

Land Matters

Results from the Preliminary Impact Study
of the RELAPU Project's Work in Teso
Sub-Region, Eastern Uganda

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Acronyms and Abbreviations

BMZ	German Federal Ministry for Economic Cooperation and Development
CCO	Certificate of Customary Ownership
CSO	Civil Society Organisation
FGD	Focus Group Discussion
GIZ	German International Cooperation
ICU	Iteso Cultural Union
LC	Local Council
LIP	Land Inventory Protocol
PDRT	Parish Dispute Resolution Team
PPRR	Principles, Practices, Rights and Responsibilities
RELAPU	Responsible Land Policy in Uganda
TAC	Teso Anti-Corruption Coalition
TERELEPAR	Teso Religious Leaders Efforts for Peace and Reconciliation
TIP	Teso Initiative for Peace
UAA	Uganda Agribusiness Alliance
VDRT	Village Dispute Resolution Team

Background



The overall objective of the project is: Access to land as a key precondition for poverty and hunger reduction in rural areas has improved for certain population groups, especially for women and marginalized groups, in eastern Uganda



Responsible Land Policy in Uganda (RELAPU) is a project implemented by the German International Cooperation (GIZ) and financed by the German Federal Ministry for Economic Cooperation and Development (BMZ). BMZ created the Special Initiative “One World, No Hunger”, aimed to eradicate extreme hunger and poverty. Within this special initiative, RELAPU is part of the Global Programme on Responsible Land Policy presently implemented in eight countries.

It contributes to the overall goal of the initiative through documenting land use or ownership rights for the rural smallholder farmer households.

RELAPU is currently implemented in four regions of Uganda: West Nile, Lango, Buganda and Teso, and works on land rights documentation in two of the four tenure systems of Uganda: Mailo and Customary Land. In Teso, the project has been working since 2016 in the districts of Soroti and Katakwi. In Soroti, implementation takes place in the three sub-counties of Katine, Asuret and Tubur, in Katakwi in the two sub-counties of Omodoi and Toroma.

The overall objective of the project is: *“Access to land as a key precondition for poverty and hunger reduction in rural areas has improved for certain population groups, especially for women and marginalized groups, in eastern Uganda”*. RELAPU aims to improve three areas:

1. Improvement of institutional **frameworks and procedures** for securing of land rights of the rural population in north-eastern Uganda. This involves a systematic inventory of customary land use rights.
2. Increased engagement of **civil society in the formalization and implementation** of a responsible land policy.

3. To raise awareness among the **agricultural investors** and financial institutions for a responsible land policy. The project is providing advisory services to familiarise the investors with relevant international standards (i.e. Voluntary Guidelines on the Responsible Governance of Tenure – VGGT and the national land policy).

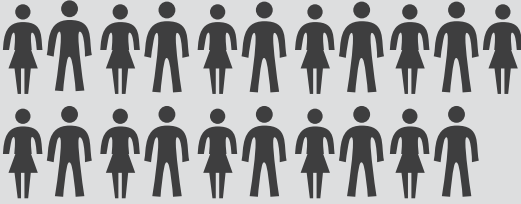
The project aims to produce the following key results, with targets specified in the project documents:

1. Customary land ownership rights of rural households are documented in Katakwi and Soroti districts in close partnership with the local authorities. As a result, Land Inventory Protocols (LIP) as social evidence and Certificates of Customary Ownership (CCOs) that provide legal proof of ownership are issued
2. Conflicts related to land are processed and resolved
3. Private investment projects adhere to principles of international guidelines on responsible land use
4. Good practices and lessons learned are implemented outside the project region



GIZ RELAPU is partnering with local governments in facilitating land mapping, land documentation and land conflicts mediation together with several CSOs: Teso Anticorruption Coalition (TAC) in the sub-counties of Katine and Asuret, Teso Religious Leaders Efforts for Peace and Reconciliation (TERELEPAR) in Tubur sub-county, and Teso Initiative for Peace (TIP) in Omodoi and Toroma sub-counties. In regards to cooperation with private agricultural investors, RELAPU works with the Uganda Agribusiness Alliance (UAA). The CSOs support the project in creating awareness on land rights, in line with the national legislation and traditional customs and help mediating new emerging conflicts during the registration process in the respective villages.





211

participants were interviewed. The primary data was collected in the sub-county of Katine in Soroti district and Omodoi in Katakwi district.



