral communities and there are significant variations in the structures of traditional leadership and practices around land governance. More importantly, LEMU has not sought to support registration of communal land.

Within the framework of the current National Land Policy Implementation Action Plan, the MLHUD is supporting the issuance of CCOs in the districts of Kabale and Adjumani. These are largely agricultural areas, and the land tenure, though customary, is highly individualized in terms of use and control to households and families, so that the CCOs issued are to individuals and families¹⁸. Further investigations are needed to establish the status of this process and its relevance to the situation in Karamoja.

Outside Uganda, there are experiences in Kenya and Tanzania that may hold useful experiences and lesson for Mercy Corps – BRACED. The experience of registration of group ranches in Narok and Kajiado is relevant, but this process has subsequently been discredited for failing to secure communal lands and instead facilitating their privatization and engendering conflicts within pastoral communities. There are however lessons from the group ranches experiences that should be kept in mind when constituting CLAs and trusts for purposes of registering community land. Considerations about gender equity, inter-generational transfer of interests, and management of social and economic change should be prioritized in developing the constituting documents for these frameworks.

It was partly to respond to the shortcomings of the group ranch registration system that the Community Land Act was enacted in Kenya. The Act gives effect to the reforms under the National Land Act 2009 and the Constitution of Kenya 2010, and repeals the Land (Group Representatives) Act under which groups ranches were constituted. The benefits of the new legislative framework for securing communal land are yet to be realized as the Regulations for implementation of the Act were only published in December 2017. The legislation is however of direct relevance to the situation of communal land rights in Karamoja, as it is aimed at securing pastoral land rights in contexts that are pretty similar.

¹⁷ Chapter (43(41)(vii), p.18

¹⁸ See Kamusiime, Nsamba-Gayiiya and Kajumba, 2017

In Tanzania, the Village Land Act of 1999 provides for registration of village land and issuance of certificates of village land, which confer upon the Village Council the functions of managing the village land and affirm the occupation and use of the village land by the villagers in accordance with their customary law. Where the villagers “are pastoralists or have a predominantly pastoral way of life”, the certificate of village land shall include land that the villagers customarily use for grazing¹⁹. A number of pastoralist villages in Northern Tanzania have obtained certificates of village land, and their experiences are of relevance to the pastoralists of Karamoja in their search for security of tenure for communal lands.

All these experiences can be of use to Mercy Corps – BRACED in its support to the communities of Moroto and Napak to register their communal land rights. The project should consider supporting exchange visits by community leaders, members of decentralized land governance institutions and other stakeholders to some of the locations of relevance so that they may learn from the said experiences and see what is applicable to the situation in Karamoja.

¹⁹ Section 7(d) of the Village Land Act

5. Step by Step Guide for Registration of Communal Land in Uganda

In order to register communal land, the community need to establish the legal entity that shall apply for and register the land, write down the rules that shall govern communal resources, resolve any outstanding disputes over the land, and then apply for registration of land. Under the Land Act, the legal entity through which the community holds title to communal land is the CLA.

5.1. Registration of a Communal Land Association

The procedure for registration of a CLA is provided under the Land Act²⁰. The MLHUD has also published and disseminated Guidelines on registration of CLA and communal land. Below are the steps to be followed in registering a CLA:

1. **A meeting of the community is convened** to agree on the establishment of a CLA, the name with which it shall be registered, compile a list of **all the persons** with rights or interests in the land, including minors, women, persons with disability, absent persons, etc., and agree on representatives of the group that shall sign the application for registration. The list with signatures of the applicant owners accompanies the form to be submitted for registration.
2. **The prescribed form** (Form 44 First Schedule, Land Regulations) is filled out and signed by representatives of the group.
3. **The form and list** of community members are submitted to the District Registrar of Titles (DRT)
4. **DRT issues a notice convening a meeting** of the persons seeking registration. The notice, which shall be of not less than 21 days, explains the purpose of the meeting in a manner that the people will understand, and copies of it are placed in a prominent place on the land and other public places within the locality.
5. **DRT or an authorized officer** presides over the meeting when it convenes. The meeting determines whether to incorporate a CLA; and requires not less than 60 per cent of the group to agree for the process to proceed.
6. **“where not less than 60 percent of the group** determine to incorporate themselves into a CLA, they elect not more than nine nor less than three persons, of whom not less than one-third shall be women, to be the officers of the association”²¹.
7. **A Constitution for the Association is prepared** by the officers elected under step 6, with the assistance and support of DRT
8. **The Constitution is presented to the DRT** to certify that it is appropriate
9. **A meeting of the members** is convened to adopt the Constitution. The Constitution shall only be adopted if approved by an absolute majority of members attending the meeting convened for that purpose.

