



Enhancing Transparency and Participation in Decision & Policy Making on Land Governance by Strong Farmers' Representation (UNFFE)

A study undertaken with the support of the Land Academy

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Summary

The present study was commissioned by the Eastern African Farmers' Federation with active involvement by Agriterra, and funded by LANDac, the IS Academy on Land Governance for Equitable and Sustainable Development. It started from the hypothesis that better horizontal and vertical linkages make for stronger farmers' organization with more negotiation capacity, and that this directly or indirectly contributes to better land policies in a country.

The case selected to assess this conjecture was Uganda, for a variety of reasons:

- Uganda is a predominantly agricultural based economy with fertile soils accounting for 64.5 percent of the total land area. The majority of households own very small pieces of land not exceeding 2 acres per household. Increasing incidences of land-grabbing do not only threaten land tenure security for such farmers but also have wider implications for food and nutritional security.
- Uganda is a country where the national farmers' organisation had both 'upward' (to the Eastern African level) and 'downward' (to the district associations) linkages, making it possible to do an extensive assessment of how these linkages work and whether they fulfill their communicative tasks (uploading and downloading information).
- Finally, Uganda is one of the 15 focus countries for the Dutch development cooperation. Therefore, this research potentially contributes to the food security pillar of Dutch development cooperation, since security of land tenure has been defined (by IOB) as one of the four main conditions for improving food security (IOB, 2011).

The study concludes that land administration and governance in Uganda is weak. Transparency and participation are absent from land governance agencies. Strategies for improving accountability and transparency are equally missing. Weak land governance in both formal and informal settings entrench failures in land administration. Inconsistencies in the land law and how the law is administered partly explain the status-quo.

One of the factors contributing to these failures is the absence of a strong voice on behalf of those directly affected by lack of transparent land governance: the farmers. In other words, the weakness of UNFFE in terms of its linkages. The study shows that UNFFE lacks a footprint in the land governance arena. Human and financial constraints and weak horizontal and vertical linkages account for this. On the other hand, Uganda National Farmers Federation (UNFFE) is recognized as legitimate representative of farmers in Uganda by the government and other development partners. This presents a strategic opportunity to UNFFE to advocate for the interests of farmers in land.

Farmers lack a united voice to air out their dissatisfaction with the existing land governance framework. Farmer Organizations can be an effective mouthpiece for farmers if they are well coordinated. They can effectively advocate and lobby government on behalf of the farmers. There is thus a need for UNFFE to lobby government for better policies to create a conducive environment for farmers to continue production. This study attempts to identify avenues for strengthening farmer lobby and advocacy platforms in the land governance discourse through an analysis of linkages within and outside Farmer Organizations.

Lack of an efficient communication strategy is one of the reasons why UNFFE is ineffective in lobbying for farmer land rights.

Both upward and downward communication channels between UNFFE and the District Farmer Associations do not work well, with the consequence that the central level does not know much about what actually happens in the districts, and the latter are not really aware of the results of UNFFE's national-level lobby and advocacy.

There is a vacuum of information on land grabbing as well as a general lack of effort to effectively analyze the land governance problem and engage government in dialogue and policy reform process spearheaded by farmers who are the real investors in land. Land grabbing is one of the outcomes of the inefficient land governance and administrative system in Uganda. Smallholder farmers are the biggest victims of land grabbing. Lack of knowledge about land rights by the farmers as well as the farmer leadership has exacerbated the impacts of land grabbing. Farmers are unable to claim their land rights due to lack of information. Consequently, they are unable to protect their interests in land.

In conclusion, farmers will continue to be plagued by the above-identified challenges if they do not re-evaluate their position and engagement in the ongoing land governance discourse in Uganda. In doing so, they should look at how to build reliable constellations of alliances with shared objectives. Relevancy, progressivity, accountability transparency and objectiveness are key tenets on which to build a strong land advocacy platform.

Going back to the original hypothesis: this can be confirmed nor rejected. It cannot be confirmed because the linkages within and outside the main farmers' organizations under scrutiny (UNFFE) are weak, and therefore the question about a possible positive influence on (public) land governance is a non-starter; but it cannot be rejected either, since it is very much conceivable that one of the reasons that explain the weakness of land governance in Uganda (both at the policy and the implementation level) is the absence of strong bargaining capacity on behalf of the main stakeholders.

In order to reinforce the participatory nature of this study, validation workshops were held to discuss its findings. There was an internal UNFFE session on 5 July, 2013 and a broader workshop (with external stakeholders and Agriterra) on 23 July. Both took place in Kampala; their reports are attached to this study. From the external workshop it is worthwhile recalling the words of Mr. Philip Kiriro, president of the Eastern African Farmers' Federation, who time and again¹ has emphasized the importance, also for small farmers, to view agriculture as a business, meaning that investments by others should not be seen as a threat but as an opportunity – on the condition that such investments are done in close connection with the wishes and aspirations of the farmers, as expressed by their (strong!) organizations.

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¹ For instance at the World Economic Forum for Africa, May 2013: <http://www.farmingfirst.org/2013/05/world-economic-forum-on-africa-agriculture-is-going-to-be-the-lifeline-for-africa/>

Abbreviations and Acronyms

NGO	Non-Governmental Organisation
FO	Farmer Organisations
DFA	District Farmer's Association
UNFFE	Uganda National Farmers Federation
EAFF	East African Farmers Federation
MoLHUD	Ministry of Lands Housing and Urban Development

Key concepts

Land administration:	Involves processes that: manage public land, record and register private interests in land, assess land value, determine property tax obligations, define land use and management governance systems, and support the development application and approval process for land use. Land administration systems provide a set of tools that support land management.
Land management:	refers to activities on the land and natural resources, including such activities as land allocation, use planning and resource management, simultaneously considering some inherent aspects of land administration
Good governance:	Often based on a set of principles that include participation; fairness; decency; accountability; transparency; and efficiency. Often references are also made to responsiveness, consensus orientated, equitability, inclusiveness and subsidiarity.
Land governance:	Defined as the range of political, organizational and administrative processes through which communities articulate their interests, their input is absorbed, decisions are made and implemented, and decision makers are held accountable in the administration, development and management of land rights and resources and the delivery of land services. Governance involves an analysis of both formal and informal actors involved in decision-making, the implementation of decisions made and the formal and informal structures that have been set in place to arrive at and implement the decision.
Linkages	Vertical linkages exist between the different levels of the farmers' organization column: regional-national-(provincial-local). Horizontal linkages exist with other stakeholders at the same geographical level. See the table on page 28.

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1. Objective and Methodology

1.1 Introduction

Through its membership of LANDac, Agriterra obtained the opportunity to set out a study project addressing one of its key tenets: that strong representative farmers' organizations have a positive influence on development. The reasoning behind the research is phrased in the original proposal submitted to LANDac, from which we quote (Agriterra, 2012):

"How, then, can decisions on land investments become more transparent and participatory, and take into account the interests of direct stakeholders (smallholders, nomadic livestock farmers etc.) or that, if they do not, they are aborted? There are two possible answers to this question. The first is to hope for the best and pray that investors, banks, 'host' governments and the like, under (social) media pressure and because of strong lobbying by local and international NGO's, observe a set of guidelines or rules in order to promote the social, economic and ecological sustainability of these transactions and their aftermath. However, one will have to wait and see. The second is to avoid as much as possible depending on the benevolence of said institutions and to build up some kind of 'countervailing power within the 'host countries', in order to conquer participation spaces, which is a condition for influence on what is happening and for being able to convince those very institutions of the need of more transparent and accountable decision-making (see also: Schuurman, 2011).

For that influence or 'agency' of producers and other stakeholders to be effective and positive, some conditions have to be fulfilled by the local² stakeholders (Vorley et al., 2012), or rather by their representative organizations: mainly (nomadic) farmers' organisations but also territorial organisations.

In general, two conditions are key (Blokland&Gouët, 2008; Gouët et al. 2009):

- That the organization is vertically well-integrated, with fluent communication from bottom to top and vice versa.
- That the organization has a good networking position and influence at the national level (i.e. it is recognized as a legitimate defender of farmers' interests, and participates in existing negotiation spaces), and that its local levels have equally good contacts ('horizontal scope') with their respective counterparts in order to give good follow-up on negotiation results obtained at other levels: in other words, horizontal integration at all levels.

In other words, there are both internal and external factors within farmers' organizations (and other rural membership-based organizations) which should make in-country countervailing power better and more effective, and thus contribute to more transparency and open debate about land investments, ensuring a more satisfying outcome for the people 'on the ground'.

Regarding the internal conditions (within membership organizations), a hypothetical 'positive' profile can be made. Bargaining power can be realized by representative (membership-based) organizations that are consulted and can play a strong role in the decision- and policy-making process on land acquisitions. Why is this important? It is true that the element of consultation of stakeholders is included in some sets of guidelines on land acquisition, but it does seem to refer always to 'local groups': communities, villages etc.

² 'Local' meaning 'in the host country', not necessarily at local (village) level.

It seems clear that this creates a disparity right from the start: negotiations and consultations between, on the one hand, a large investor, accompanied or not by high-ranking government officials, and, on the other, a local farmers' group or cooperative are not likely to occur in a 'Herrschaftsfrei'³ fashion.

For the affected' interests to be adequately defended on a level playing field, local concerns need to be systematized and worded by a 'higher-level' organization tier that can conduct negotiations with national institutions and foreign investors: in other words, a national representative organization, most likely a farmers' union or federation that knows what is happening in its rank and file.

On the other hand, this is precisely the problem in many countries: that the top-level instances of a farmers' organization often do not know what is going on in the villages and communities where their members work and live, and therefore cannot adequately represent their interests. In other words, although they are well positioned and frequently have access to high-level negotiation tables (which is where policies concerning an issue like land governance are discussed and decided), if they do not 'what happens', their participation will be more often than not ineffective. Or it is the other way around: they know what happens, but lack influence at the national level."

The country chosen to test this reasoning was Uganda. This was motivated by several factors. Uganda is a predominantly agriculture-based economy with fertile soils accounting for 64.5 percent of the total land area. Although agricultural production has been declining over the years, opportunities for commercialization are on the increase with an ever-expanding domestic and regional market. However, according to the National Household survey 2005/06, the majority of households own very small pieces of land not exceeding 2 acres per household. Increasing incidences of land-grabbing do not only threaten land tenure security for such farmers but also have wider implications for food and nutritional security.

The country has, at least, nominally, decision-making and negotiation processes (related to land acquisition) that involve three main stakeholders: farmers' organizations, the broader civil society, the public sector (the state) and private investors. There also is a national farmers' federation (UNFFE) with district-based chapters (the DFA's), one of it notably a pastoralists area, providing then the opportunity for conducting a case study from national level down to the grass roots level. UNFFE is also member of the Eastern Africa Farmers' Federation (EAFF), which has experience and knowledge in the topic and was the executor responsible for the overall research project.

Another added value of UNFFE was its current engagement in the development of a program for piloting in Uganda of a methodology that Agriterria has developed for the participatory generation of policy proposals (Farmers' Advocacy Consultation Tool FACT). Moreover, UNFFE does collaborate with local research institutions and researchers.

In addition, Uganda is one the 15 focus countries in development cooperation (of the Dutch Government), meaning that the research is a contribution to the food security pillar of Dutchdevelopment cooperation, since security of land tenure has been defined (by IOB) as one of the four main conditions for improving food security⁴ (IOB, 2011).

³Herrschaftsfrei: 'free of domination', i.e. without one stakeholder overruling the other. See JürgenHabermas (1981).

⁴ See:

http://www.minbuza.nl/binaries/content/assets/minbuza/nl/import/nl/producten_en_diensten/evaluatie/afg_ronde_onderzoeken/2011/improving-food-security/rappport.pdf/rappport.pdf/hippogallery%3Aasset

1.2 Hypothesis, objectives and research questions

A land administration and governance system that is participatory and inclusive is a prerequisite for food security, social harmony, economic development and most importantly achieving gender equality. Tainted with many environmental and structural problems that make service delivery at best discriminatory and at worst inefficient, the current land governance system does not offer many growth opportunities for farmers. Gross inefficiency in provision of land services undermines the productivity and contribution of farmers to overall national economic development. Endemic fraudulent loss of land rights continues to fuel land disputes. Increasing rural poverty and inequality means that the relevancy of land to survival, identity and income generation increases every day.

Increasing incidences of land grabbing and a general feeling of helplessness among farmers, creates a need for a farmer led platform in promoting farmer land rights and land tenure security. However, this is only possible if Farmer organizations can build sustainable linkages with all stakeholders in land governance to promote an accountable, transparent and inclusive (pro-poor) land governance and administrative system. Better horizontal and vertical linkages make a stronger organization and this directly or indirectly contribute to better land policies in a country. See section 3.2 for an elaboration on these linkages within the UNFFE context.

The major objective of this study was to identify linkages, which can enhance transparency and accountability in decision making related to land governance. Specifically this research sought to provide knowledge on the type of actors involved, the existing strategies and institutional constellations and those to be promoted in order to ensure transparency.

The research started from the hypothesis that better horizontal and vertical linkages make for stronger farmers' organization with more negotiation capacity, and that this directly or indirectly contributes to better land policies in a country.

In order to contribute to a better understanding of the processes and agencies needed for ensuring meaningful and effective participation in land governance, two research questions were posed.

1. What main factors influence land governance in Uganda?
2. What are the success and fail factors when devising strategies for participation and transparency in land governance?

Sub-research questions formulated to facilitate in-depth analysis included:

1. What has happened in recent years and how does practice match (or not) with the existing regulatory framework and with stakeholders interests?
2. Who are or should be relevant stakeholders in land acquisition policy making and implementation procedures?
3. What is understood (or visualized) as "positive outcomes" and as "negative outcomes" by the main stakeholders regarding policies, regulations and practice on land acquisitions?
4. What policies, regulatory framework and procedures regarding land acquisition are in place?
5. What role have been done by stakeholders to ensure (or aspire for) 'positive outcomes' from the regulatory framework and practice on land acquisitions?
6. How does vertical and horizontal integration of farmers organizations affect their 'agency' for an effective engagement with decision makers on land acquisition policy making and implementations procedures?

The extent of analysis of this study depended largely on the observed status of land governance and related outcomes basing on evidence collected from study areas. An assessment of the linkages between Farmer organizations and other stakeholders was a major objective of this analysis.