Study Objectives and Methodology

The overall objective of this preliminary impact assessment, conducted in January 2020, was to document the current impact of the RELAPU project after 3.5 years of project implementation. The guiding question was to assess whether the project has achieved its aim to improve secure access to land in its project areas and whether this has contributed to the reduction of poverty and hunger.

The preliminary impact assessment was guided by the following specific objectives:

- a) Assess the benefits derived by households from documenting their land
- b) Identify changes in the adherence to customary land laws and state laws in the process of land registration and determine the likelihood of impediments to customary land registration
- c) Assess the reasons for land registration by community members, the impact or potential impact
- d) Identify and document good practices and lessons learned that can be applied outside the project region

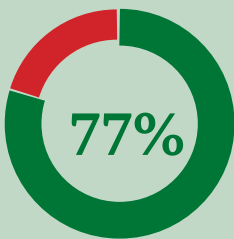
This preliminary impact assessment study made use of secondary data from the project documents and collected a limited amount of primary data through structured individual interviews with 67 beneficiaries, key informant interviews with 27 leaders, officials, CSO staff and agricultural investors and 10 focus group discussions (FGD) with groups of men, women and a mapping team from each district (coming to a total of 117 FGD participants). Overall, the study interviewed 211 participants. The primary data was collected in the sub-county of Katine in Soroti district and Omodoi in Katakwi district. Being a preliminary impact study, this study offers testimonies of beneficiaries and a snapshot of what has been achieved so far. However, some changes might become clearer to observe and assess after a longer time period.



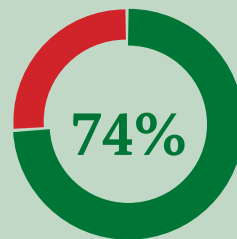
Key Findings

Customary land laws and state laws: Documentation, inclusion and empowerment

The need for land documentation in the communities is high: 77% of the respondents applied to register their land. During the focus group discussions, participants stated that in some cases entire villages had applied for documentation. This is attributed mainly to the increased knowledge and awareness pertaining to land rights raised through sensitisation and awareness raising meetings.



of respondents had applied to register their land



of respondents reported that their applications included the names of every family member entitled to the land in line with customary land rules

86%

of all LIPs are issued in the name of the family (including all family members)

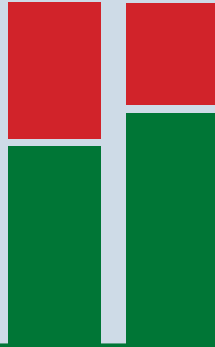


92%

of all CCOs are issued in the name of the family (including all family members)

55%

of the respondents confirmed that decision-making patterns have changed



70%

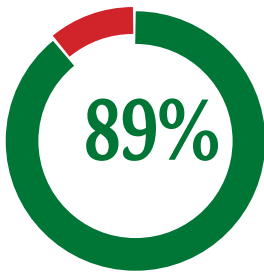
of the respondents reported changed social relationships within their families

Women and other marginalized groups gave testimony that the RELAPU project had made a difference by enabling them to secure their land rights and to participate in land related decision making. Examples of their case stories are presented in this report. 55% of the respondents and participants of focus group discussions also confirmed that decision-making patterns have changed: women are now much more involved.

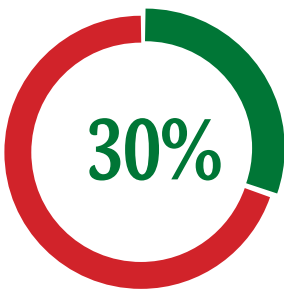
Conflict resolution, harmony and better land use

The RELAPU land documentation process includes conflict resolution. No parcel is mapped if conflicts regarding the land remain unresolved. This has had a significant impact in the communities. 70% of the respondents reported changed social relationships. Most of them have improved relationships within their families and with their neighbours, already before the completion of the documentation process. These changes are a result of the work of the Village Dispute Resolution Teams (VDRT) and the clans. 89% of the respondents noted that conflicts have been resolved through these “out of court” informal structures. Only 11% of conflicts were solved by formal





of respondents reported that conflicts were resolved by both, VDRTs and the clans



of respondents associated the elimination of conflicts with better land use and productivity

institutions. The people reported that working with the VDRT has strengthened the clan’s capacity to resolve land conflicts.

Another expected benefit of land demarcation and secure tenure is better land use and increased productivity. During Focus Group Discussions many participants, both men and women, associated the elimination of conflicts with better land use and productivity. Similar sentiments were expressed by 30% of the overall respondents. However, at this stage, it is still too early to assess the true impact of land demarcation on productivity.