²⁰ See in particular sections 15 to 20 of the Act

²¹ Section 16(4)(b) of the Land Act

10. **Once the Constitution is approved**, the officers of the Association apply to the DRT to be incorporated as a CLA under the Land Act
11. **The DRT issues a certificate** of incorporation of the officers of the Association in the prescribed form

When a certificate of incorporation is issued, “the persons named in it as the officers shall become a body corporate with the name specified in the certificate and shall have perpetual succession and a common seal”²².

5.2. Registration of Communal Land

An individual, a family, a clan, or a community can apply to register land held under customary tenure and be issued with a CCO. The procedure to be followed in applying for registration of land held under customary tenure and issuance of a CCO is set out in the Land Act²³. Here we focus on the steps for registration of communal land to a community registered as a CLA.

1. **The officers of the CLA fill out** the prescribed form
2. **The form is submitted to ALC** of the Parish in which the land is situated, with the prescribed fee.
3. **The chairperson of the ALC issues a notice** in the prescribed form, to be published and posted in a prominent place in the parish and on the land which is the subject of the application, specifying location and approximate area of the land and inviting all persons who claim any interest in the land or in any adjacent land which may be affected by the application, to attend a meeting of the committee at a specified time, on a date not less than two weeks from the date the notice is published, and put forward their claims.
4. **The ALC proceeds to process the application** and in that connection it shall:
 - i. determine, verify and mark the boundaries of all interests in the land;
 - ii. demarcate rights of way and other easements over the land any land adjacent to it;
 - iii. adjudicate upon and decide in accordance with the relevant customary law on any question or matter concerning the land on the basis of an application by any person who has an interest in the land or any land adjacent to it;
 - iv. determine the rights of any person who has exercised rights under customary law over the land, and if they are more than one, allocate them shares accordingly;
 - v. record the nature, incidents and extent of any proved third party rights over the land (lease, right of occupation or use, charge, pledge or other encumbrance whether by virtue of customary law or otherwise); in which case the CCO shall be issued subject to the third party interest, which shall be endorsed on the certificate;
 - vi. advise the DLB upon any question of customary law;

²² section 18(3) of the Land Act

²³ See sections 4 to 7 of the Land Act

- vii. safeguard the interests and rights of women, absent persons, minors and persons with disability

In processing the application, the ALC may conduct hearings (without being bound by the rules of evidence in formal court hearings), call evidence of its own motion; use evidence contained in any official record or adduced in any other claim; refer any matters to any relevant customary institution within the parish for advice and, where relevant, use customary procedures relating to the settlement of disputes over land recognised and in general use within the community where the land is situated. In the conduct of the hearings, the Chairperson of the ALC shall have power to administer oaths and to issue summonses, notices and orders for attendance of witnesses and production of documents as appropriate. The Committee may where necessary adjourn any hearing into any claim and request an officer from the district land office or any other person within the parish with knowledge about land within the parish to conduct further investigations into the claim.

5. Upon completing the hearing, the ALC shall

- i. Prepare a report on the application setting out its findings and recommendations with reasons, including whether the application should be approved (with or without conditions) or refused;
- ii. Give or send a copy of the report to the applicant;
- iii. Submit the report to the board;
- iv. Make a copy of the report available within the parish for inspection by all persons who submitted claims to or who were heard by the committee.