Therefore, a lot of effort was focused on understanding:

1. Vertical linkages within UNFFE, horizontal linkages with other stakeholders.
2. How UNFFE and stakeholders are involved in the land governance discourse in Uganda.
3. How UNFFE identifies stakeholders and builds alliances in land governance.
4. How the victims of land grabbing are identified and supported? Are they registered members of UNFFE or not?
5. Lastly understanding if UNFFE is informed about land-grabbing and how they have responded to this challenge.

1.3 Study Methods

Land grabbing as an emerging phenomenon in development is very fluid and requires a proactive study approach. This section details the study methods and the rationale for use. The study used descriptive and exploratory case study research design. Primary data was collected at National, District and Community levels. Research methods used include Desk research, Key Informant Interviews and Focus Group Discussions.

The sample selection for the study was purposive basing on the relevancy of people interviewed to the subject under study. The incidence of illegal land evictions determined the areas that were visited. The map on page 14 shows the so-called land-grab hotspots in the country. Below a detailed description of the study methods is provided.

1.3.1. Sampling

A sample size of a hundred fifty respondents was selected for the study. From each of the eight purposively selected districts, at least three key resource persons were interviewed. The key resource persons were drawn from the district land office and the District Farmer Association. At the sub-county level where FGDs were carried out, at least 75 people were interviewed in total. Each FGD comprised of at-least 15 selected respondents including men, women and the youth.

1.3.2. Reconnaissance Field Visits

Inception field visits were carried out in pre-selected districts in identified land-grab hotspots identified by the study team. These formed the basis for the choice of methodologies employed to carry out in-depth field analysis.

1.3.3. Desk Research

Desk research was instrumental in shaping the study approach and laid a solid background for comparisons across several constituencies in the world that are grappling with the challenges of land grabbing. Publications from the Land Matrix, International Land Alliance, Food and Agricultural Organization of the United Nations (FAO), the Land Academy, The World Bank, Government of Uganda, Uganda Land Alliance and Makerere University provided context for this study.

1.3.4. Key Informant Interviews

Key Informant Interviews were carried out (see Annex D) with individuals from Uganda National Farmers Federation (UNFFE), Ministry of Lands Housing and Urban Development (MoLHUD), Uganda Land Alliance (ULA), Food Rights Alliance (FRA), Volunteer Efforts for Development Concerns (VEDCO), Participatory Ecological Land Use Management (PELUM), Action Aid Uganda (AAU) and the Ministry of Agriculture Animal Industry and Fisheries (MAAIF). District land officers as well as District Farmer Associations (DFAs) chairpersons and program coordinators were interviewed regarding land administration and governance, and land rights programming respectively. Key Informant interviews were purposively used to gather information on the vertical and horizontal linkages between UNFFE, its members (District Farmer's Association), East African Farmers Federation and other stakeholders. This information was used to investigate UNFFE engagement in lobby and advocacy. These interviews created an opportunity to audit UNFFE's contribution to the ongoing land administration and governance processes in Uganda.

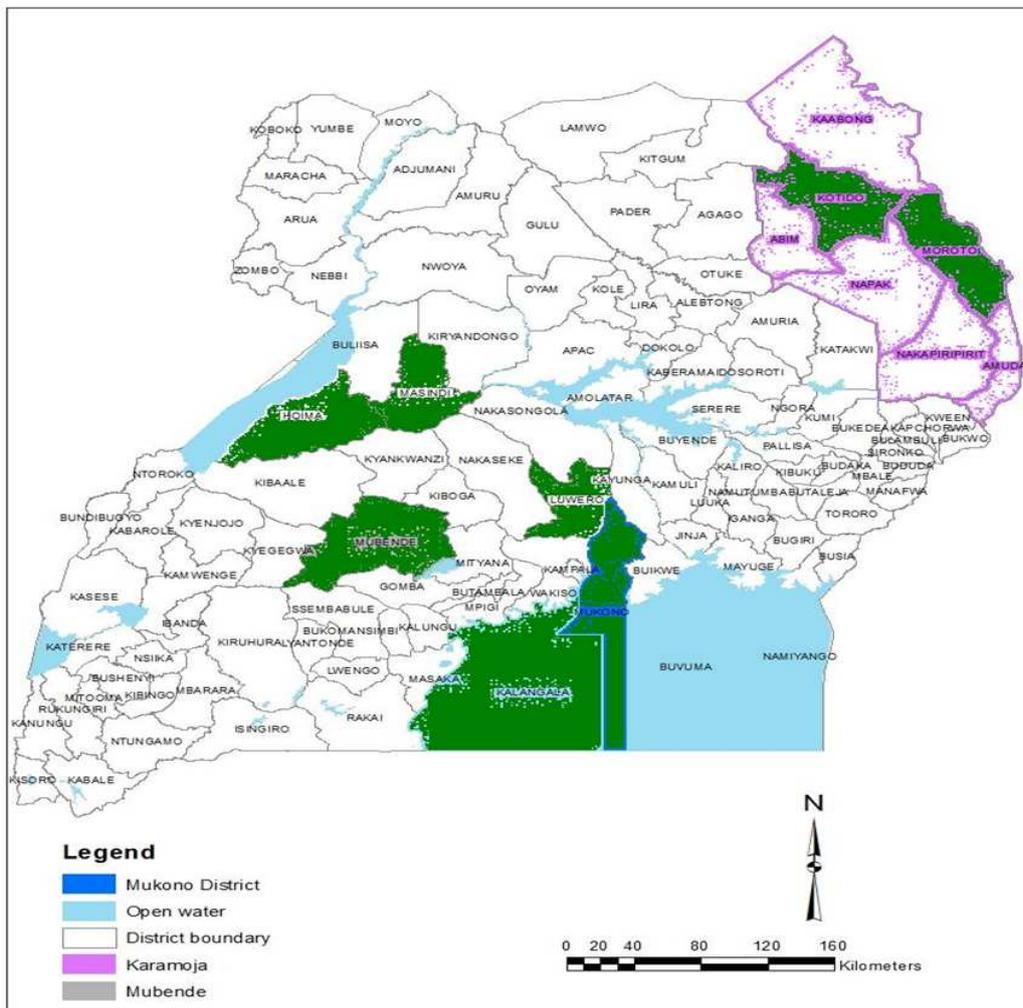
1.3.5. Focus Group Discussions

Focus Group Discussions (FGDs) were carried out in areas where farmers have been subjected to land evictions, which include Mubende, Luwero, Hoima and Masindi districts. From the Karamoja region, interviews were carried out in Kotido, Napak and Moroto (see map below). Also, experiences were collected from Wakiso and Nakasongola. Each Focus Group discussion had a mix of women, youth and men. The purpose of FGDs was to obtain perceptions of various segments of the community (male, female, youth) on the impacts of land governance on land grabbing and build consensus over issues affecting farmers. Special interest was also focused on exploring the role of District Farmer Associations in land governance. In order to unveil and understand the effects of lack of advocacy and lobby platforms, farmers were asked about communication channels with DFAs, nature of programs implemented by DFAs and most importantly whether land grabbing was perceived as a problem. A checklist (Appendix I) was used to guide the discussion which entailed questions relating to land tenure systems, patterns and factors that determine farmer's secure access, ownership and rights to land, and constraints and drivers of land grabbing. Interactions with victims of land grabbing sought to provide a contextual understanding of the underlying issues—who was evicting people, compensatory dynamics, adherence to existing land law and finding out how farmers impacted by evictions.

District	Sub-county
Hoima	Buseruka Kabaale Kaseeta Kyangwali Kabwoya
Luwero	Makulubita Butuntumula Kamira Nyimbwa Ziobwe
Masindi	Biiso
Kiryandongo	Mutunda Kiryandongo s/c
Wakiso	Namayumba Kakiri Gombe Ssisu

District	Sub-county
Mubende	Kiganda Kitenga Myanzi
Moroto	Rupa Katiekile
Kotido	Nakapelimoru Panyangara
Nakapiripirit	Namalu Kakomongole Moruita
Kaabong	Karenga Lobalangit Loyoro

Study Areas



1.4 Limitations and Challenges

Land related conflicts and tensions were very high in areas visited. Indeed, in many locations our interviews were almost cut short by rivalry between local factions. Farmers were not always willing to give out information fearing for their lives. At worst, we were accused of being agents of land-grabbers. Local council leaders accused of having connived with the land-grabbers were very hesitant to give us permission to interact with their constituents.

2. Land, Uganda, Policies and Farmers

2.1 Theoretical and global context

2.1.1 Land governance: points of departure

From an institutional perspective, governance refers to the rules and the structures that govern and mediate relationships, decision-making and enforcement. The rules and structure of land tenure can be formal (e.g. laws, regulations, and byelaws administered by parliaments, courts and municipal councils) as well as informal or customary (e.g. elders councils, social networks, patronage, etc.) or a combination. The quality of land governance can be good or weak, improving or declining. In order to determine whether governance is effective or weak, one must look at processes as well as outcomes (Palmer et al, 2009), since land governance is fundamentally about power and the political economy of land. Who benefits from the current legal, institutional and policy framework for land? How does this framework interact with traditional authorities and informal systems? What are the incentive structures for, and what are the constraints on, the diverse land stakeholders? Who has what influence on the way that decisions about land use are made? Who benefits and how? How are the decisions enforced? What recourse exists for managing grievances? The answers to these questions vary from country to country, and from issue to issue within a given country. The answers highlight, in effect, the consequences of weak land governance and the potential contribution of improved land governance.

When land governance is weak, the powerful are able to dominate the competition for scarce land resources. In an extreme form, corruption can occur on a grand scale through "state capture". Violent conflicts over competition for land often result when people are displaced from their land without due consideration of their interests in land. Often when forced to relocate, their search for new land is likely to place them in competition with already established communities.

By contrast, when land governance is effective, equitable access to land and security of tenure can contribute to improvements in social, economic and environmental conditions. Good (land) governance is characterized by principles of universality of tenure security, equitable participation, adherence to the rule of law, sustainability, and effectiveness and efficiency (Palmer et al., 2009).

Achieving this is not easy. Policy reforms to strengthen governance require the political will to overcome opposition from those who benefit from non-transparent decision-making and corruption. Improving governance demands the strong commitment of the people involved, and the development of capacity in order to make changes possible. Most importantly, change in land governance is possible if all stakeholders uphold principles of land governance such as:

- Security
- Sustainability
- Equity
- Effectiveness and efficiency
- Transparency
- Accountability
- Civil engagement
- Subsidiarity
- Institutional oversight

International law provides specific protection to indigenous peoples' access to land and natural resources is given.

States are obliged by law “to provide mechanisms for prevention and/or redress for any action dispossessing indigenous peoples of their lands, territories or resources”. However, experience has shown that when governments negotiate with investors, there is a serious risk that local stakeholders’ interests and rights are ignored, unless procedural safeguards are scrupulously applied and complied with (De Schutter, 2009). The United Nations General Assembly emphasizes in its declarations and agreements participation in decision-making as well as in negotiations by local communities where large-scale land deals and projects are to be implemented. But ironically, whereas the Universal Declaration of Human rights entitles everyone to rights and freedoms, Bilateral Investment Treaties focus on protecting the interests of investors irrespective of whether rights and freedoms of locals are respected or not.

2.1.2 Land governance: Present debate

Weak land administration and governance⁵ systems propagate conditions that favor land-grabbing. This is a universal problem, which is not unique to Uganda. In Africa, the intensity of land grabbing is on the increase. There is a dire need to understand how this is affecting millions of rural smallholder farmers. Both foreign and local investors orchestrate land grabbing, however the former have received more attention than the latter. Foreign large-scale land acquisitions are driven by wealthier, investment motivated or food insecure nations (Von Braun and Meinzen-Dick, 2009; Cotula et al., 2009; Cuffaro and Hallam, 2011). Not all large-scale land acquisitions qualify to be described as forms of land grabbing. This involves active participation by domestic elites, government bureaucrats, family members and clan heads that assume power and misuse it to get land from vulnerable groups. Globally governments tend to view large scale land acquisitions as a source of employment and therefore a “development opportunity”, critics tend to see the process as facilitation of ‘land grabbing’ by large investors (Cotula et al, 2009).

The land grab argument is shaped by the distinctive nature of the transactions that are characterized by the large size of land involved; the geographic location of the land involved (often very fertile and owned by communities that subsist on the same land). Additionally, the level of transparency, nature of contracts, extent of inclusion of local stakeholders and the record of accomplishment of the investors basing on their Corporate Social Responsibility policies are often unknown. It is therefore not uncommon to find that large-scale land acquisitions result in the violation of human rights, particularly rights of women; flout the principle of free, prior and informed consent of the affected land users (especially farmers); and ignore the impacts on social, economic, gender relations and the environment. Oxfam has reported that large-scale land investors deliberately avoid transparent contracts with clear and binding commitments on employment and benefit sharing; shun democratic planning, independent oversight, and meaningful participation (Oxfam 2011).

Smallholder agriculture is seen as a lost cause (Anseeuw et al, 2011) and is increasingly being side-lined by government. Government’s commitment towards the agriculture sector in general is reflected in percentage budgetary allocations.

Given the above policy bias, Farmer Organizations (Farmer organizations) have a big task to draw the attention of policy makers to the plight of farmers. Local communities often comprise of smallholder farmers. Seldom promoted are consultations between the right representative organizations of farmers and other local stakeholders and their ‘free and informed participation’ in decisions to be made. Farmers, the key stakeholders on land should be included in land transaction discussions.

⁵Land governance is defined as the process by which decisions are made regarding the access to and use of land and natural resources, the manner in which those decisions are implemented and the way that conflicting interests are reconciled (UN-Habitat, 2008).

This justifies the need for strengthened vibrant Farmer Organizations that can effectively represent the interests of farmers. According to Zevenbergen et al (2012), Farmer Organizations (FO) and customary institutions should be consulted in making rules governing land, resolving disputes and protecting land rights.