1.1 Increased knowledge and understanding of land rights - Voices from the RELAPU partners

The local partners of the RELAPU project, such as CSOs and local government, play an important role in raising community awareness on land rights and in mobilising the communities for securing their rights, especially regarding vulnerable groups. RELAPU’s partner CSOs achieved a huge success. The communities confirmed the importance of the knowledge they had obtained from the partners.



“People have become aware of land rights [and] people are opening up to CCOs as a way of creating peace – over 500 households in Tubur sub-county have applied to register their land”



“People nowadays have clear access to information. They know where what particular information can be obtained from and especially the roles of the parish chief, Area Land Committee, sub-county mapping team etc.”

“

“It is now a certainty that even girls in a family have land rights. Previously, the customs had it right but could easily be abused by some selfish people to deny girls their land rights. However, with the issuance of CCOs, very many girls and women have had their names recorded on application forms thus making our norms much louder and clearer than before.”

“

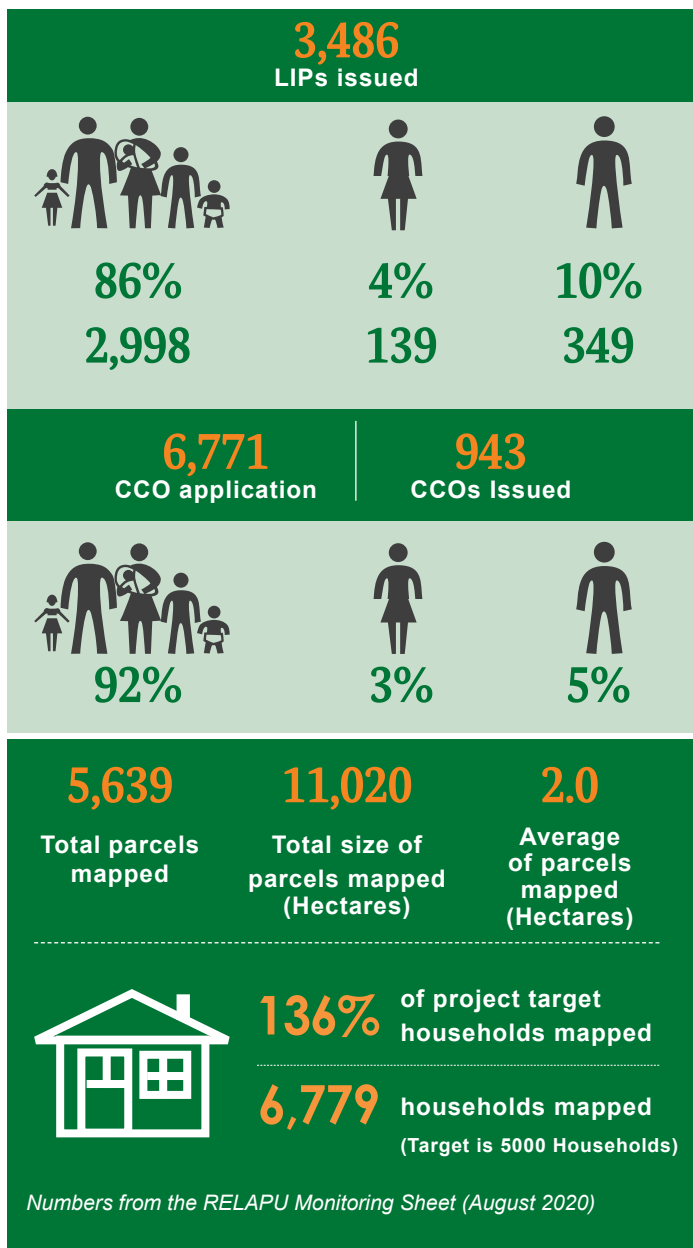
“CCOs have eliminated the fear that had characterised our relationship as people, especially boundary disputes. People lived in suspicion of one another. For example, there is one man with 10 CCOs, who had used over shillings 350,000/= just to take pass port size photos, who remarked after getting his 10 CCOs, that he had now obtained peace”.

- CSO professionals



1.2 Secured land rights of the marginalized and vulnerable

Customary land tenure under which practically all land in Teso is governed, provide land right security to the whole population, including vulnerable and marginalized groups. However, in practice, the most common victims for land abuses are the most vulnerable: widows, elderly, children without fathers, people with disabilities, unmarried or divorced women and women in general.