6. The DLB upon receiving the report of the ALC, shall consider it and the recommendations, and may

- i. confirm the recommendations of the ALC to issue a CCO (with or without conditions) or refuse to issue the same;
- ii. vary the conditions that the ALC recommended for issuing a CCO;
- iii. return the report to the ALC with directions as to what action, including further investigations or hearings, it is to undertake on the application; or
- iv. reject the report of the committee and where the recommendation of the committee is to issue a certificate, refuse to issue a certificate and where the recommendation of the committee is to refuse to issue a certificate, issue a certificate

7. The DLB communicates its decision in writing to the Recorder, who shall proceed to issue a CCO where the decision of the Board is that it be issued

Any person aggrieved by a decision of the board “may appeal to the land tribunal against that decision; and the land tribunal may confirm, vary, reverse or modify the decision of the board and make such other order in respect of that decision or as it is empowered to make”²⁴ by the Land Act.

²⁴ Section 7(6) of the Land Act

5.3. How development partners can support communities to secure their land rights

In section 3 we presented the major challenges and opportunities for securing communal land rights in Karamoja within the current policy, legal and institutional context in Uganda. The said opportunities and challenges define respectively the entry points and issues that the development partners who wish to support communities to secure their communal land rights should focus on.

We have outlined the major opportunities as the constitutional, policy and legal recognition of customary land tenure and the policy commitment to securing pastoral land rights; the decentralization policy; increased interest by investors and development partners on Karamoja; the emergence of a strong civil society and the presence of traditional leadership and structures at community level. These opportunities can be leveraged to support communities to secure communal land rights.

We have also demonstrated how competing political imperatives and the absence of political will have denied pastoral communities in Karamoja the benefits of the opportunities in the policy and legal framework for securing communal land rights. Development partners can therefore assist communities by improving their capacities for organization and mobilization to influence policy implementation in favour of secure communal land rights. In particular, civil society organizations and traditional institutions need to be strengthened and their understanding of the policy opportunities improved so that they may effectively engage with the institutions responsible for policy implementation, monitor policy implementation processes and provide feedback to government and other actors.

It has also been noted that there is inadequate institutional and technical capacity on the part of land governance institutions, particularly at the district and local levels. Development partners can support the improvement of capacity for decentralized land governance institutions, particularly the DLB and the ALC to better fulfill their mandates in securing communal land rights. Training and capacity building initiatives, exchange visits, support to procure basic equipment and tools, and piloting of approaches will go a long way in improving the capacity of these institutions.

Development partners can also engage with the government at the national level to support and influence the implementation of policies to secure communal land rights. In particular, development partners should engage with the NLPIU in the ongoing review of the current Land Policy Implementation Action Plan and the development of the next one. This provides an opportunity for development partners to input into the design of priorities and activities that will translate the positive policy stipulations into benefits for pastoral communities. The NLPIU is open to the idea of partnerships with development partners to implement specific activities in particular areas, and development partners can use that opportunity to initiate relevant activities and pilots in Karamoja in partnership with NLPIU and the MLHUD.

Finally, development partners can strengthen interactions between pastoralists in Karamoja and their counterparts in Kenya and South Sudan to facilitate sustainable strategic cross-border movement during times of stress. Traditional mechanisms that facilitate cross-border mobility have come under pressure from modern institutions, and there is need to better integrate them into the state systems. Opportunities exist within the framework of regional integration, specifically under the Intergovernmental Authority on Development (IGAD) and the East African Community (EAC). IGAD has established the Karamoja Cluster Facilitation Unit in Moroto, which seeks among other things, to facilitate cross-border movement of livestock. The EAC has Protocols on Peace and Security, and Environment and Natural Resources, which recognize cross-border movement of pastoralists. The African Union (AU) Policy Framework for Pastoralism in Africa and the Framework and Guidelines on Land Policy both recognize the need for integrating cross-border mobility and use in frameworks

for land governance in border regions. Development partners can support awareness creation on these regional frameworks and facilitate processes for integrating them into national policies.