However, evidence shows that opportunity and capacities to bargain, or just to give 'free prior and informed consent' to investments in large scale land acquisition deals is constrained by lack of access to economic and institutional support by farmers. While host governments may offer policy support to claims by farmers to land rights and overall security of tenure, government institutions tend to align with the interests of large-scale investors when tested in real negotiations (Vermeulen & Cotula, 2010). Additionally, if all needed mechanisms and positive governmental will and disposition exists, a fundamental issue remains unsettled: do local people's representative organizations have the necessary 'agency' and capacity for effective participation in land governance related decision-making? That is what this research is about, in the Uganda case.

2.2 Uganda: policy and practice

In Uganda, the extent to which the above principles are integrated in the day-to-day administration is very low, with all kinds of negative repercussions for farmers. To begin with, the trend of national budget allocation to agriculture declines each year. In the financial year 2013/14, the total agricultural budget is 3.3 percent (403.6 billion Uganda shillings) descending from 5.7 percent (585.3 billion Uganda shillings) in the previous financial year.

Furthermore, the Uganda National Land Policy itself states categorically that the land administration system is inadequately resourced and performing poorly below expected standards with tendencies of fraud and corruption. The dual system of land administration (the formal / statutory and informal / customary) breeds conflict, confusion and overlaps in institutional mandates. For the greater percentage of Uganda, where customary tenure still abounds, the roles of traditional institutions of land management, dispute resolution and land governance have not been legally accepted, integrated and mandated to execute their functions. Some elements of political interference have severely hindered progress in public delivery of land services, making it slow, cumbersome, frustrating and too costly to the public. Decentralized services are very thin on the ground and have failed to perform to expectations (MoLHUD, 2013). Amidst this confusion land grabbing thrives since those interested acquiring land have the means to manipulate the weak land administration and governance apparatus.

The confusion is enhanced by the rapid succession of legal frameworks. Uganda has passed several land policies over the years (see Table 3.0). This rapid succession in itself is already worrying, which is compounded by the fact that in not one of these instances proper consultative mechanisms with relevant representative bodies such as farmers' organizations. Moreover, lack of clarity and certainty of land rights in all the tenure regimes hampers effective land administration among other factors. Most significant for the farming communities, is the need to introduce measures to overhaul the moribund and dysfunctional land administration and management systems and structures. The new policy provides for the creation of a National Land Agency to provide for divesting most of the land administration functions. Indeed reforms are necessary to counter negative outcomes of weak land administration and governance. Taking into consideration all interests of different stakeholders is one of the ways of making a policy inclusive and participatory. Inclusion of views of farmers requires a close interface with Farmer Organisations.

Table 1: Overview of Land Policies in Uganda

Land Policy/Law	Content
1995 Constitution (amended in 2005)	Land in Uganda belongs to the citizens of Uganda and shall vest in them according to the land tenure systems provided for in the constitution. It provides for the set-up of institutions for land management including the Uganda Land Commission and District Land Boards
1998 Land Act (Amendments 2001, 2004, 2010)	Recognizes the four forms of land tenure (customary, leasehold, freehold, and mailo); Grants property rights to all lawful and bona fide occupants (legally defined), decentralizes land administration and establishes land tribunals for dispute resolution. <ul style="list-style-type: none"> • 2004 Amendment improved women's rights; provides for spousal consent for any transactions on family land; provides for the appointment of Area Land Committees at Sub-county or Division level; Provides for a District Land Tribunal in each district and Parish Executive Committee courts as the courts of first instance in respect of land dispute. • 2010 Amendments enhance security of occupancy of lawful and bonafide occupants on registered land. "A lawful or bonafide occupant shall not be evicted from registered land except upon an order of eviction issued by a court and only for non-payment of the annual nominal ground rent."
2007 National Land Use Policy	Provides for agriculture, land for conservation and built areas as the three main components of land use. Provides guidelines on effective land use for socio-economic development and on minimizing land degradation
The Land Sector Strategic Plan (2001-2011)	Developed to implement the Land Act
National Land Policy (2013)	Advances deliberate efforts by land users to ensure optimal land use and sustainable land management for economic productivity and commercial competitiveness. Proposes formulation of a National Agriculture Policy to regulate agricultural production; develop guidelines to regulate land subdivisions; set up programs for rehabilitation of degraded lands; provide incentives to promote individual and community participation in environmental management; introduce appropriate production technologies. <p>Foreign Direct Investment can lead to alienation of land from peasant's rights holders resulting in tenure insecurity, food insecurity, and poverty and land conflicts. The state is expected to put in place mechanisms to deliver the right balance between raising opportunities for investments and development and improving the livelihoods of farmers and protecting the interests of nationals in land. Moreover, the policy proposes the need to determine sectors that should be open to Foreign Direct Investment (FDIs) and the amount of land to be allocated for such investments based on the purpose.</p>

(GOU, 2005, GOU, 2011)

In Uganda's context, land grabbing is defined as acquisition of land by public private enterprise or individual(s) in a manner that is illegal, fraudulent or unfair taking advantage of existing power differences, corruption and breakdown of land governance and administrative institutions in society.

Taking over control of land through rights of use, valid for either a specified period or outright transfer of ownership rights by natives to national or international (foreign) investors is a global characteristic of large-scale land acquisitions. The majority of land acquisitions in Uganda whether by nationals or foreigners qualify to be termed as land grabbing.

2.3 Legal and Institutional Framework

The Land Act (1998) recognizes four historic forms of land tenure in Uganda (customary, leasehold, freehold, and mailo⁶); grants all lawful and bona fide occupiers property rights; decentralizes land administration; and establishes land tribunals. The District Land tribunals were inefficient and have since been replaced by courts of law. The (10-year) Land Sector Strategic Plan (2001) was developed to implement the Land Act. Uganda has undertaken a series of ambitious legal and policy reforms with regard to property rights and resource governance; towards a fundamental reform in rights and tenure management of land. However, the reforms have not yielded “politically and socially acceptable and technically feasible solutions” in part due to implementation challenges (LANDac, 2012) National land laws and policies are vague in addressing land grabbing.

Uganda’s current National Land Policy was approved in February 2013 by Cabinet as the framework for development and use of Uganda’s land resources for the next decade.

The policy has two major objectives:

1. To re-orient the land sector in national development by articulating, management co-ordination between the land sector and other productive sectors in the economy.
2. To enhance the contribution of the land sector to the social and economic development of the country.

Several land policies have been passed previously, but they have not achieved set goals and objectives. Implementation challenges have exacerbated the vulnerabilities of farming communities that lack properly defined rights of ownership and access. For the poor in society, land-related legislation rather than resolving land conflicts is exacerbating them.

Several new land management institutions and dispute settlement mechanisms exist in Uganda. To facilitate efficient provision of land administration services to all stakeholders and provide for effective participation, several institutions were created. They include the Uganda Land Commission, the District Land Boards, the Land Committees, Recorders, District Land Offices, District Land tribunals and sub-county land tribunals (see figure 5), The Ministry of Lands, Housing and Urban Development (MoLHUD) is the overall ministry in-charge of formulating national land policies. The Uganda Land Commission (ULC) under the same ministry is responsible for all government owned land. The District Land Boards are independent from the Uganda Land Commission and from any other government organ or person`. They do take into account the national and district council policy on land. The District Land Boards hold and allocate the land in the district that is not owned by any person or authority and have the task to facilitate the registration and transfer of interest in land and to deal with all other matters connected with land in the district (Constitution of the Republic of Uganda, 1995).

District Land Boards have the power to: (1) acquire by purchase or otherwise rights or interests in land and easements; (2) erect, alter, enlarge, improve or demolish any building or other erection on any land held by it; (3) sell, lease or otherwise deal with the land held by it (Land Act, 1998).

The land committees that are set up in each parish, urban area or a division in the case of Kampala have an advisory role to the District Land Board, on matters relating to land, including ascertaining rights in land (Rugadya, 2009; Land Act 1998).

⁶Derived from the English '(square) mile', it is tantamount to land tenure in perpetuity

The members of the land committees are paid a remuneration that is determined by the district council.

Their expenses are charged on the district administration funds (Land Act, 1998). The recorder is responsible for keeping records relating to certificates of customary ownership and certificates of occupancy. In a rural area, the sub-county chief shall be the recorder, in a gazetted urban area it is the town clerk, even as in a division of a city.

Each district is required to have a District Land Office, which shall provide technical services through its own staff, or arrange for external consultants to the Board. The task of the land tribunals, consisting of a chairperson and two other members, is the determination of disputes relating to the grant, lease, repossession, transfer or acquisition of land by individuals, the Uganda Land Commission or other authorities with responsibilities relating to land. They also deal with disputes relating to the amount of compensation for land acquired. For this, they take into account the open market value of land (in case of a customary owner), the value of the buildings of the land, and the value of standing crops, excluding the annual crops that could be harvested during the period of notice given to the tenant (Land Act, 1998). Furthermore, the Land Act (1998) also states that each sub county and each division in a city (the urban land tribunals) should have a land tribunal, which also consists of three persons.

2.4 Agricultural land in Uganda and conflicts

Uganda is a predominantly agricultural based economy with more than 75 percent of the population deriving its livelihood from subsistence farming. Land is a key resource for smallholder farmers but is administered by an inefficient land governance system that does not secure their security of tenure. Currently, land-related conflicts, social tensions and vulnerabilities are rampant. With one of the highest population growth rates in the world now at 3.23 percent, the need for land cannot be overemphasized. Land will continue to be a strategic resource for daily sustenance, store of wealth and a means for escaping poverty if well utilized. The extent of investment in land by smallholder farmers is correlated with land tenure security. Therefore improving land governance is a precondition for improved production and productivity. It is noteworthy that under the existing land governance framework, agricultural productivity continues to decline (MAAIF, 2003).

In rural locations, good quality arable land and common pool resources are becoming more valuable due to greater market engagement, changes in production systems, migration and environment changes. Another issue that is often not mentioned is Uganda's very high potential to produce food and its comparative advantage in the East African region. This is what appears to be orienting government policy towards promotion of commercialized agriculture. This is encouraging commercial land pressure and for some land speculators, opportunities for land grabbing under the guise of promoting rural investment. Increasing food prices since 2008 have continued to push the demand curve for arable land upwards with several implications for smallholder farming and land governance. The unfortunate outcome has been the loss of land by local farmers to investors facilitated by government or its agencies. Several individuals continue to downplay the incidence of land-grabbing in Uganda, but examples abound, as is shown below.

Traversing several districts in Uganda, it is apparent that land grabbing is on the increase. Smallholder farmers are the biggest victims of land grabbing mainly because they subsist on small parcels of land without registered interests.

The land market is growing with limited regulation by government leaving farmer's land rights in balance regardless of the existence of laws to protect them. Through its work with affected farmer communities, Uganda Land Alliance (ULA) noted that:

"It is hard to guard against land grabbing in areas where land is not registered. With the booming and un-regulated land market, emphasis is placed on land titles as proof of ownership which most of the small scale farmers do not possess. Most of them are merely tenants on mailo land giving the landowners leverage in selling off the tenant's 'bibanja'(tenancies) as part of their own land. It's worse on customary land where the option of forming communal land associations and registering community land has not been done. This had given the rich a lee-way to grab this land and register it as their own."

This is made worse by lack of adequate knowledge about land rights making local communities easy targets for individuals or companies seeking to acquire land. This alerts farmer organizations to the gap that they need to address in-order to effectively advocate for smallholder farmers' land rights.

While a lot of attention is given to large-scale land acquisitions, intra-household land-grabbing is often under reported. Within families, there are several cases of illegal machinations, which often result in land loss especially by the widows and orphaned children. During community discussions in Karamoja and Acholi regions (Northern Uganda), the people noted that land conflicts are mostly within families. They highlighted the role of insecurity emphasizing that due to war and cattle rustling that caused displacement of communities for long, people left their land and lived in camps. During such times, they would still farm their fields during the day but were not allowed to live in their homes. With the return of peace, they returned to their land only to find it occupied by people that returned before them. This is the major cause of intra and inter family conflicts because the men had mostly died off and the women and orphans could not ably fight for their family land.

In central Uganda, community members pointed to the desire to acquire money fast that pushes some family members to sell off land without the consent of others leading to conflict. This is mostly inherited land that the entire family is meant to subsist upon. The other dimension is sale of customary land by community leaders. By the nature of customary land, traditional leaders possess responsibility over any transactions. However, the traditional leadership has weakened in many parts leaving community leaders to exploit this deficiency to usurp these powers and sell off the land. They also provide sales agreement as proof of ownership over such land which is presented by the land buyers as legal registered interest. In Hoima and Buliisa where there were fights between communities and the Balaalo (transhumant pastoralists), Monica Kabatooro of Hoima DFA explained that:

"Local leaders are giving away land to the people yet its customary land that should be managed by the traditional leaders. Banyankole and Bakiga come in with a thousand heads of cattle and set up ranches. They offer animals to the local leaders and are allocated land. They use government institutions to process titles to this land dispossessing the Banyoro who are the legitimate owners".

Government has a great influence in dispossessing farmers through exercising its power of eminent domain. Many times, government uses this provision to compulsorily acquire land and offer it to investors with promises of creating employment, paying taxes and inducing local economic development.

In most cases, the projects turn out to be business ventures and not in public interest while also, requirements of paying compensation prior to taking possession of the land have not been fulfilled. This leaves many farmers landless at the expense of development.

In Mubende and Kiboga districts, more than 20,000 small scale farmers were evicted when government offered land to New Forest Company to grow trees for commercial purposes. Government also acquired land to resettle refugees from South Sudan and Internally Displaced Persons (IDPs) from landslide-affected communities from Bugisu (Bududa district) in Masindi and Kiryandongo districts. Such resettlements would not be a problem but the local communities are rarely consulted or adequately compensated. Consequently, conflicts have resulted over ownership of this land.

Forceful evictions aided by the police or the army are commonly sanctioned by individuals or companies that have influence. In many cases people that have been living on such land are never consulted or compensated and are often left landless and homeless. In areas that possess mailo land such as Luwero, Wakiso and Mubende, land owners were reported to be selling off land without giving tenants the opportunity to buy interest in their tenancies.

Currently, speculative land acquisition is a major form of land grabbing. In mineral rich areas of Uganda, people with the knowledge of existence of the minerals have gone on to purchase land causing massive evictions and conflicts at the time of compensation prior to exploration. It's then that the people are notified that they do not own the land on which they live. In the Albertine Graben where oil was discovered, individuals acquired land in anticipation of better prices in the near future. There are court cases involving well placed people in the army and government that have acquired land fraudulently dispossessing farmers of thousands of hectares of farmland. They have gone on to fence off these lands restricting access to people that have been using them. In other instances, well-connected individuals took advantage of the ignorance of the peasants and under compensated them to acquire their land. Such people have tried to resettle elsewhere unsuccessfully due to lack of land to farm.