“Many women have got CCOs because of the awareness created. One woman had a dispute with her cousin brother who wanted to take over her land because she is a girl. When the VDRT came, they mediated and the man realised that he was misguided. The girl and her elderly father demarcated their land and will soon get a CCO.”

- Agricultural investor from Omodoi sub-county, Katakwi

A main concern of the RELAPU project is to ensure the security of land rights for vulnerable groups. This is done by ensuring the involvement of such groups in the documentation process and their inclusion in the official documents. According to testimonies from the field, their participation in sensitization measures, capacity development and the proper application of formal laws and regulations strengthen their land rights and security, already before the final inclusion of their names on the Land Inventory Protocol (LIP) and Certificate of Customary Ownership (CCO). Cases were reported where the mediation and demarcation process resulted in allocation of land to sons or daughters by parents who had previously refused to do so.

Inclusion of all rightful land-owners on a CCO empowers vulnerable groups. The productivity of land is increased by a reduced number of land conflicts. Furthermore, people cannot easily sell land illegally and without the consent of all rightful owners.

A certificate brings certainty that women in a family have land rights. Previously, people abused customs and denied women their land rights. With the issuance of CCOs many girls and women have their names recorded on application forms, thus making customary norms clearer than before. The clans, together with the Iteso Cultural Union (ICU), have already done work on women's land rights in Teso: *The Principles, Practices, Rights and Responsibilities (PPRR) for Customary Tenure Management*, written by ICU with the help of Land Equiry Movement Uganda (LEMU), recognizing and supporting women's land rights. RELAPU is working closely together with ICU.



"There is a huge volume of knowledge generated in the community on the land rights of vulnerable people like widows, disabled, unmarried girls, disabled persons etc. I have seen pinned notices of people whose CCOs are ready and the names of women on these notices are many."

- Agricultural investor from Omodoi sub-county, Katakwi



“I am an elderly man of over 80 years. My wife died leaving me with children. After her death, I had an affair with another woman and she bore me a son. However, we do not stay together.

Before the GIZ RELAPU project came to my village, my son, born from my deceased wife used to struggle with me for land, he had no respect for me as a father and at a certain point sold part of my land without my consent and bought a motorcycle. He used to beat me, and one time nearly killed me. The case was reported at the LCI office.

When the GIZ RELAPU project came, I and my son decided to register our pieces of land separately. This has enabled us to coexist peacefully due to land boundaries that have been clarified and documented. During this agricultural season, we used our lands without any conflict.

I was also able to apportion land to my son and wife, whom I got after the death of my first wife and mapped them in one parcel without any interruption from my son at home”

- Ewoka John William, Omolokony Village, Merok Parish, Katine Sub-County, Soroti District





1.3 Increased empowerment of women in decision-making on land



“Before the GIZ RELAPU project, my husband used to not share ideas with me. He took decisions over land on his own and as a woman, I was powerless before him. One day, I saw a tractor in one of the gardens digging murrum. My husband had hired out that piece of land for murrum excavation without consulting me and getting my consent. I decided to keep quiet since he used to say that I don’t have land here; I was just married.

After we had registered our land and acquired a CCO, my husband for the first time came to consult me and the children to hire out that piece of land for murrum excavation. As the wife, I did not support that idea whereby I told him that it is not possible and can’t happen because the children are many and the land will be degraded.



My husband became tough and said I don't have my own land, but I also insisted and told him that the land belongs to both of us and we were all photographed, and all our names and signatures are on the CCO.

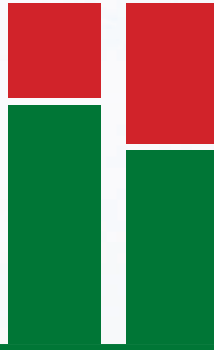
That statement made my husband to re-think on his decision and ever since then, he has not been able to hire out that piece of land. The sensitization and the land registration have enabled me to know my land rights as a woman and it has empowered me to make decisions on land management and use."

- Ayigo Josephine, Aputon Village, Katine Parish, Katine Sub-county, Soroti District



75%

of the respondents indicated that men and women make decisions on land use (gardening) together now



64%

responded that decisions on selling of land are now done together

One of the main objectives of the project is the empowerment of women in decision making processes on land matters. Although the traditional rules give married women land rights over ancestrally inherited family land, women are often denied a voice in decision making, for example concerning future land use, land sales, or land purchases.