6. Conclusions and Recommendations to Mercy Corps – BRACED on support to securing communal land rights in Karamoja

This report has reviewed the policy and legal framework for lands governance in Uganda in so far as it touches on the security of communal land rights in Karamoja. The report has analysed the opportunities and constraints to registration of communal land rights. It has demonstrated that the policy and legal framework is supportive of customary land tenure generally and pastoral land rights in particular. The Constitution recognizes customary land tenure as one of the four land tenure systems in Uganda, and the Land Act makes provisions for establishment of CLAs, registration of communal land and issuance of CCOs. The National Land Policy published in February 2013 articulates measures and strategies for strengthening customary land tenure and securing pastoral land rights. The report identifies challenges that have to be overcome in order for pastoral communities in Karamoja to realize the benefits of the policy and legal framework.

The overall purpose of this assessment was to assist Mercy Corps – BRACED determine how best to support the registration of communal land rights in Karamoja. In this regard, the assessment finds that the need for support to secure communal land rights in Karamoja is clear and urgent, and that registration and issuance of CCOs has the potential of offering the strongest security for communal land, since it is the absence of documentation that is often used to undermine land rights of communities.

The report notes that the success of any support by Mercy Corps - BRACED to the registration of communal land will depend on a variety of factors that are not within the control of Mercy Corps, and advises that in designing its interventions, Mercy Corps should have regard to these factors. It ascertain what is possible in the context of Moroto and Napak, and design its interventions with due regard to what is attainable within the time and with the resources at its disposal.

The following are the specific recommendations to Mercy Corps – BRACED on what it should do to support the securing of communal land rights through registration of communal land:

1. **Establish a proper baseline for the intervention** by conducting a rapid assessment of the situation in terms of existence and status of CLAs and of capacity for land registration in the two districts. In this regard, Mercy Corps – BRACED should:
 - i. Use own staff or engage a consultant (as appropriate) to conduct rapid assessment in the two districts;

- ii. Establish the number and status of CLAs (how many have been 'established', how far they have gone in the establishment process, etc.) in the two districts;
 - iii. Determine what remains to be done in order to complete the registration process for the CLAs;
 - iv. Establish the institutional and technical capacity development needs of the CLAs, which have to be addressed for them to effectively hold and administer communal land; and
 - v. Establish the existence and capacity of land administration infrastructure (staff, equipment, documentation) within the two district relative to the task of registering CLAs and communal land
- 2. Establish what is achievable given the time and resources** at its disposal. In this regard, Mercy Corps – BRACED should:
- i. Review the project in the light of the remaining time and revise the targets as appropriate, in view of this report; and
 - ii. Explore the possibility of establishing partnerships with CSOs to facilitate implementation of activities, taking into account lessons learnt from previous partnerships to ensure effective delivery
- 3. Ensure that interventions that it initiates are demand-driven** and respond to the objective needs of the communities in the two districts. In this connection, Mercy Corps – BRACED should:
- i. Enter into a training and capacity development partnership with a CSO to conduct training, capacity development and awareness creations workshops in the two districts regarding establishment of CLAs and registration of communal land;
 - ii. Develop a comprehensive and doable training, capacity development and awareness creation programme and modules with targeted information, education and communications materials on governance and management of communal land;
 - iii. Involve a wide spectrum of community members (elders, men, women, youth); local leaders (LC I, II, III and V); and land administration officials in the training, capacity building and awareness creation exercises; and
 - iv. Use the training, capacity development and awareness creation exercise to gauge the demand and opportunities for registration of communal land within the respective communities and districts.
- 4. Sequence interventions in a manner that will ensure** that processes continue beyond the life of the project, and that interventions are sustainable and have lasting impact. In this connection, Mercy Corps – BRACED should:
- i. Design and plan interventions in close collaboration with the relevant communities and the land administration officials;
 - ii. Consult with the land administration officials on the sequencing of interventions; and
 - iii. Link interventions with ongoing processes within communities and local government
- 5. Based on the outcome of the above processes,** Mercy Corps – BRACED should proceed to:
- i. Support the complete registration of a number of CLAs in Moroto and Napak
 - ii. Pilot registration by a specific number of fully registered CLAs for issuance of CCOs over their communal land