Table 2: Other noteworthy examples

Investor	Description	Size of land	Number of people affected	Facts Established
BIDCO Bugala island-Kalangala district	Alleged that government grabbed peoples' land and gave it to the investor	10,000 acres of land on Bugala island -6500ha is the nucleus estate – 3500ha- out-grower scheme	About 4500 people are alleged to have been displaced from the 6500 ha which government leased to BIDCO	The 6500 ha given to BIDCO was former public land on which people were living illegally. These people had just migrated to this land and did not have evidence of ownership
Kaweri Coffee plantation in Mubende District	In 2001, the government of Uganda (GOU) entered into an understanding with NKG ⁷ for the establishment of a coffee plantation in Kaweeri, Mubende district. Government forcefully evicted people who were occupying the land using the army.	Occupies a total area of 2510 ha of which 1802 ha have been planted with Uganda Robusta coffee and 552ha, or 22%, remain as natural, rainforest. The remaining 152 ha used for roads, housing, processing and natural papyrus swamps	Allegedly 2,041 people belonging to 392 families in the villages of Kitemba, Luwunga, Kijunga and Kiryamakobewere evicted. -Primary school and two churches were relocated	People who were occupying the land were brutally evicted from the land in August 2001. -So far, even after filing a court case that they won. They are yet to retrieve their land receive compensation.
Kidongo farm Butoloogo sub-county Mubende district	The land belongs to one Kataama an army officer of the UPDF. The army officer came in the village around 5 years ago and started telling people that he had bought the land	About 1 sq mile	About 50 families of about 200 people. One family of Mr. Sendegeya is still staying on the land but cannot do any productive work because the animals of the land owners destroy the crops.	Some people were shifted and given small pieces of land where they can build houses. Others have not settled on these pieces. They have decided to look for other places from relatives. The landowners brought animals and they started destroying peoples' gardens. People were forced out
Major General Jim Owoyesigire Masindi District	Mr. Jim bought land from a certain family and chased away the people who were staying on the land	Approximately 900 acres	More than 300 families with over 100 people, two churches and one primary school have been displaced	Allegations that people were wrongly evicted from this land without due compensation. From the documents accessed at the catholic parish, a few people were compensated with 500,000/= each. People claim compensation is not enough
Mukwano Agro Project Kiryandongo District	Land leased from government for growing	Approximately 7,000 acres of which 4,000 are under use	About 500 families were living on this land and were evicted.	The alleged land was purchased under lease from government of Uganda. The communities

⁷ Neumann Kaffee Group

Investor	Description	Size of land	Number of people affected	Facts Established
(formerly Masindi District)	sunflower, maize, soyabean etc. They are trials of Oil palm and Jatropha		According to the Farm Manager, these families were aware that this was not their land. They were compensated on government rates and evicted.	recognize that government formerly owned this land. People also recognize the fact that people who were staying on this land were compensated.
Madhvan Group Amuru District	Madhvan group wanted 40,000 acres of land in Amuru for the production of sugar cane	The Amuru district land Board is offering 10,000 acres	People do not know exactly where this land is located. However, this is land that used to be public land and was taken over by the District Land Board	The people of Lamogibeing represented by Acholi Parliamentary Group have filed a case in court challenging the giveaway of this land to determine whether this land is public land or customary land.
Major General Oketta Pailyec Parish Amuru district	The army General acquired land under lease from Amuru/Gulu District Land Board	2,000 ha	Under the same suit with the Madhvan Group	The General has a lease title from the District Land Board on customary land.
Kodet Connellius Lokitela, Ekoroit and Nakulungi Villages in Namalusub county Nakapiririt district	The investor acquired and registered freehold land in the 1970s. He chose to put a Jatropha plantation but the neighbors complaining that he is stretching over to their land.	The size is not established	The community members in the two villages of LokitelaEkoroit and Nakulungi	The people in these two villages were able to stop the operations stretching to their land and the project stalled. So they are still utilizing the land that he intended to grab.
Naturukan village in namalusub county Nakapiririt district	The land which was formerly a forest reserve (part of PianUpe) was degazeted by UWA for the people who were staying in the reserve and those at the foot of Napak mountain	Approx. 3,000 acres		The district was supposed to distribute this land to the intended beneficiaries but this was never done prompting the likes of MrKodet to go in and grab this land. Its alleged that he has 2000 acres off this land while his son has 1000 acres.

Source: Land Grabbing Campaign, Uganda Land Alliance(2012)

The government of Uganda recognizes these malpractices and the resultant adverse impacts on Ugandans. For instance, the formation of the Nantaba land commission⁸ by

⁸ Presidential land commission set up to investigate illegal land acquisitions and land evictions headed by honorable Nantaba in 2013

the government was a direct response to land grabbing (illegal evictions). In 2007, the government prepared a Land (Amendment) Bill designed to curb rampant and forced, land evictions of tenants lacking registered ownership rights. This was designed to enhance the security of both bona-fide and lawful occupants. A person claiming an interest in land held under customary tenure can only be evicted by a court order; and tenants on registered land can only be evicted for non-payment of rent. Thus, the legal and policy framework for land administration and governance in Uganda is not entirely permissive and silent about land grabbing and its negative effects on Ugandans. However, ignorance of land laws and rights by farmers, political interference, unregulated land market activity, poverty, weak land administration agencies, lack of strong lobby and advocacy platforms for land rights are the main factors influencing land governance and administration in Uganda. This is where a strong farmer representative organization can make a difference.

2.5 Uganda National Farmers Federation:

The Uganda National Farmers Federation (UNFFE) is the largest Non-Governmental Organization in Uganda. The federation has played a critical lobby and advocacy role for farmers on emerging and pre-existing challenges since 1992. UNFFE membership consists of 90 Farmer Organizations, among which District Farmer Associations (DFAs), Commodity Specific Associations and agribusiness related farmer service oriented companies operating at both district and national levels. Lobby and advocacy, providing training and agricultural Advisory Services, Agribusiness Development, facilitating information and communication exchange and monitoring and supervision are the core objectives of UNFFE. In terms of social capital, traditionally Farmer organizations such as UNFFE are expected to have an inward-oriented or 'bonding' function (vertical linkages) to build social capital and facilitate collective action to respond to the uncertainties of agricultural production, and to regulate relationships within farmer ranks. Moreover, Farmer organizations should perform a 'bridging' function (horizontal linkages) to organize relationships between farmers, markets the state and other stakeholders.

UNFFE has promoted District Farmer Associations (DFAs) as centers of program implementation. Kapchorwa District Farmers Association and Mbarara District Farmers Associations are glowing examples of DFAs that have grown economically through integrating agribusiness into their day-to-day operations. There are many other successful stories. However, the extent to which UNFFE is able to influence the direction and focus of DFAs is still debatable given their level of autonomy. While this is desirable in dealing with some challenges such as procurement of agricultural inputs, it may undermine advocacy initiatives that require collective action. Effective and positive influence or agency by a national umbrella organization such as UNFFE can be enhanced. This can be achieved through establishment of prerequisite conditions (Vorley et al., 2012). In general, two conditions are key: that the FO is vertically well integrated, with fluent communication from bottom to top and vice versa, and the organization has a good networking position and influence at the national level. Moreover, it is also a member of the Uganda Land Alliance (ULA), which enables it to have good follow upon negotiated issues. (Blokland&Gouët, 2008; Gouët et al. 2009).

A very preliminary overview of actors in Uganda who are linked to UNFFE in relation to the land issue is given in the table below, in which the rows are the horizontal linkages and the columns the vertical ones.

Levels	Farmers' organizations	Public policy-makers	Civil society	Investors
International	East African Farmers' Federation (EAFF)	East African Community (EAC) East Africa Legislative Assembly (EALA)	International Land Coalition	
National	UNFFE	Ugandan government, several Ministries	Uganda Land Alliance Land equity Movement in Uganda	Association of Real Estates Agents (AREA)
Local	District Farmers' Associations (DFAs)	District Land Boards	Community Based Organizations	

The question then is how strong UNFFE linkages are and how it puts them to use in order to react to the described phenomena.

3. Findings and Analysis

3.1. Land governance in practice

Land governance in Uganda depends a lot upon the functioning of land institutions at the district and national level. In districts where land offices are not fully constituted, service delivery is very inefficient and costly impeding farmers from accessing these services. As key stakeholders in land governance, it becomes hard for farmers to claim their land rights, which is detrimental to their tenure security.

Conversions of formerly public land to freehold or leasehold land for individuals or institutions especially in central Uganda (Wakiso, Mubende, Mityana, Kiboga, Kyankwanzi, Masaka and Luwero districts) is on the increase. However, information on the processes for conversion of customary or formerly public land to freehold land is not readily available to the public giving a leeway to well-connected individuals to effect such conversions. The desire to register interest in land by the small-scale farmers is met with un-certainty that leaves them at risk of losing it. Asked about the role of the farmer associations in helping farmers register their land, Herbert Kintu, the Chariman of Wakiso DFA explained that:

"Farmers living on public land expressed their interest in converting it to freehold tenure for individual use. However, the process is expensive and they can hardly afford it making the rich get much of this land. There were attempts by farmers in Kakiri sub-county to register their public land but were not granted the opportunity by the District Land Board. This leaves their ownership of this land in balance and as an Association, we do not possess the capacity to influence this process."

Customary land administration presents different dynamics for farmers due to the communal nature of land holding. The Land Act (1998) recognizes the continuum of rights accruing to customary land including ownership, management, use and transfer rights by providing for the formation of Communal land Associations headed by the traditional leadership to manage this land on behalf of their communities. In practice however, there are many cases where individuals without the knowledge and consent of communities that own the land process freehold titles out of customary land. According to David Koriang, Chairman of Moroto DFA:

"Customary land meant for the entire community has been parcelled out for individuals who possess money leaving limited acreage of land for the communities. Land has also been given to mining companies which have gone on to register it using mining licenses as proof of ownership with undue regard for the land owners. This is happening mostly in mineral rich sub counties like Rupa, Tapac, and Katikekile."

An attempt to address this crisis was made by Uganda Land Alliance through a community mapping project in five districts of Karamoja region (Moroto, Napak, Nakapiripirit, Kotido and Kaabong) where communal land associations were formed to protect communities from their land being grabbed. However, registration of the Associations was hard as explained by the Project Officer:

"Formation of Communal Land Associations required authorization from the District Registrar of Titles yet none of the District Land Offices had one. We had to seek the intervention of the Ministry of Lands to authorize us to go on with the process of forming and registering these Associations. This process required human and financial resources as well as information that the farmer's do not possess. However, even in the midst of these institutional deficiencies, individuals have gone on to acquire registered interests on this same land."



Mr. Lobur Gabriel, Chairman of the Area Land Committee of Iriiri Sub-county explaining the role of the committee during a focus group discussion in Napak district

With regard to the right to use one's tenancy, landowners continue to regulate the type of crops to be grown by the tenants. Tenants are restricted from growing coffee, bananas, and tree types for timber, which are the cash crops that farmers need to grow on a commercial basis. This presents a disconnect between the provisions that protect tenants land rights and the actual practice on registered land.

All these inconsistencies lead to conflict which compounds grabbing of farmer's land. Land laws provide for a dispute resolution mechanism in the land administrative framework at the local or community level with room for appeal in courts of law at the District level. Ideally, it is a very convenient means of resolving disputes on land but farmers find it highly segregative due to the high costs of attaining justice. . It was reported that conflicts within communities especially over boundaries are easily resolved but if a conflict involves an individual from outside the community seeking to take over a parcel of land, farmers are bound to lose. This is mainly because they don't have registered interests in the land and are often unable to challenge wealthy aggressors who are mostly well connected and have resources to pay their way through the courts.

It is easier to list the effects of a malfunctioning land governance system but for effective advocacy, farmer's organizations need to first address the causes of this inefficiency if they are to make an impact. Limited implementation capacity and resources stand at the helm of inefficient land governance. In all districts visited, land offices were inadequately facilitated to execute their duties. At the local level, most of the recorders at the Sub-counties or Town Councils where the research was conducted were not knowledgeable of their role in land registration. They were not trained nor did they possess land registration books required for the award of Certificates of occupancy and Certificates of customary ownership on mailo and customary land respectively.

At the district level, Land Offices were understaffed with cases of one out of five officers in each Land office in Karamoja region attributed to funding constraints by local and central governments. In Nakapiripirit district, the Chief Administrative Officer explained that these positions attract highly professional individuals who after sometime get demoralized due to the low pay and limited resources to do their work. This was the same case in other districts and it pointed to the possibility that it would not change soon as there were no deliberate efforts to address the crisis. With such a malfunctioning system, processing a land title has become too costly and takes a long time which makes it hard for the small scale farmers to achieve tenure security while the rich exploit this state to register large tracts of land.

Political interference was reported as a key hindrance to effective land administration. For purposes of political expediency, many contradictory signals from politicians end up confusing peasants rather than solve land related problems. Additionally, in many areas, locals alleged that their land has been grabbed by politicians or individuals directly linked to government agencies such as the army.

The Land Act was amended in 2010 to address rampant evictions of tenants by the landlords and it was expected that institutions would be strengthened to curtail such acts. However, there are many Presidential pronouncements of parallel structures to address evictions including the Resident District Commissioners, Land Protection Unit at the police, a Land desk in State House and the Presidential Land Commission headed by Honorable Aidah Nantaba. These political structures undermine the functioning of legally established land institutions and are a gateway to corruption and rent seeking tendencies that are major impediments to accessing land services for the farmers with limited financial resources and influence.