The majority of the respondents mentioned a change in decision making. Women are now more involved in decision making on land. 75% of the respondents indicated that men and women make decisions on land use together now, and 64% responded that decisions on selling land are done together. One explanation for improved empowerment of women in decision-making processes given by over 50% of the respondents was that with the documentation in place women must be consulted before any land is sold.



1.4 Changing social relationships in families

Unsecure land rights have created an environment of fear and mistrust. Vulnerable people particularly often live in a state of uncertainty, unsure of what may happen to them in certain eventualities, for example upon the death of the husband. Sometimes, fear of upsetting a fragile situation keeps potential conflicts dormant and there may seem to be no disputes. However, relationships remain tense. Respondents reported, that CCOs and clear boundaries have significantly reduced fear of neighbourhood disputes. People don't live in suspicion of one another anymore.



“Had it not been because of the RELAPU project, perhaps my youngest son would have killed me! Indeed, I thank the project for the information provided that made me and the many to accept to demarcate and document our land much as initially there was fear of government having a ploy to grab our land and the introduction of land taxation in the future.”

- 62-year-old woman from Akisim village, Angodingod parish, Omodoi sub-county Katakwi





“My name is Acen Peace. [...] My father died when I was very young. I am now seventeen years old. I grew up seeing my uncles beat my mother on very many occasions. Like when our goat crosses into their land, they get hold of it and charged my mother a lot of money for it to be released. They also grabbed our hens forcefully and when my mother went for them, they beat her. They also promised to kill my mother.

At one point, they crossed our land boundary and over time took 3 gardens that originally belonged to my mother. In 2018, we reported the matter to our clan, but we did not recover the land. Because of this, we now remain with only 10 gardens to be shared among the 24 of us.

However, since the GIZ RELAPU project came, our land was demarcated in their presence and there has been no more quarrels or encroachment of our boundaries. They also never grab our hens and goats any more.

Before the project came, we lived in fear knowing that in case our mother dies, we would lose everything including our land. But right now, if our mother dies, we are sure that nobody will ever take our land again because of the documents that prove that we are the legitimate owners of the land.”

- Acen Peace, Okeresio Village, Omodoi Sub-county, Katakwi District





“There is happiness and a feeling of security among the people because of the presence of CCOs” - Agricultural investor from Omodoi sub-county, Katakwi

1.5 Increased use and productivity of land

30% of respondents stated that better land use and greater productivity are one of the benefits from having registered their land. At this stage, it might still be too early to assess the true impact of demarcation on productivity; however, some cases of improved land use have been reported, i.e. the case of some women reporting to be able to stop their husbands from renting out land for excavation. Being more empowered by the project the women make themselves heard to prevent the degradation of their land.

Reduced land disputes resulting from the awareness raising and mapping process are increasing beneficial land use. This trend is likely to continue.



“This is likely to increase production because there will be no time wasted in disputes”- A man during a focal group discussion, Katakwi



“GIZ RELAPU has aided the resolution of disputes in the community thus bringing about peaceful and productive use of the land” - A female agricultural investor, Soroti



“Being an unmarried woman staying at my late father’s home, my elder brother stopped me from using our family land since when my father deceased. But because I am now both father and mother to my children I persisted on using the land which made my brother to beat me and chase me away from home.

When I reported the matter to the clan, it was mediated, and I was given 3 gardens. Hence, when the project started operating in this village I quickly picked forms to map my land to secure it for me and my children. Ever since the demarcation took place, I am happily living with my children, farming our land. I am rearing 12 sheep, 5 goats, 2 cows, over 80 chicken. Besides that, I am also doing agriculture on the same piece of land.

This has helped me to educate my children and look after their daily needs that is why I really appreciate the project because even after the clan giving me land, without mapping my brother would still be frustrating me."

- Achom Catherine, Ocakaratura village, Omodoi Parish, Omodoi Sub-county, Katakwi District



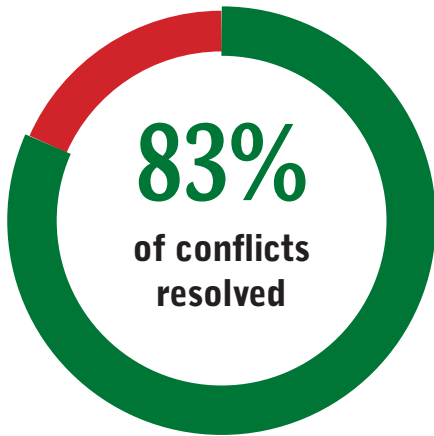


1.6 Emergence of conflicts during the process



“We believe that the process is as important as the result. Though the process generates conflicts, these should be minimal since they are being dealt with through mediation. The most important aspect is the need to support the clan structures in the reconciliation of mediated parties. By doing this, these structures will prevent the emergence of other disputes in the nearby future”. - CSO professional

Disputes can remain hidden, often out of fear of upsetting a fragile situation. Many of these conflicts are boundary disputes. It is often not possible for such disputes to remain dormant when the demarcation process takes place. For that reason, in some places there is a temporary upsurge of conflicts when the land documentation exercise starts.