- iii. Support a specific number of families and individuals to initiate applications for issuance of CCOs in land where there is no dispute

6. Mercy Corps – BRACED should also consider providing support for capacity development of decentralized land governance structures and communities for land registration. This may include providing support for:

- i. Targeted training and capacity development for communities, ALCs and DLBs;
- ii. Exchange visits for communities, ALCs and DLBs to learn from experiences in other places where progress has been made in registering communal land (Kabale, Adjumani, Narok in Kenya, Ngorongoro in Tanzania); and
- iii. Providing some targeted institutional capacity support for specific CSOs, ALCs and the DLBs to improve their functioning

7. Mercy Corps – BRACED should engage with national processes that aim to promote implementation of the National Land Policy with a view to ensuring that they prioritize strengthening of communal land rights. In this connection, it should:

- i. Engage the NLPIU on the review of the current National Land Policy Implementation Action Plan and the development of the next one;
- ii. Support dissemination and awareness creation on policy frameworks and guidelines of the EAC, IGAD and the AU on pastoral land rights and cross-border mobility; and
- iii. Support interactions between communities and CSOs in Karamoja with their counterparts across the border in Kenya and South Sudan with a view to strengthening frameworks for cross-border mobility and use of rangelands

REFERENCES

Baleke, Trevor S. 'Uganda's Karamoja; where abundant natural resources haven't transformed lives'. *Afrika Reporter*, March 3, 2015, <http://www.afrikareporter.com/ugandas-karamoja-where-abundant-natural-resources-havent-transformed-lives/>, accessed 4th September 2018

Kamusiime, H., E. Nsamba-Gayiiya and C. Kajumba. Changing Form and Content of Women's Land Rights under Customary Tenure in Northern Uganda: Is Registration or Titling an Option? https://www.conftool.com/landandpoverty2017/index.php?page=browseSessions&print=yes&doprint=yes&form_room=16&metadata=show&mode=list&presentations=show, accessed 9th September 2018

Mercy Corps. Karamoja Strategic Resilience Assessment Final Report, August 2016, <https://www.mercycorps.org/sites/default/files/UgandaSTRESSKaramojaFinalRep.pdf>, accessed 4th September 2018

Rugadya, Margaret A., H. Kamusiime, and E. Nsamba-Gayiiya. Tenure in Mystery: Status of Land under Wildlife, Forestry and Mining Concessions in Karamoja Region, Uganda. August 2010.

Support to Land Policy Implementation 2018. Presentation by Naome Kabanda, Head, National Land Policy Implementation Secretariat, MLHUD, Uganda. Slideshare, https://www.slideshare.net/LandGLTN/support-to-land-policy-implementation-in-uganda?from_action=save, accessed 9th September 2018

Policy and Legal Instruments

Uganda

Constitution of the Republic of Uganda, 1995

Uganda Vision 2040

Uganda Forestry Policy 2001

The Mineral Policy of Uganda 2002

The Uganda National Land Policy, February 2013

Uganda Wildlife Policy 2014

The Uganda Wildlife Act 1996

The Local Government Act 1997

The Land Act 1998

The Land (Amendment) Act 2010

The Mining Act 2003

The National Forestry and Tree Planting Act 2003

The Trustees Incorporation Act 1939

The Second Karamoja Integrated Development Plan (KIDP II) 2015-2020

The Uganda National Land Policy Implementation Action Plan 2015/16 – 2018/19

Kenya

Constitution of Kenya, 2010

Sessional Paper No. 3 of 2009 on the National Land Policy

Community Land Act 2016

Community Land Regulations, 2017

Tanzania

The Village Land Act, No. 5 of 1999

Regional

EAC Protocol on Environment and Natural Resources Management, April 2006

EAC Protocol on Peace and Security, February 2013

Policy Framework for Pastoralism in Africa: Securing, Protecting and Improving the Lives, Livelihoods and Rights of Pastoralist Communities, 2010