Regarding farmer's participation in policy formulation processes, there was indication of their involvement at all levels but with minimal effect due to poor mobilization and lack of a common position as farmers. At the local level and basing on the influence of a given farmer association, farmers are involved in the development of bye-laws on land. In Hoima district, the Speaker to Council noted that:

"The Association is lobbying the local leaders to enact bye-laws that are in the interest of the farmers' tenure security as a way of encouraging them open up more land and produce for the market. The income from the produce can be used to process documentation for their land. We as the leaders find this so useful and are bound to support it "

At the national level, leaders of Luwero and Wakiso District Farmer Associations reported participating in consultations during the formulation of the current National Land Policy but were not content with the final policy, as their views were not adequately reflected. This is a sentiment that was also expressed by the top leadership at UNFFE. For the development of the Rangelands Management and Pastoralism Policy, Karamoja region had not been included in the first consultation process because of insecurity. This was contested given that the whole region lies in the cattle corridor and would be affected by the provisions within the policy. Through support from Oxfam, consultations were extended to the region giving a chance to the farmers to contribute to it. *"We are now content that the policy recommendations proposed in the draft Pastoralism policy appeal to the actual situation on the ground and believe that it will be representative of our views when passed"*, a visibly content Simon Agengo from Kaabong DFA remarked.

Faced with all these challenges, farmer's knowledge of land rights is still very low as well as capacity development for realizing their land rights. Growing tensions over land ownership and conflicts are fuelled by ignorance of land rights and farmer's limited capacity to claim them. Farmers reported lacking financial means to follow through processes that are necessary to register their land and secure land ownership. When farmers were asked why they do not go to court for arbitration, they reported that courts were too far, costly and corrupt. Additionally they were not sure if political interventions initiated by government would not overrule court rulings. They also noted that in many cases, evictees were victims of court orders and as such, their apathy to courts was expected.

Land Use trends in Uganda

Types of land tenure were found to influence incidence of land grabbing. This study finds that land held under customary tenure is less prone to land grabbing if clan leadership structures are intact compared to individualized land holding tenure systems such as mailo. During focus group discussions with communities occupying customary land, they emphasized that sale of land within the communities was limited because it was a function of the traditional leadership and one needed their permission to go on with any land transactions. They however noted that in peri-urban areas, the people especially politicians disregard the traditional leadership and go on to sell the land to 'intruders' who are not a part of their community. On the contrary, communities on mailo land reported a booming and unregulated land market which has fuelled high incidences of land grabbing. This is linked to greed by some family members, disagreements between tenants and landowners, a poorly run land registry (where titles are easily forged), corruption and political high handedness. Urbanization and population pressure were also highlighted as major drivers of land grabbing in peri-urban locations.

In Uganda, large-scale commercial farming and ranching that require large tracts of land (hundreds of acres) with well-defined ownership rights to guarantee uninterrupted sustainable production is one of the drivers of changes in land use patterns as well as the increasing break down of communal systems. Increased population pressure is responsible for many of the observed changes in land use-for instance shifts from expansive agriculture to intensive production agricultural systems. Due to increasing pressure on arable land, land fragmentation is on the increase, further fuelling subsistence production. The drive to register land as proof of ownership as opposed to a customary holding of land appears to be on the increase. Within areas under customary land tenure, individualized customary tenure is on the increase by individuals with means to influence changes in traditional land holding.

Another land use trend is settlement of people and opening up of farms in protected areas. Uganda Wildlife Authority is increasingly facing resistance from communities that have established farms in game reserves and national parks like Murchison Falls National Park in Masindi and Kiryandongo districts, PianUpe game reserve in Moroto and Napak districts as well as Kidepo National Park in Kaabong district. These communities demand that parts of these parks be degazetted to accommodate them yet in the past when parts of the reserves were degazetted, the leaders grabbed the land.

The Chairman, Nakapiripirit District Land Board, Mr Illukol Zachariah, elaborated this:

"Part of PianUpe game reserve was degazetted in 2002 particularly around Namalu area to provide land for relocation of the people within the reserve. The district authorities were expected to design a land redistribution program to facilitate the relocation but they never did. Instead, this land was grabbed by the politicians and businessmen yet the people who were the intended beneficiaries are still in the reserve and are continuously clashing with Uganda Wildlife Authority."

Efforts by Uganda Wildlife Authority to stop the practice through use of pillars to show the boundaries of the protected areas and also providing an option of signing collaborative management agreements with such communities are not having the expected effect. Farmer's associations would embrace this opportunity to have these agreements signed for the farmers to partake of resources in protected areas peacefully.

3.2 How do smallholder farmers' organizations respond to land-grabbing



Gardens destroyed and animals killed as an investor forcefully evicts farmers from their land without compensation in Ntwetwe village, Kiboga district

Although UNFFE boasts of a membership of more than one million members, the visibility and influence of the federation is still very low. Whereas its legitimacy is not in question, there is a need for the organization to innovatively improve its visibility and influence for purposes of building an effective farmer voice. Below, we analyse this in terms of UNFFE's linkages.

3.2.1 Vertical Linkages

UNFFE's upward vertical linkage functions well. The regional farmer federation EAFF, of which it is member, acts as a bridge for UNFFE and creates opportunity for UNFFE to interact with organizations that promote farmer interests at a regional and international levels. EAFF works with UNFFE to strengthen policy advocacy, improve effective communication both within the national farmer's federation and with other stakeholders. As a broker, EAFF strives to support building of accountable and transparent systems that can support efficient day-to-day execution of programs. This is very critical for UNFFE, which is mainly funded by development partners.

Looking 'downward' however, whereas UNFFE strives to have efficient systems at national level, the same standards have not been transmitted to lower tier DFAs. Communication channels within UNFFE and with lower tier (DFAs) are not as efficient as they should be, with a direct consequence of minimal reporting and consequently minimal responsiveness to emerging issues such as land governance. Problems are not 'uploaded' to the policy-making (= national) level in UNFFE, nor are solutions 'downloaded' back.

Districts Farmer Associations are an integral part of the Uganda National Farmers Federation institutional framework alongside other producer organizations. DFAs are expected to play an interlocutor role for farmers in the different districts by facilitating an exchange platform between farmers and UNFFE, but in practice this does not happen as it should.

The reasons have to do with an excessively strong shift in focus at the district level. DFAs have integrated well into agricultural input markets and play a vital role in providing agricultural inputs such as seed and fertilizer. In a bid to be sustainable, DFAs gained autonomy from UNFFE and consequently diversified into several profit making ventures. The key role of advocating for farmer rights was relegated to a secondary position. This profit orientation of DFAs has restricted all focus to activities that generate an income for the associations. We observed that this trend is responding not only to the challenge of ensuring sustainability and relevancy for the farmer associations, but also the fact that advocacy requires a lot of resources which UNFFE and DFAs do not have.

The core engagements for the DFAs visited include procurement of inputs, identification of markets for agricultural produce and agro-processing. Failure to respond appropriately to emerging issues such as land grabbing was attributed to the lack of capacity to attract funding. Lack of technical capacity to articulate issues of land rights was also advanced as a key problem.

Since the DFAs are not doing anything about land governance issues, the national farmer federation is expected to take up this challenge. The DFAs have mapped out their niche- mobilizing farmers and working on pressing issues such as provision of agricultural extension services and improving access to inputs such as fertilizer and improved seed, hence continuously demonstrating their relevancy to the membership. On the other hand, UNFFE cuts the image of a parent that has been outgrown by its child in comparison. UNFFE is not very close to farmers in aspects of developing programs and addressing emerging issues. This creates an impression that UNFFE does not reach out to farmers as it should, which is not necessarily true. Interactions with UNFFE revealed that it implements programs through DFAs and has indeed brokered a number of successful projects under implementation by DFAs. Thus, UNFFE is a victim of its position (at the top of the chain) and a casualty of lack of financial and human resources for effective program implementation. Therefore improving its functionality, accountability, transparency and visibility to its constituents- is very necessary.

The consequence of all this is that the lack of vertical linkages between farmers, DFAs, and UNFFE in terms of reporting and informing the farmer leadership of emerging threats to farmer livelihoods reinforces adverse impacts such as land grabbing in farming communities.

We found that communication channels between UNFFE, DFAs and farmers in communities are not very efficient. For instance, some DFAs complained of not being invited for meetings and joint programming with UNFFE. "Working on influencing policies has been limited to addressing land issues to policy makers at sub-county and district level including the Sub-county Chiefs, District local council executive and Members of Parliament. UNFFE has not involved the association in any policy processes at the local or national level." Herbert Kintu, Wakiso DFA.

Conversely, UNFFE also complained of not being informed by DFA's of emerging challenges such as land grabbing in farming communities. It is very clear that UNFFE needs to improve communication within the organization, with its prospective allies and with both the central and local governments. They is also a dire for UNFFE to adopt its administrative and technical structures to be responsive to emerging issues within its constituents. "UNFFE has contacted us once in the last five years. As the lead organization, it needs to develop products that can attract farmer associations to it." David Katende, Masindi DFA.

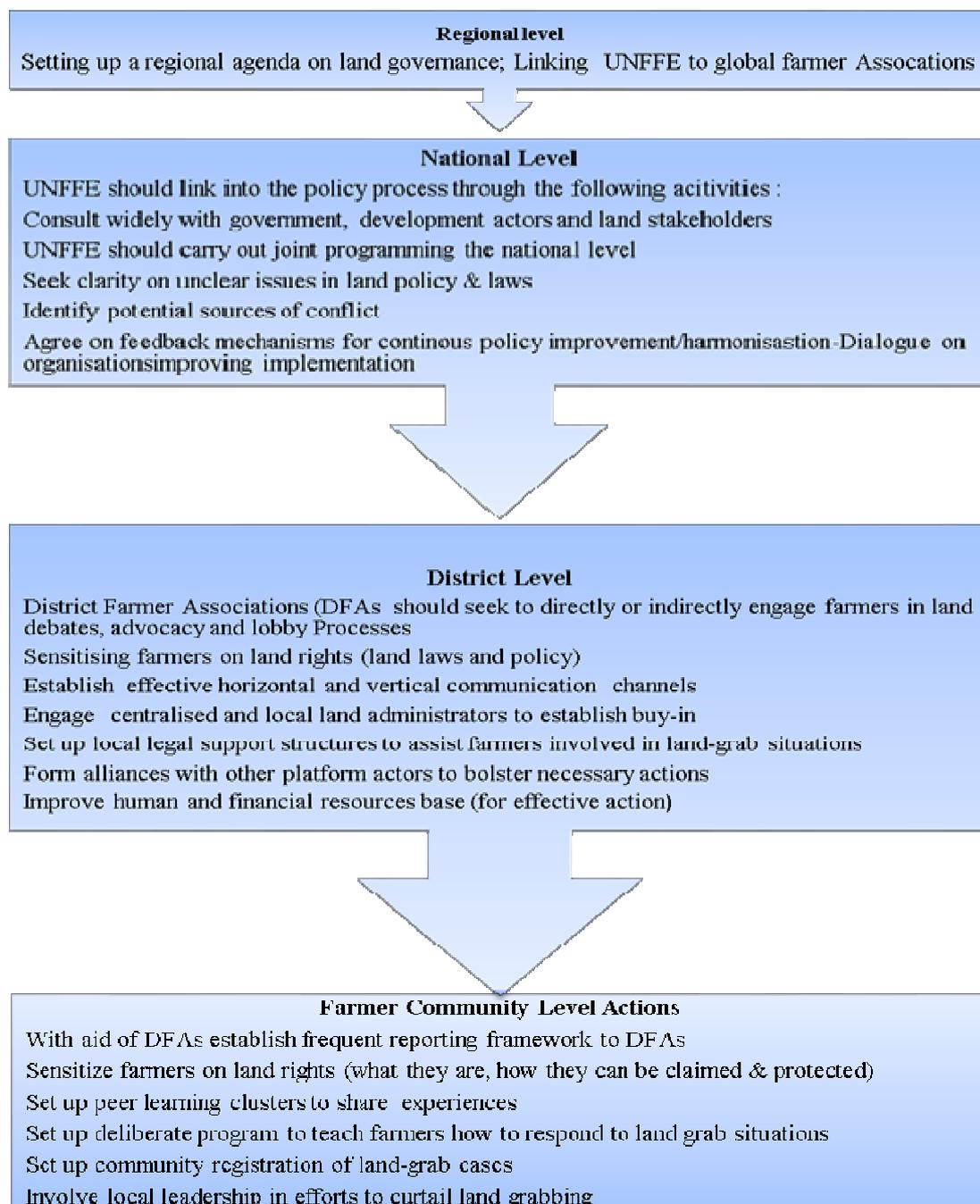
3.2.2 Horizontal Linkages

UNFFE has numerous links with other stakeholders at the national level, some of them (potentially) very relevant for its role in the land governance issue. Such links include the National Union of Coffee Agribusinesses and Farm Enterprises (NUCAFE); Uganda Cooperative Alliance (UCA), Community Based Organizations (CBOs), Local Governments (LGs), Uganda Land Alliance (ULA), Land Equity Movement in Uganda (LEMU), and the Associations of Real Estates Agents and of Land-owners. The above organizations and authorities are legal entities recognized under Ugandan laws and serve well defined constituencies. Besides the Local Government and Community based Organizations, other stakeholders offer advocacy platforms for farmers on several issues. For instance, the Uganda Land Alliance (ULA) and the Land Equity Movement in Uganda (LEMU) advocate for better land rights for Ugandans.

Although UNFFE is a registered member of the Uganda Land Alliance, the level of engagement in ULA activities is minimal. What is clear is that UNFFE has a range of allies that can be very useful in advocating for improved land rights for farmers. However, maximizing impact in any advocacy initiative depends, largely on effective communication, transparency, accountability and effective planning: not only vis-à-vis those external stakeholders, but also, and primarily so, within the organization. This is the subject of the next section.

3.2.3 Linkages: analysis

UNFFE’s vertical picture should look more or less like the figure below: a specification of the contents of the vertical column ‘Farmers’ organizations’ on page 28. In the figure below, the arrows represent the importance of the relationship (linkage) as such, rather than the primary direction in which information should flow (because that should occur in both directions, ‘uploading’ opinions, problems and suggestions, and ‘downloading’ information, solutions and successes in advocacy).



But the linkage between DFA's and UNFFE remains weak, and as long as this is the case it is not to be expected that UNFFE can ably participate in the national land policy debate (or indeed in most other national debates).