1.	Conflicts reported	306
2.	Conflicts resolved	253
3.	Conflicts in ADRM	23
4.	Conflicts in courts of law	09

Numbers from the RELAPU Monitoring Sheet (August 2020)

After the sensitization has created awareness of land rights the possible action can be taken to secure everyone’s rights. Some of those suffering injustices use the opportunity of the RELAPU project to have their disputes mediated in order to achieve justice.

1.7 Establishment of dispute resolution procedures



“The exercise brought a great reduction in land disputes. Boundary disputes have ended because CCOs have scared those who want to either uproot or extend boundaries”.

- Agricultural investor, Katakwi

Mediation and the resulting conflict resolution are key elements of the RELAPU project. RELAPU has teams at village- and parish-level, so called Village Dispute Resolution Teams (VDRTs) and Parish Dispute Resolution Teams (PDRTs). Furthermore, land clinics are established temporarily. In land clinics awareness raising partners organize private consultations for people who were not able to express themselves in public.



“

“I am a widow and my family has been in conflict with neighbours for a very long time even before my husband died. But from the time my late husband died, the issues intensified; my neighbours would extend the boundary of this narrowed portion of land.

Worse of all, I was in conflict with people of power (LC1 and LC2). I had nowhere to report my case and I was also afraid that even if I reported I would be defeated or it would not yield results just like it did not at the clan; issues remained the same.

I decided to leave everything in the hands of God and after some time I heard there was sensitization on land. I decided to go and attend. We were taught a lot of things regarding land rights and management including registration.

Together with my son we also went to pick forms, filled them and before the mapping exercise a mediation meeting was organized by the Area Land Committee and we ironed out differences very easily. After that, we demarcated our land using local trees. RELAPU documents conflict-free land only with the consent of the households and neighbours.

A case that I feared would not easily be settled was put to an end easily and since then, I live very happily with my neighbours, I plough freely and my level of production has increased, I even divided land for my children and there is no one complaining.”

- Aguti Grace, Katine Sub-County, Merok Parish, Aber Village

29

capacity building events for local governments, CSOs and VDRTs



1.8. Sensitization and awareness raising



“The project has created awareness on land rights whereby they are respected and observed across many families especially those that mapped their land”

A woman at a FGD in Awidiyang, Katine sub-county, Soroti



“After receiving knowledge from the sensitization meetings, I was able to register my land for demarcation since it brings conflict to an end”

A man at a FGD in Abata, Katine sub-county, Soroti



“Sensitization made us to know our roles together with the wife and children, so it motivated me to register my land”

A man at FGD Obiol, Katine sub-county, Soroti

Participants at awareness raising events in Teso (2016-2020)



Conclusions from the preliminary impact assessment

In Teso sub-region a **genuine need for land rights documentation** exists, evidenced by the overwhelming response to the project. This demand shows, that **the oral culture in customary land management needs to be complemented by the written word.**

However, **it is important to not just obtain a document but to go through a learning and verification process** that culminates in the documentation of land ownership. In order to achieve sustainable solutions, parcels are only mapped where existing conflicts have been solved to avoid later emergence of conflicts. **Customary authorities and governance structures on the community level have to be included** to make the documentation process successful and solid.

LIPs and CCOs complement each other. A LIP offers valid social evidence of parcel borders. The LIP has a special advantage when it comes to natural borders (wetlands, forest, etc.) which are not clear and where official registration might not be possible. Teso sub-region is heavily pervaded by fluctuating wetlands, which are often not demarcated. CCOs can't be issued when a parcel borders undemarcated wetlands or forest reserves. A LIP however gives social evidence of claims to the land.

Knowledge and adequate information on land rights and land management are lacking in the communities in Teso. **Providing knowledge secures the land rights** of the marginalised and vulnerable. **Due to the RELAPU project women reported increased participation in decision-making** on land matters in their families. Thereby the approach taken by RELAPU has proven its worth in all aspects of the project implementation.



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