Framework and Guidelines on Land Policy in Africa: Land Policy in Africa – A Framework to Strengthen Land Rights, Enhance Productivity and Secure Livelihoods, September 2010

PERSONS AND GROUPS INTERVIEWED

Kampala

1. Arif Ahmed, *Program Manager*, Mercy Corps Uganda
2. Aboi Paul Ngole, *Project Manager*, Lands and Governance, Mercy Corps Uganda
3. Algresia Akwi Ogojo, *Executive Director*, Uganda Land Alliance (ULA)
4. Jimmy Ochom, *Head of Programmes*, Uganda Land Alliance (ULA)
5. Judy Adoko, *Executive Director*, Land and Equity Movement in Uganda (LEMU)
6. Naome Kabanda, *Commissioner for Land Administration and Head, National Land Policy Implementation Secretariat*, Ministry of Lands, Housing and Urban Development (MLHUD)
7. David Gatere, *Chief of Party*, Securing Peace and Promoting Prosperity in Karamoja Project, Mercy Corps Uganda
8. Mesfin Ayele Molla, *Chief of Party*, Karamoja Resilience Support Unit, Feinstein International Center, Tufts Global Inc.
9. Stephen Okello, *Resilience Learning Officer*, Karamoja Resilience Support Unit, Feinstein International Center, Tufts Global Inc.
10. Benjamin Mutambukah, *Independent Consultant and Former Coordinator*, Coalition of Pastoral Civil Society Organizations (COPACSO)

Moroto and Napak

11. Moses Subbi, *Senior Governance Officer*, BRACED X, Mercy Corps Uganda
12. Apollo Dan Majorry, *LC III Chairperson*, Rupa Subcounty and *Chairman* Rupa Community Development Trust (RUCODET)
13. Lotuk Godfrey, *Subcounty Chief*, Rupa Subcounty
14. Omoding Richard, *Executive Director*, Riamriam Civil Society Network
15. Dorcus Angom, *Program Officer*, Riamriam Civil Society Network
16. John Bosco Ngoya, *Executive Director*, Caritas Moroto Diocese
17. Lomilo Charles, *Senior Assistant Secretary and Secretary* to District Land Board, Napak
18. Barbara Garber, *Programme Advisor*, Civil Peace Service, GIZ, Moroto

FGD with Executive Committee of Lokuwas Parish CLA at Lokuwas Parish

17. Lalany William, *Chairperson*
18. Naburo Chichila, *Member*
19. Aboka Solomon, *Member*

20. Achila Ann, *Member*
21. Nangiro John, *Member*
22. Bala Simon, *Member*
23. Piya Angolere, *Member*

FGD with Executive Committee Lokupoi Parish CLA at Lokuwas Parish

24. Tapem Joseph
25. Tello Michael
26. Acham Mary

FGD with Executive Committee, Nakicumet Parish CLA at Natirae Village

27. Lothee Michael
28. Lolemnyang Paul
29. Loyep Cherino
30. Lotee Matayo

FGD with Members of RUCODET, ALCs and DLB, Moroto

31. Angela Jackson Adome, Member, Moroto DLB
32. Aol Mark Musooka, Member, Moroto DLB
33. Omeri Simon, Member, Moroto DLB
34. Aleper Paul Kaluwat, Member of the Executive Committee, RUCODET
35. Logwee John Bosco, Member, Chairperson, ALC, Rupa Subcounty

Debriefing Workshop with Mercy Corps Staff

36. Mugume Geoffrey
37. Emmy Okwerede
38. Eunice Awor
39. Lokoroi Moses Suubi
40. Simon Eyaku



Building Resilience and Adaptation to Climate Extremes and Disasters

Contacts: John Burns jburns@mercycorps.org
Arif Ahmed ariahmed@mercycorps.org
Paul Aboi paboi@mercycorps.org