UNFFE's voice is limited in land policy formulation processes. Although land policy formulation processes have been described as highly participatory in Uganda, our interactions with UNFFE reveal that land consultations were not broad enough. Our discussions with farmers, land administrators, researchers and policy makers suggest several approaches that can be employed to integrate farmers into land governance. This can be done at community, district, national and regional levels. At community level, sensitizing farmers on land rights was identified as a key approach. If the farmers do not know their land rights, they cannot be expected to claim or protect them. Whereas linkages between UNFFE and other stakeholders such as local and central governments were identified as a prerequisite for improving decision making in land governance, it is also clear that if farmers are not well organized, their voice will never be heard. They are constrained by lack of information and knowledge about land laws and policies. Additionally, they lack a platform, which can carry their issues to the national farmer representation platform.

On the other hand, all indicates that UNFFE is well positioned to play a very important lobby and advocacy role in land governance if existing constraints are addressed. It is generally accepted that UNFFE has to assume a stronger role in land lobby and advocacy campaign to increase awareness of land rights among farmers. UNFFE has a good network, which can be used to lobby and influence government to address farmer concerns regarding land plus other related issues. UNFFE needs to appreciate the social capital that is attached to not only having a big constituency (>1 million farmers) but also having the opportunity to have access to the policy makers and other influential persons.

4. Conclusions and Recommendations

4.1 Conclusions

Land administration is often perceived as one of the most corrupt sectors in public administration. Land itself, considered a primary source of wealth, often becomes the trading medium and motivation for political issues, economic and power gains, and self-fulfilling interests. The need to ensure there is good governance in land administration is thus very important. A key theme in the land sector among development professionals, policy makers and academics, is how to address governance within land administration.

A juxtaposition of a malfunctioning customary and statutory tenure institutions coupled with lack of clear rules and regulations and enforcement of land laws and policies have positioned Uganda as a destination of medium to large-scale agricultural investments. Such investments are increasingly encroaching on land owned by smallholders and rendering them unproductive.

Guidelines on land acquisition mention consultation of stakeholders, but it does seem to refer always to 'local groups' particularly communities, villages etc. However, negotiations between a farmer and an investor (often accompanied by a high-ranking government official) are likely not to be skewed in the favor of the former. Outcomes of such negotiations depend on internal and external advocacy capacities and linkages respectively.

In theory, Farmer organizations act as a farmer agency that can push for participation, bargaining power and influence. Effective lobby and advocacy platforms as well as well thought-out strategies are very important. Conducive internal and external factors are a prerequisite for positive results. The profile of a Farmer organization can act as a basis for building elaborate bargaining power potential. Effective representative membership and consultation status among peers and other relevant stakeholders such as government is essential for results. In practice, effective lobby and advocacy capacity around issues of land governance is still very absent.

As expressed by Margaret Bamukyawa, Luweero DFA:

"Government doesn't consider farming as an occupation. Farmers should be regarded as important and as such, should be given a space. UNFFE's voice is limited too."

Because Uganda is an agro-based economy, land is a key a resource for the subsistence of over 75 percent of the population and a clear escape route from poverty if well utilized. The extent to which this can be achieved depends on how land is administered and governed. It is desirable that the land administration and governance system is participatory, transparent and inclusive. This is a prerequisite for food security, social harmony, economic development and most importantly achieving gender equality. The current land governance and administrative system operates under very constrained conditions and is inefficient. It does not offer many growth opportunities for farmers, which undermines the productivity and contribution of farmers to overall national economic development. Endemic fraudulent loss of land rights continues to fuel land disputes increasing rural poverty and vulnerability. Increasing land market activity coupled with an inefficient land governance system propagates negative land governance outcomes in turn increasing incidence of land grabbing tremendously. Increased land related conflicts, social tensions and vulnerabilities are an outcome of inefficient land markets, weak land administration and governance systems and lack of a strong policy lobby platform.

Increasing incidences of land grabbing and a general feeling of helplessness among farmers creates a need for a farmer led platform in promoting farmer land rights and land tenure security. However, this is only possible if Farmer Organizations can build sustainable linkages with all stakeholders in land governance to promote an accountable, transparent and inclusive (pro-poor) land governance and administrative system.

Although recognized as an advocate for farmer interests, Uganda National Farmers Federation (UNFFE) is not utilizing its linkages to champion land rights for farmers. The study shows that UNFFE lacks a footprint in the land governance arena. Human and financial constraints and weak horizontal and vertical linkages account for this. Linkages can be improved for purposes of integrating farmers into decision making on land governance. Uganda National Farmers Federation (UNFFE) is recognized as legitimate representatives of farmers in Uganda by the government and other development partners. This presents a strategic opportunity to UNFFE to advocate for the interests of farmers in land, which however is not seized in full. Thus, farmers lack a united voice to air out their dissatisfaction with the existing land governance framework. Farmer Organizations can be an effective mouthpiece for farmers if they are well coordinated. They can effectively advocate and lobby government on behalf of the farmers. There is thus a need for UNFFE to continue lobbying government for better policies to create a conducive environment for farmers to continue production.

Lack of an efficient communication strategy is one of the reasons why UNFFE is ineffective in lobbying for farmer land rights. Both backward and forward communication channels between UNFFE and the District Farmer Associations curtails flow of information from farmers to their national offices.

There is an information vacuum on land grabbing as well as limited efforts to effectively analyse the land governance problem and engage government in dialogue on a policy reform process spearheaded by farmers who are the real investors in land. Smallholder farmers are the biggest victims of land-grabbing due to their limited knowledge of land rights. Consequently, they are unable to claim and protect their land rights due to lack of information. In conclusion, farmers will continue to be plagued by the above-identified challenges if they do not re-evaluate their position and engagement in the ongoing land governance discourse in Uganda. Farmer Organizations should out of necessity strive to embed land governance programming in their day-to-day programming. They should put in place a comprehensive advocacy program aimed at sensitizing farmers on land rights, improving internal Farmer Organization management, leadership skills, negotiation skills, communication strategies and building strategic alliances.

4.2 Recommendations

4.2.1 Vertical linkages

At district level, Farmer Associations (DFAs) should seek to directly or indirectly engage farmers in land debates, advocacy and lobby processes. This is achievable if the farmers and the DFA leadership is sensitized about land governance. DFA's should position themselves as the conduits of information from the farmers to the national farmer's federation. This is possible if effective horizontal and vertical communication channels are established. DFA's should establish a working relationship with the District Land Office as the first step in safeguarding farmer interests in land. They should be integrated into land governance lobby and advocacy platform at district level for it serves two purposes; making the land officers appreciate the need to safeguard farmland and providing a lot of information to both the farmers and the farmer leadership in the district.

Therefore, it is desirable that district farmer associations build capacity not only to voice out farmer concerns on land issues but also to have the technical capacity to advise farmers before they engage in land transactions.

At national level, UNFFE should strive to be part of the land policy review processes through consulting widely with government, development actors and other stakeholders. Since UNFFE is a member of the Uganda Land Alliance, it should redefine its engagement in this alliance and focus its efforts on sensitizing farmers, advocating for farmer land rights and ensuring good land governance. It should work with ULA and the Coalition of Pastoralist Civil Society Organizations (COPACSO) to incorporate farmer groups into their community outreach programs so that they benefit from the capacity building projects that they implement.

As the new policy goes into the operationalization phase, UNFFE should proactively engage government through the Ministry of Lands, Housing and Urban Development and Parliament to bring to the fore issues that are affecting farmers. At a regional level, UNFFE can tap into the network that has been built by the regional farmer federation. Besides giving land policy a regional face, EAFF can broker linkages that can inform and sustain UNFFE's promotion of farmer land rights in Uganda. EAFF is also linked to international multilateral agencies that have contributed to shaping the land governance agenda in Uganda. Meaningful interactions with such agencies offers UNFFE ample social capital for effective lobby and advocacy (see Figure 4.0).

4.2.2 Horizontal linkages

Identifying strong alliances is a strategy that UNFFE should adopt for effective advocacy purposes. The selection of such alliances should be based on shared common interests and synergies that can propel the land lobby and advocacy agenda. Although a member of the Uganda Land Alliance (ULA), UNFFE is relatively inactive in the land rights movement. The last land rights sensitization campaign implemented by ULA in liaison with UNFFE was in 1998. Although UNFFE recognizes the need to be more active in the land rights arena, human resource constraints restrict UNFFE's contribution to the Uganda Land Alliance.

Building strong and influential alliances both in the public, private and Civil Society arena is necessary if UNFFE is to achieve results. It is important that UNFFE guards against any form of political risk as this may polarize its membership and erode its



legitimacy. Strong alliances should be those that are willing to help build UNFFE's capacity (both technical and financial) and serve the needs of her membership. Availability of technical expertise, capacity to broker information and linkages, capacity to influence, legitimacy, level of political engagement and overall accountability and acceptability to farmers are some of the factors that UNFFE will have to consider when identifying stakeholders and building alliances.

A Multi-stakeholder dialogue held in Kampala with representatives from local government, civil society, private sector and farmer organizations deliberating upon farmer's involvement in land governance

4.3 Conditions for effective advocacy

In general, Farmer Organizations should:

- Strive to build their technical and financial capacities. Improving the capacities of Farmer organisations translates into better lobby and advocacy services by Farmer organisations on behalf of farmers. Farmer organisations should foster a culture of transparency, accountability, should always consult their members, and should promote issues that resonate with the immediate needs of their constituents.
- Build strong alliances and land advocacy platforms to promote land rights. Government should support such platforms as they contribute to the overall wellbeing of Ugandans. Farmer organisations should strategically build alliances with government through programs like National Agricultural Advisory Service (NAADS) to incorporate an advocacy component that would empower farmers to meaningfully engage on land governance issues. Being part of alliances without any visible signs of engagements is counter-productive.
- Improve communication linkages between farmers, Farmer Organizations (Farmer organisations) and government. When District Farmer Associations are able to convey to the national Farmer federation leadership what is happening in their communities, opportunities for engaging UNFFE and, through it, government agencies for support, advice and collaboration increase. However, when such vertical communication is missing farmers suffer in silence. At the lower levels, clusters should be set up to collect information and report on land related matters.
- Build strong internal and external linkages to improve advocacy capacity on land governance. This will entail internally improving leadership, management and professionalism in order to attain transparency and accountability.

4.4 How is this to be achieved?

Internally, Farmer organizations should have a mechanism that tracks land purchases and participate actively in the land transaction negotiations as advisors to farmers. Transparency and effective participation by farmers aided by Farmer organizations and other stakeholders can foster win-win outcomes. For instance, to adequately defend the rights of farmers, their concerns need to be systematized and worded by a farmer representative who is competent enough and can conduct negotiations with national institutions and foreign investors basing on good knowledge of best practices elsewhere. At the local or community level, an opportunity exists for farmer associations to work closely with area land committees during land adjudication for registration to save farmers from losing their land.

Adequate resources (both human and financial) are necessary for farmer organizations to implement effective lobby and advocacy programs. Land lobby and advocacy is prone to political manipulation and related risks. Professionalism, transparency, accountability and integrity are crucial for effective lobby and advocacy work. Therefore, farmer organizations should be in position to attract and retain well-trained workers that can uphold such principles. Internally, within Farmer organizations these principles should be promoted and upheld at all cost.

Funding of farmer organization's activities is often by donors and contributions from FO membership. However more often than not, donors may dictate the nature of implemented programs. This creates a discrepancy as Farmer organizations may end up implementing projects that are not demand driven by their membership. Building a bottom-up oriented relationship between farmers and the leadership of the organizations very desirable. This reinforces program acceptability that improves efficiency in decision making at all levels.

Proactive identification of political economy factors around land transactions helps Farmer organizations to respond more appropriately. Political economy broadly captures the environment within which the FO operates and the attendant risk attached to certain decisions and actions. How FO leadership deals with such political economy risks is very important. When politics is intertwined with land administration and governance, Farmer organizations have to draw a line on issues like; which government agency to contact, how to influence a positive outcomes that favor farmers and most importantly, ensuring that the political apparatus does not turn into a foe but an ally. Government's priority is to create an enabling environment for Foreign Direct Investment (FDI) in agriculture. Moreover, the new Draft Land Policy calls for mechanisms to deliver the right balance between improving livelihoods, protecting vulnerable groups, and enhancing opportunities for the local population (MLHUD, 2012).

4.5 Other stakeholders

Finally, it is worth noting that observance of the highlighted internal and external conditions alone is necessary but not sufficient to guarantee positive outcomes. Farmer organizations have to be adequately informed of what is going on in the communities where their members work if they are to appropriately represent their interests. If they do not know 'what is happening', with their regular members, their access and participation in high-level negotiation fora (which is where policies concerning an issues like land governance are discussed and decided), may not benefit the farmers.

Therefore, Government and Development Partners should focus more on Improving land sector administration and governance structures. The non-inclusive nature of land governance as well as lack of mechanisms to promote transparency and accountability negates the intended objective of securing land rights for all Ugandans. Reducing transaction costs of utilizing land administration services is crucial for making land administration and governance pro-poor.

Government should recognize farmers as the foremost investors on Uganda's land. They should be consulted and facilitated to engage more effectively in the land governance discourse. They should be sensitized about land rights and empower them to claim and protect such rights using accessible and affordable land governance structures. Government should take keen interest in consulting with Farmer organizations on issues that affect farmer's livelihoods.

