

NATIONAL LAND FORUM  
15<sup>th</sup>- 17<sup>th</sup> Mestil Hotel Kampala

COMMUNIQUE

Theme: "*Taking stock of the National Land Policy in addressing Land inequality in Uganda.*"

PREAMBLE

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Subsequent to the unrelenting need to have a public dialogue on land rights, land administration and land governance; while noting that, Uganda is making almost a decade in implementing the National Land Policy making it vital for stakeholders to take stock of the National Land Policy 2013 in addressing land inequalities. Land is central to enhancing the livelihoods of Uganda. However, the sector is faced with land inequality which manifests in different aspects and undermines the stability of livelihoods of Ugandans resulting into an increasing polarised land and agrifood systems.

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The current land system does not adequately address security of tenure and access, which are very critical attributes of using land as means of eliminating inequality. Land is not only a means to an end as a productive asset but also an end in that it has an intrinsic value that forms part of the wealth of an individual.

The policy and legal framework that governs land use and management in Uganda has not only promoted but also acted as a driver of inequality- especially among the marginalized communities such as the women, youth, small holder farmers and pastoralists.

Therefore, this made it very vital for the stakeholders working in the sector to reflect and take stock on how this land challenge that is making many Ugandans vulnerable can be tackled.

OXFAM and Partners organized the Second National Land Forum from 16<sup>th</sup> to 17<sup>th</sup> November 2022 at Mestil Hotel. The dialogue brought together different stakeholders to share their experiences on land and particularly the implementation of the National Land Policy in addressing land inequalities.

The National Land Forum discussed several specific themes that included: Land Based Investments, Land and Corruption, Land Climate Change and Environmental Justice, land and food systems, women's and youth land rights, Land use planning and Housing, Tenure system reforms e.g. Customary land registry and Rangeland and Pastoralism.

This event provided a platform for stakeholders to share findings of assessment of the National Land Policy in addressing inequality and take space to track the milestones in implementation of national laws and policies.

RECALLING that Government at all times has the duty to protect its citizens together with their property

WELCOMING Ministry of Lands, Housing and Urban Development initiative to amend the Land Act 1998 and other related land laws which will hopefully address the tenure concerns of the vulnerable people living across the different tenure systems. But also welcoming the passing of progressive land laws and policies that protect land rights of the citizens like Succession Amendment Act, Land Eviction Guidelines, National Action Plan on Business and Human Rights etc

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CONCERNED, that Ugandans are faced with land governance challenges that is interpreted by some to be the root cause of tenure insecurity resulting into human rights abuses, illegal land evictions, and violation of land rights. Further, the land tenure regime in Uganda is complex and is characterized by historical land injustices and contemporary land challenges and these has perpetuated land inequalities leaving Ugandans vulnerable to tenure insecurity threats.

Also, we are concerned that the although the Uganda has some of the most progressive land reforms and legislation in Africa they have not been aggressively implemented leading to a gap between policy and practice.

Further the current system does not adequately address security of tenure and access, which are very critical attributes of using land as means of eliminating inequality.

The transfer of public land and interest to private individuals perpetuates inequality. This is done either through direct leasing with no significant payment or through inflated compensation claims by elites who use insider information to disenfranchise government and the general public. Not only do the poor lose value and access to land that is held in trust by government agencies but the rich accumulate the extra wealth and income through inflated prices, which widens the inequality gap. The displacement of poor people without adequate compensation leaves them at a lower welfare level compared to their previous position. Public institutions have underlying weaknesses that range from lack of resources and political commitment to inadequate records such as a comprehensive registry of the land the government holds in trust. These weaknesses have enabled individuals to acquire public land cheaply and derive private earnings from it, which propagates inequality.

WE THEREFORE RECOMMEND, that Government urgently addresses the following issues that emanated from the participants of the National Land Forum and from stakeholders working in the lands sector.

1. There is need to assess and interrogate to what extent the various land reforms have been implemented, to what extent they have worked and whether there is need for further reforms. There is need to assess what is driving these reforms

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whether economy, human rights. Further if there is need for reforms take into consideration the evolution of different land tenure systems and reforms which started in 1926 to date as this will inform the reform process. If the process of to take place, it should be participatory and inclusive to address the concerns

2. The Ministry of Lands, Housing and Urban Development should fast track amendment of the package of legal reforms (land related laws). Effective recognition and implementation of policy and legal frameworks under article 26 of the constitution and Land Acquisition Act. This will protect communities Ugandans facing land tenure threats.
3. Effective utilization of the land fund: the government must secure the requisite financial resources for the Land Fund to purchase land and redistribute it to occupants through an all-inclusive transparent approach
4. Restructuring and strengthening land administration institutions; the government should restructure the District Land Boards, and strengthen Area Land Committees to control against graft, clientelism, and illegal land allocation in public and private forests.
5. To resolve the state contestation during largescale land-based investments there is need for reconfiguration on concessions of land by scaling down on concessions and shift to a win-win situation
6. There is need to allocate resources to the land sector to facilitate its optimum utilisation.
7. Provide strategies for managing corruption in the different frameworks of the National land Policy during the review processes
8. Fast track the development of the customary land registry
9. Massive land rights awareness campaigns should be prioritized by the all stakeholders.
10. The Government should promote women land rights.
11. Strengthen coordination of the multi actors in the land sector; this will ensure well-coordinated and effective implementation of the NLP. Working with MDAs like NFA, UNRA, UWA, NEMA to ensure collaborative use of land resources will need to be strengthened. This should be followed by adequate resourcing of the respective actors to realize the achievement of the objectives of the NLP

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PARTICIPATING ORGANISATIONS