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Annexes

1 Research questions

2 Interview guides

3 Interviewed stakeholders

4 Timetable for field research

5 Field research reports

6 Programmes for internal and external validation sessions

Annex 1 Research questions

Sub research questions	Discussion Questions	Methods
Relevant stakeholders in land acquisition policy making and implementations procedures?	<ul style="list-style-type: none"> Who are relevant Stakeholders in land governance decision making? What are the basic characteristics of these Stakeholders (e.g. Location (accessible to farmers); power relations, access to media, recognized players in issues of national development, strong Donor ties etc) 	<ul style="list-style-type: none"> Desk study. Interviews with key actors.
What is understood (or visualized) as "positive outcomes" and as "negative outcomes" by the main stakeholders regarding policies, regulations and practice on land acquisitions?	<ul style="list-style-type: none"> What are considered as positive/win-win outcomes of policies, regulations and practice on land acquisitions? What are considered as negative outcomes of policies, regulations and practice on land acquisitions SH's expectations (i.e. for the near future, related with opportunities and threats). 	<ul style="list-style-type: none"> Desk study. Interviews with selected key actors. Focal group discussions.
What policies, regulatory framework and procedures regarding land acquisition are in place?	<p>Existing Regulatory Framework and its origin (Laws, regulations, policies,):</p> <ul style="list-style-type: none"> What policies and procedures are in place regarding land acquisition are in place How and when the laws & regulations were formulated and enacted? Who participated in the policy dialogue and decision making? 	<ul style="list-style-type: none"> Desk Study Interviews key informants
What has happened ('in the field') in recent years and how practice match (o not) with the existing regulatory framework and with stakeholders interests?	<ul style="list-style-type: none"> What forms and dimensions of land acquisition have taken place in Uganda in the last 10 to 15 years? What are the significant changes on land tenure and land use? Are there recent changes in the access to public land (particularly for nomads)? Are there significant changes from public to private land 	<ul style="list-style-type: none"> Desk study. Interviews with selected key actors. Focal group discussions. Consulting farmers groups.
	<ul style="list-style-type: none"> How does practice match (or not) with the existing Regulatory Framework and with Stakeholders 's interests/expectations? How does the match between the reg. framework and actual practice reflects who's interests are better served by the regulatory framework? What did all of this meant for the civic information and participation that have actually taken place in the country studied (comparison between what formally should have been done and what was done). 	<ul style="list-style-type: none"> Desk study. Interviews selected key actors. Focal group discussions. Consulting farmers groups.
What role have been played by stakeholders to ensure (or aspire for) 'positive outcomes' from the regulatory framework and practice on land acquisitions? (Particularly UNFE and other local people organizations)	<ul style="list-style-type: none"> What are the main 'activities' that stakeholders have been engaged in? How have stakeholders' roles lead to actual shifts in policy or on implementation of land deals in the ground? How well are Farmer organizations (particularly UNFE) equipped for building a policy vision, preparing proposals on these issues and transmitting and negotiating this at all levels? How UNFE (and/or others) does operates in its context? 	<ul style="list-style-type: none"> Desk study. Interviews selected key actors. Focal group discussions. Consulting farmer groups

Sub research questions	Discussion Questions	Methods
<p>How FO's vertical and horizontal integration of farmers organizations affect their 'agency' for an effective engagement with decision makers on land acquisition policy making and implementations procedures?</p>	<p>(What relationships does UNFFE maintain, and at what levels, with other players in civil society, government and abroad? What alliances and oppositions do exist, and how does this influence demand/provision of information and stakeholder involvement (government/private sector or civil society) and who made use of the information and the space for participation?)</p> <ul style="list-style-type: none"> • Involvement of Farmer organizations in policy making and other relevant decisions: • Are there (or were at the decision making process) mechanisms for involving Farmer organizations and other stakeholders? • Are there mechanisms for involving Farmer organizations and other similar organizations? <hr/> <ul style="list-style-type: none"> • How does Farmer organizations' (UNFE in this case) vertical & horizontal integration within the organization affect its capacities for preparing/lobbying policy proposals. <hr/> <ul style="list-style-type: none"> • How does Farmer organizations' (UNFE in this case) vertical & horizontal integrate with other actors and particularly government bodies affect its effectiveness for lobbying policy proposals? 	<ul style="list-style-type: none"> • Desk study. • Interviews selected key actors. • Focal group discussions. • Consulting farmer groups.

Annex 2 Interview guides

Enhancing Decision Making and Transparency in Land Governance in Uganda

Interview Guide for District Farmers' Association Leaders

1. What forms and dimensions of land acquisition have taken place in Uganda in the last 10-15 years?
2. What are the significant changes in land tenure and land use?
3. Are there significant changes from public to private land?
4. How practice matches with the existing regulatory framework and with stakeholder's interests or expectations?
5. What is the match between the regulatory framework and actual practice does reflect whose interests the regulatory framework better serves?
6. What are the main activities that the stakeholders have done?
7. How did the stakeholders roles lead to actual shift in policy or in the implementation of land deals on the ground?
8. Involvement of farmer organizations in policy making and other relevant decisions.
9. Are there (or were at the decision making process) mechanisms for involving Farmer Organizations and other similar organizations?
10. How have farmer organizations worked with UNFFE to advance their issues in policy making processes?

Interview Guide for Focus Group Discussion

1. What is the nature of land holding and the land use types in the area?
2. What is the level of community organization around land governance- relevance of traditional land governance structures?
3. What is the level of community involvement in the formulation and implementation of land laws and policies?
4. What is the nature of community conflicts on land with regard to rights of ownership and use?
5. What is the efficiency of land governance institutions in conflict management and service delivery for tenure security - capacity, resources and timely delivery?
6. What are the challenges in the functioning of these institutions?
7. What is the role and level of involvement of District Farmers Associations in land governance within communities and at the district level?
8. Are there any community initiatives for farmer representation in land governance institutions at local levels?

Interview Guide for affected communities

1. What are the different land use practices in the area?
2. What are the different forms of Land acquisition in the area?
3. Which institutions are involved in land governance at local level?
4. What is the level of farmer's knowledge of the roles and functioning of these institutions?
5. What are the forms or nature of resource conflicts experienced-causes, perpetrators, and institutions where they seek redress.
6. What are the challenges to access to justice and implications for agricultural production?
7. What has been the role and level of farmer institutions' (DFA's) involvement in land governance especially around inclusion of farmers in processes of formulation and implementation of land laws and policies?
8. What are the recommendations for an all-inclusive land governance system that would promote farmers interests.

Annex 3 Interviewed stakeholders

No.	Name	Organisation
1.	Monica Kabatooro	Hoima District Farmers Association
2.	Margaret Bamukyawa	Luwero District Farmers Association
3.	David Katende	Masindi District Farmers Association
4.	Herbert Kintu	Wakiso District Farmers Association
5.	Betty Lubega	Mubende District Farmers Association
6.	David Koriang	Moroto District Farmers Association
7.	Phillips Moding	Kotido District Farmers Association
8.	Raphael Lopeyok	Nakapiripirit District Farmers Association
9.	Simon Agengo	Kaabong District Farmers Association
10.	Silver Nganda	Mukono District Farmers Association
11.	Johnson Butamanya	Nakasongola District Farmers Association
12.	Victoria Sebagereka	Kayunga District Farmers Association
13.	SsoziBagenda	Mpigi District Farmers Association
14.	Mbaziira Robert	District Land Officer- Mukono
15.	Michael Kinyosi	District Land Officer- Moroto
16.	Gilbert Kasozi	District Land Officer- Wakiso
17.	StellahNamiiro	District Land Officer- Mubende
18.	Mr. Emma Tumwizire	Mubende DFA
19.	Betty Lubega	Farmer
20.	Mr. MulingiNtambi	Farmer
21.	Patrick Lubega	IFPRI
22.	Alex Tatwangire	IFPRI
23.	PhionahMuheirwe	Makerere University
24.	Justine Namaalwa	Makerere University
	ZiporahNabaasa	Makerere University
25.	Fred Baseke	International Labor Organization
26.	Sam Tumugarukire	Uganda Land Alliance
27.	RitahNansereko	Food Rights Alliance
28.	George Asiimwe	ESAFF
29.	Fred Kawooya	Action Aid Uganda (AAU)
30.	Stephen Birungi	Farm Support Ltd
31.	Richard Mugisha	Participatory Ecological Land Use Management (PELUM)
32.	Charles Mulozi	Volunteer Efforts for Development Concerns (VEDCO)
33.	Bridget Mugambe	South and East African Trade Information and Negotiation Institute (SEATINI)
34.	Betty Aguti	CARITAS Uganda
35.	Charles Ogang	Uganda National Farmers Federation
36.	Augustine Mwendya	Uganda National Farmers Federation
37.	Mr. Caleb Gumisiriza	Uganda National Farmers Federation
38.	Mr. Ntege Vincent	Uganda National Farmers Federation
39.	Kenneth Katungisa	Uganda National Farmers Federation
40.	Mrs. Harriet Ssali	Uganda National Farmers Federation
41.	Mathew Lubuulwa	Analyst/MFPED
42.	Sylvia Natukunda	AgriProfocus Network
43.	Kasumba Andrew	Coffee Development Authority
44.	Muwonge	NUCAFE
45.	Musenze Frederick	Mubende- Local Government
46.	WambogaMugirya	SCIFODE

Annex 4 Timetable for field research

Activity	Months												Responsible
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	April			
Phase 1: Research Set Up													
Definition of the research team					x								Consultant
Fine tuning methodology and plan					x								Consultant,EAFF, UNFFE, Agriterra
Phase 2: Exploratory Research													
Initial desk study					x	x							Consultant
First round interviews					x	x							Consultant & Team
Phase 3: Data Gathering													
Second round of interviews						x		x					Consultant &Team
Focal group discussions							x						Consultant & Team
Consultations local farmers' groups and district associations							x						Consultant & Team
Phase 4: Systematizing & Validating data/ conclusions													
Systematization and Analysis of data & Complementing data with desk study							x						Consultant & Team
Validation or findings with local farmers leaders										x			UNFFE, EAF,Agriterra
Phase 5: Documenting & Reporting													
Producing the project's full report											x		Consultant
Producing publications												x	Consultant ,EAFF, UNFFE, Agriterra
Project Management													
Contractual matters	x	x	x	x	x	x	x	x	x	x	x	x	Agriterra, EAFF
Monitoring and evaluation	x	x	x	x	x	x	x	x	x	x	x	x	EAFF, Agriterra
Administrative reporting of the project	x	x	x	x	x	x	x	x	x	x	x	x	EAFF

Annex 5 Field research reports

A. Responses from District Framer's Association Leaders

1. What forms and dimensions of land acquisition have taken place in Uganda in the last 10-15 years?

With the increasing value of land in the market, land sales have risen along with a hike in the value of land. "Land in the past was cheap. Five years back, an acre would cost 300,000shs. Now, it goes for one million or more" Coordinator, MADIFA. In areas that possess customary land (Hoima, Masindi, Kiryandongo, Buliisa), the local leaders are instrumental in the sale of communal land. In areas that possess titled land (Luwero, Wakiso, Mubende), land owners possessing titles are involved in the land sales. The sales have been fuelled by speculative acquisition tendencies emanating from knowledge of oil prospects especially in districts like Hoima and Buliisa.

Compulsory acquisition of land by government to resettle internally displaced persons and refugees is another form of land acquisition especially in Masindi and Kiryandongo districts. IDP's from Northern Uganda and refugees from South Sudan were settled in camps in Masindi and currently, government has resettled affected communities from Bududa in Kiryandongo district. Government has gone on to avail land to the resettled households making them land owners. Government has in the same vein acquired land for investment in Mubende district-a case of the New Forest company.

Award of mining licenses for gold, marble, and iron ore in Kaabong and Moroto districts is another form of acquisition of land in the area. By law, this land is held in trust by government and the people who live on it have been asked to leave and settle elsewhere by government to give way to the mining companies' mining activities. Government has also compulsorily acquired land to set up army barracks in each district for security purposes dispossessing land owners without any form of compensation.

The other form is renting and/or borrowing by small holder farmers. This is mostly done in the fertile areas like Nabwal area at the foot of Mt Napak, Namalu Sub-county in Nakapiripirit district and wet zones of Karenga, Lobalangit, Kolowakol and Kapedo sub-counties in Kaabong district. This is temporal in nature and for a stated period of time.

In all, Inheritance remains the most common form of land acquisition of land with land passed on from one generation to another or from parents to children.

2. What are the significant changes in land tenure and land use?

The drive to register interest in land as proof of absolute ownership as opposed to a customary nature of holding stands out. This has been propelled by land transactions that require proof of ownership to reap big from the land market. It is also a consequence of adoption of commercial farming and ranching that require large tracts of land (hundreds of acres) with assured ownership rights for sustainable production. This is responsible for the widespread grabbing of customary land dispossessing the customary owners and as well escalating conflict between land owners and tenants in the event of sale of mailo land leaving tenants threatened with eviction. Precisely put, there is conversion of customary land to freehold and leasehold tenure. For rural areas, land registration is propelled by adoption of commercial farming especially growth of jatropha for bio-fuel in areas like Namalu in Nakapiripirit and commercial ranching that require large tracts of land (hundreds of acres) with assured ownership rights for sustainable production. This has in turn increased conversion of communal lands into individual land. However, customary nature of land holding still stands out as the dominant land tenure type. A contentious issue surrounding registration of

interest in land is the process and costs involved that limit a peasant's pursuit of a title to his land. This therefore gives the rich and powerful leverage, a recipe for land grabbing. Another interesting observation is that local council leaders act as owners of customary land and consent to transactions on it as opposed to the traditional leadership's role in transactions on customary land as enshrined in the Land Act.

People haven't done much in transforming land use patterns within their communities. Subsistence farming and grazing is still practiced and only the rich are doing commercial farming. This is partly due to the customary nature of land holding on customary land that has promoted sub division of land and the value of land on mailo which makes it hard for the populace to acquire significant acreages of land. In all these, land fragmentation is significant further fuelling subsistence production. People have been evicted in Luwero (Butuntumula, Kamila, Nyimbwa, Ziobwe) and Wakiso (Namayumba, Ssisa, Gombe, Kakiri and Masuulita.) for commercial farming and ranching. Communal grazing lands have been sold off and fenced leaving pastoralists with no area for grazing their animals. A case in point is in Hoima where communal grazing lands were taken to set up an oil refinery shifting people to sub-counties like Seruka, Kabaale, Kaseeta, Kabwoya, and Kyagwali in Hoima district where they can hardly find grass for grazing.

On the flip side, some communities created opportunities of land acquisition by groups of people from outside their areas that have in the contemporary setting dictated land use practices. In Hoima and Buliisa, the Bakiga and Banyankole acquired land from the local leaders in exchange for animals whereas the general population refrained from questioning such acts. They came in with thousands of heads of cattle, acquire land, processed titles to it and successfully dispossessed the Banyoro. Todate, the Banyoro crop farmers possess limited land whereas the Bakiga and Banyankole have ranches on large pieces of land.

Another land use trend in Masindi and Kiryandongo is settlement of people and opening up of farms in protected areas (Murchison Falls National Park). There are efforts by UWA to stop the practice through use of pillars to show the extent of the protected areas and evicting communities settled in the protected areas. Degazettement of formerly hunting grounds and downgrading of part of game reserves to community wildlife areas in Karamoja region is another form of land use in the region. Communities can now access the degazetted areas for farming and other livelihood sustenance means.

In the last ten years, districts like Wakiso and Luwero have developed with the urbanization affecting land formerly used for farming. Town councils and trading centers have come up reducing land for agriculture and the labor force in the sector as the people seek for other forms of employment. The development has had a bearing on transactions on the land as the land values go up and inevitably the land sales.

Land use patterns in Northern Uganda particularly Karamoja region are changing with adoption of crop farming alongside cattle rearing. This means that the pressure on land is increasing and as well the desire to acquire individual land from the customary land. There is also a drive to plant trees that has been embraced by the people and promoted by the farmer's forum. The wealthy Karimojong have adopted commercial ranching fencing off land which has affected access to the land by the other community members.

Mining activities have brought in a new dimension of land use with communities engaging in rudimentary mining activities for gold and marble in Rupa and Katikekile sub-counties in Moroto district to earn a livelihood. Planning for development in municipalities has seen the annexure of community land neighbouring the designated urban areas.

3 Are there significant changes from public to private land?

There are significant changes manifesting in conversion of customary land to freehold land for individuals. There is also conversion of formerly public land to freehold or leasehold land for individuals or institutions especially in Wakiso, Mubende and Luwero districts. In Karamoja region, there are significant changes manifesting in conversion of common lands that have been used by communities for grazing, watering animals, cultural sites and such other functions by the communities to individual / freehold land dispossessing others with interest in it.

Information on the processes for conversion of customary or formerly public land to freehold land is not readily available leaving only those with money and connections able to follow through such processes. Attempts by farmer organizations to register land have not been successful. A case in point is of Kakiri Farmer's Association's attempt to register interest in public land that was not granted due to lack of the administrative support needed for authorities to consent to the transaction.

4 How practice matches with the existing regulatory framework and with stakeholder's interests or expectations?

There are a number of legislations that exist on land in Uganda. The Constitution, the Land Act, Registration of Titles Act, National Land Use Policy and the recently approved National Land Policy that is yet to be passed. The Land Act has undergone a number of amendments to ensure that it addresses practices that are against the individual and community rights over land.

On mailo-land that exists in Luwero, Wakiso and parts of Mubende districts, the Land Act spells out provisions that protect the rights of tenants and landlords. It states that no tenant shall be evicted except upon a court order and for non-payment of ground rent. This protects the tenant's right to access and use his tenancy without interference from the land owner.

However in practice, the annual ground rent which is determined by the District Land Board to be paid by tenants to land owners is not sufficient and many times not accepted. This leaves tenants in balance and at a risk of eviction for failure to pay it. This coupled with the desire to earn much out of the land by the land owner has increased incidences of eviction of tenants without the court order with no action taken to reprimand them. With regard to the right to use one's tenancy, land owners continue to regulate the type of crops to be grown by the tenants. Tenants are restricted from growing coffee, bananas, and tree types for timber which are the cash crops that farmers need to grow on a commercial basis. This ideally presents a disconnect between the provisions that protect tenants and the actual practice on registered land.

The Land Act stipulates that customary land shall be managed according to the customs and traditions where it exists. It recognizes the continuum of rights accruing to customary land including ownership, management, use and transfer rights vested in the traditional leadership and the community. The Act provides for the formation of Communal land Associations comprising of the traditional leadership that would administer and manage transactions on communal land.

In practice, there are many cases where freehold titles are processed out of customary land in Hoima, Buliisa, Masindi, and Kiryandongo districts without the knowledge and consent of communities that own the land. The incident cited was the purchase of communal land by the Balaalo and setting up of ranches in Buliisa district without the knowledge of the community that owned the land. The other dimension is the acquisition of land with the owners made to leave without compensation or given "peanuts" considering the land they have lost.

“In setting up the oil refinery in Hoima, land owners were given little money for compensation that could hardly purchase for them another piece of land elsewhere to settle on and graze their animal.” Chairperson, Farmers Association.

There are many cases where freehold titles are processed out of customary land in all districts in Karamoja without the knowledge and consent of communities that own the land. The other dimension is the acquisition of land with the owners made to leave without compensation or given “peanuts” considering the land they have lost. However, with training and support from ULA, communal land associations have been formed in Napak, Moroto, Kotido and Kaabong to enhance protection of community rights to common lands.

Looking at the broader picture, there is wide spread ignorance of the law and in such a setting, communities find it hard to claim their rights and secure interest in their land.

5 How the match between the regulatory framework and actual practice does reflect whose interests are better served by the regulatory framework?

The legislations exist but they are not followed in practice. They are used by the rich and powerful to attain their end in turn marginalizing the poor and vulnerable. The institutions that are set up to govern land are weak and can hardly administer justice for people that have been dispossessed.

6 What are the main activities that the stakeholders have done?

- Civil Society organizations have advocated for a pro-poor National Land Policy and contributed to consultation processes for the amendment of the Land Act.
- Farmers associations sensitize farmers on how to use land sustainably and support them to hire land from the absentee land lords or land owners in turn paying ground rent and the hire fees. They also dialogue with local leaders to set up byelaws that enhance farming as a business on the land that they are using.

7 How did the stakeholders roles lead to actual shift in policy or in the implementation of land deals on the ground?

Civil society role in the policy processes led to the formulation of laws and policies that are pro-poor but they are not implemented as rights of the people are still violated.

8 Involvement of farmer organizations in policy making and other relevant decisions.

- Luwero District Farmers Association leaders were called in a consultative meeting of the National Land Policy in which they gave their views. However, they believe the consultations were ceremonial and the content had already been agreed upon- their views would hardly change any provisions therein.
- Masindi District Farmers Association is pre-occupied with farming without any advocacy efforts for rights of farmers on their land. There is no consultative meeting that has been attended by MADIFA on land amendments and the policy.
- Farmer’s Association of Wakiso District is involved in policy making processes at the district level. They advocate for the land rights of farmers through interest groups at village level, parish, sub-county and district farmer associations as well as their Members of Parliament.
- Hoima District Farmers Association Coordinator participated in the Oil and gas bill but not in any consultations on regulations on land.

9 Are there (or were at the decision making process) mechanisms for involving Farmer Organizations and other similar organizations?

Civil society organizations including Uganda Land Alliance and Food Rights Alliance conducted consultative meetings in which they involved farmer’s leaders in gathering views on the draft National Land Policy and Land Amendment bill. However, those

were one-off meetings with no mechanisms for continued contribution to policy processes.

10 How have farmer organizations worked with UNFFE to advance their issues in policy making processes?

UNFFE’s voice is limited in the policy making processes on land. They have not consulted with farmer organizations on issues particularly on land. UNFFE has worked with farmers’ forums and farmers councils discussing the Bio technology and Bio safety bill. The recommendations from the consultations were presented by the NEC of UNFFE to Parliament.

UNFFE itself as an institution had issues where the organization’s land had been sold by individuals within the organization. Farmers’ organizations lost confidence in them. However, they are getting back to their feet after a change of the leadership.

B. Interview with Uganda Land Alliance- Lead Coalition on Land in Uganda

Subject	Assessment Criteria	Conclusion
	<ul style="list-style-type: none"> • Transparency • Participation • Happening (What is actually taking place) • What you think Farmer Organizations can do (Include examples) 	How local communities can be helped.
Who should be the relevant stakeholders in land acquisition, policy making and implementation procedures?	Karamoja region with predominantly customary tenure should have: <ul style="list-style-type: none"> • Traditional leaders • Executive committee members of Communal Land Associations • Area Land Committees • District Land Board 	Help them form and register communal land associations to protect their grazing lands (Animal rearing being their major agricultural practice)
What is understood as positive or negative outcomes by the main stakeholders regarding policies, regulations and practise on land acquisitions?	<ul style="list-style-type: none"> • What is positive is that the regulations actually exist and the institutions meant to enforce them exist too. So they can seek redress in times when their rights are violated. • The negative is that even with all policies, regulations and institutions in place, land acquisitions that dispossess communities are so rampant. Institutions are set up but are not facilitated to operate effectively which creates loopholes in their functioning-loopholes that are exploited by land grabbers to achieve their selfish ends. For instance, Area Land Committees, recorders and District Land boards that are central in registration of land exist but are not facilitated to operate which leaves them at the mercy of one who wants to register interest in land. Such skews their decisions in favor of those that grab the land as they possess the means. 	As ULA, we are actively involved in capacity building for these institutions which is otherwise the mandate of government. We have trained all the Area Land Committees, recorders and District Land Boards in Kotido, Moroto, Kaabong, Napak and Nakapiripirit and we believe that they now are at a level of knowledge with regards to their roles and can offer a service to the people. We are now advocating for their facilitation by engaging the Natural Resource department in each district, the Chief Administrative Officer and the political wing-District Councils to have them create a budget line to facilitate these institutions with requisite materials like seals, register books, office space. We are also working on drafting bye-laws with the local governments that will check land acquisitions for development like investment, planning by Urban Authorities, mining companies

Subject	Assessment Criteria	Conclusion
		as means to regulate these transactions. The law provides for these bye-laws
What policies, regulatory framework and procedures regarding land acquisitions are in place?	Need to look at the Land Act and Land Acquisition Act. But generally, land can be acquired by buying, as a gift or through succession. Government can also compulsorily acquire land for public interest but has to pay compensation to the land owners before commencing any transactions on this land.	Communities need sensitization sessions on provisions in these acts that would enable them know their rights and how they defend them in times when they are violated
What roles have been carried out by stakeholders to ensure or aspire for positive outcomes from the regulatory framework and practice on land acquisitions?	<ul style="list-style-type: none"> • There is registration of interest in customary land to ensure that for any transactions, the owners are clearly known as opposed to saying that it belongs to the whole community which has been abused before as a few go on to transact in it. Certificates of customary ownership or freehold titles are awarded according to one's request. • There is formation of communal lands Associations to regulate among other things, transactions in communal lands. • Set up of bye-laws by the District's leadership to regulate acquisition of land in mining areas. Given that mining licenses are awarded by the central government, it becomes the duty of local governments to set bye-laws to curtail practices by the licensees that would affect the people. 	I believe it still is knowledge and support that the communities need to go on with such processes. Institutions in the local government especially the Natural Resource department and the District Land Office should be vigilant
How does practise match with existing regulatory framework and with stakeholder interests?	The practice doesn't match with the regulatory framework primarily due to the populace's ignorance of their land rights. This is demonstrated by large scale land acquisition for land deemed to be communal grazing lands, watering points, cultural shrines, lands where they gather woodlots and medicinal plants without knowledge of the communities that own it. A few traditional leaders are met, a bull is slaughtered for them and local brew is offered after which they sign for the transfer. They are not even keen to look at what is written on the attendance lists which most of the time show that the people have consented to the transfer of their land. This has been done in all districts in Karamoja and has come up in ULA outreaches and trainings of elders where some are accused of having signed and they never deny but allege that it was out of ignorance.	

Subject	Assessment Criteria	Conclusion
	<ul style="list-style-type: none"> • The rule of the gun which has left the people in settlements (manyattas) leaving their land unattended to has fuelled acquisition and registration of land and by the time people return, their land has been grabbed. • The other is the use of the army to acquire and fence off large chunks of land. The rich and those with power are known to have acquired land this way against the will of the people. • The concept of compulsory acquisition of land has been misused to instead dispossess the people. Moroto Municipality and Kotido and Nakapiripirit Town Council authorities under the guise of planned development have gone on to annex land to give it away to those that can develop it without the consent of the land owners and with no compensation. Government has also taken community land claiming it's in public interest but have not compensated them. This is common with land where brigades and protected kraals have been setup 	
<p>What are your recommendations for Farmer Organization's effective engagement with decision makers on land acquisition, policy formulation and implementation?</p>	<p>I have not interacted with farmer organizations in Karamoja to try and understand how they relate with policy makers.</p>	

Annex 6 Programmes for internal and external validation sessions

A. Program for Internal Validation Session

Chair: UNFFE President / Moderated by Peter Wamboga

Time	Activity	Key responsibility
08:00am	Registration by all participants	Secretariat
08:30	Welcome Remarks + Objectives of workshop	Kasule Bayite Stephen
08:45	Opening Remarks	UNFFE
09:00	Land governance in Uganda	Mbazira Robert, Land Officer-Mukono
09:45	Land Governance issues in Uganda: Experiences from the field	John Mwebe; ULA
10:15	Health Break	Hotel
10:40	Results from land governance research	Kasule Bayite Stephen
11:20	Discussion	All
12:00	Implications for advocacy in UNFFE	Herbert Oloka
12:30	Discussions	All
01:00pm	Lunch	Hotel
02:00	Group discussion and way forward	DFA representative
02:45	Closing remarks	UNFFE
03:00	Departure	

B. Program for External Validation Session

<p>East African Farmers Federation Uganda National Farmers Federation</p> <p>External Validation Workshop for Land Governance Study Kampala, Uganda, 23 – 24 July 2013 Imperial Royale Hotel</p> <p>Programme</p>

Tuesday 23 July 2013

Day 1:

09:00 Welcome and Introductions
Mr Wamboga Mugirya

09:15 Welcome Remarks from EAFF
Philip Kiriro, President EAFF

09:30 Welcome remarks from UNFFE
Charles Ogang, President UNFFE

09:45 Workshop objectives and expectations
Stephen Bayite Kasule

10:00 Background of the study, role of farmers organizations in land governance;
JurSchuurman, Agritera

10:30 Health Break / Group Photograph

10:50 Land governance in Uganda
John Mwebe, ULA

11:30 Land tenure reforms, market participation and agricultural productivity
Dr Alex Tatwangire, Natural Resource Economist

12:10 Discussions

12:45 Lunch

13:45 Research on enhancing transparency and decision-making in land governance –
Research Methodology
John Mwebe

14:15 Presentation of findings from Land Governance Research
Stephen Bayite Kasule

15:00 Group discussions – *What can farmer organisations do to improve land governance*

16:00 Group report

16:30 Departure

Wednesday 24 July 2013

Day 2:

9:00 Strengthening advocacy at UNFFE for improved land governance
Herbert Oloka

9:30 Group work - Key advocacy areas for enhanced land governance

10:15 Health Break / Press Conference

10:30 Group presentations

11:00 Discussions

11:30 Action Plan and way forward for UNFEE and DFAs

12:15 Closing remarks

12:45 Lunch and Departure