Land, Land use and Soils

Issues paper

Environmental Alert

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Develop and Conserve

Land, Land use and Soils Issues paper

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Summary

The purpose of this Issues paper is to guide Environmental Alert's Land, Land use and Soils programme in contributing to the processes of developing the National Land, National Land Use and National Soils Policies. It highlights key issues with regards to Land, land use and soils that are of interest to Environmental Alert and are the basis for her advocacy engagements at Local and National levels in the Land sector in Uganda.

Background

Environmental Alert (EA) is a national development Non Governmental Organisation, which advocates for improvement of livelihoods through sustainable management of the Environment and natural resource (ENR) base. The organization's mission is to contribute to improved livelihoods of vulnerable communities by enhancing agricultural productivity and sustainable natural resource management.

The Land, Land use and Soils program seeks to contribute to overall sustainable land and soils resources management through policies and practice changes for improved food security and livelihoods for communities. To this end the National Land policy, National Land Use policy and National Soils policy-making processes are very critical and Environment Alert will actively participate and engage in them. It is also important to note that the National Land policy is a mother of all policies and subsequently the National Land use and National soils policies are sub policies within the former. This means that issues of land use and soils management would largely be articulated in the National Land use and National Soils policies rather in the National Land policy.

It is also important to note that National Land, Land use and Soils policies are informed by regional and international obligations to which Uganda is a signatory for example millennium development goals 7 (MDG 7) targets towards Integrating the principles of sustainable development into country policies and programmes and reverse loss of environmental resources; and

MDG 1 for eradication of extreme poverty and hunger. Others include: The African Convention on the Conservation of Nature and Natural Resources (1968); The Convention on Biological Diversity (1992); The World Commission on Environment and Development; The World charter for nature and Agenda 21.

Environmental Alert's interests in the Land sector are based on the fact that Land is major factor and key resource of production and the main capital to the majority people particularly, the rural folks who depend on subsistence agriculture for their livelihoods. It stimulates National economic growth and development for example agriculture contributes approximately 80% of the total workforce.

Of the total land area of Uganda, 84,694 square kilometers is farmland, 84,010 square kilometers are under subsistence agriculture and a mere 684 square kilometers are under commercial farms. This illustrates the importance of land in supporting rural livelihoods, and access to land is thus a basis for livelihoods and human development. Furthermore, Uganda is an agricultural based economy, with agriculture contributing 43% of the total GDP of the country and over 90% of its total exports. In addition it is also regarded as a medium that defines and binds together social and spiritual relations within and across generations. Therefore, in social and cultural terms, a debate on control over land and associated resources constitutes sovereignty over the very spirituality of a society.

Introduction

Land lies at the heart of social, political and economic life of most of Africa. Agriculture, natural resource use and other land-based activities are key to livelihoods, income and employment. It also has major historical and spiritual significance (IIED, 2005).

In Uganda, for more than a century land issues have been at the center of constitutional, legal and administrative discourse. This is because land has and continues to play a significant role in the dynamics of political power both in indigenous social systems and in the nation as a whole. Land is a key

resource of production, with agriculture contributing 43% of the total gross domestic product (GDP) of the country and over 90% of its total exports. It is also the main capital to the majority people particularly, the rural folks who depend on subsistence agriculture for their livelihoods. This illustrates the importance of land in supporting rural livelihoods, and access to land is thus a basis for rural livelihoods and human development. Despite its importance to national development, the land issues remain contentious and are yet to be resolved.

A number of problems have accumulated in the land sector in the course of the historical events. These relate to land both as property and a resource that is fundamental to economic development. Over the years, EA recognized that the majority of its target group depends on this resource for their food security and incomes yet it is a fixed resource that is increasingly getting degraded posing a threat to sustainability of the communities' livelihoods.

KEY ISSUES IN THE LAND SECTOR THAT ARE OF INTEREST TO ENVIRONMENTAL ALERT

1. Land degradation

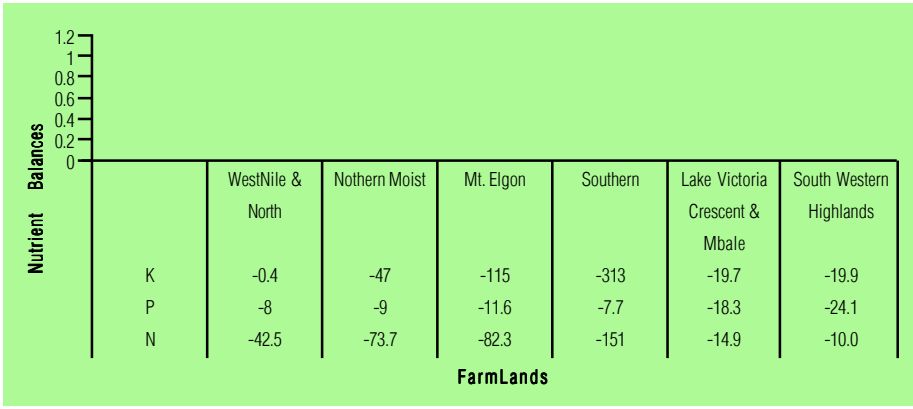
Land degradation refers to any change or disturbances to the land perceived to be deleterious or undesirable (Johnson et al., 1997). Or it's the reduction in capability of the land to produce benefits from a particular land use under a specified form of land management. It can take forms of soil, vegetative, biodiversity and water degradation (FAO, 2003).

Soil degradation is a process that lowers the current and or the potential capability of the soil to produce goods or services (Hannam & Boer, 2002).

Land degradation on the African continent has continued to threaten survival and existence of mankind. It is considered as one of the major constraints to food security and economic development in Sub Saharan Africa Uganda inclusive. There has been significant increase in soil erosion, loss of soil fertility, salinization, soil compaction and desertification, all of which are affecting different life forms. Various research reports and authors (Stoorvogel *et al.,* 1993*;* Wortman *et al.,* 1998) have reported declining soil productivity and relatively low nutrient stocks and negative nutrient balances for major soil nutrient including Nitrogen (N), Potassium (K) and Phosphorus (P). The estimated nutrient balances[1] for Sub-Saharan African are 10 kg N ha^{-1} yr^{-1}, 4 kg P_2o_5 ha^{-1} yr^{-1} and 10 kg K_2o_5 ha^{-1} yr^{-1} (Stoorvogel *et al.,* 1993). On the other hand for Uganda in particular extent of national nutrient depletion is described as high for nutrient balances for major nutrients were estimated to range between 20-40 kg N ha^{-1} yr^{-1}, 3.5-6.6 kg P ha^{-1} yr^{-1} and 16.6-33.2 kg K ha^{-1} yr^{-1} (Stoorvogel and Smailing, 1990). Figure 1 illustrates nutrient balances by region in Uganda were as Figure 2 illustrate nutrient deficiency symptoms for major nutrients (N, P, and K) in maize.

1

Figure 1: Annual Nutrient balances in different Agro-ecological farmlands in Uganda



	WestNile & North	Nothern Moist	Mt. Elgon	Southern	Lake Victoria Crescent & Mbale	South Western Highlands
K	-0.4	-47	-115	-313	-19.7	-19.9
P	-8	-9	-11.6	-7.7	-18.3	-24.1
N	-42.5	-73.7	-82.3	-151	-14.9	-10.0

Nutrient balances
are derived from a summation of nutrient flows (fertilizers, grazing, atmospheric deposition and biological nitrogen fixation) and out flows (crop harvests, leaching, soil erosion, gaseous loss and human excreta). A negative nutrient balance therefore depicts soil nutrient depletion thus implying low soil fertility and subsequently low productivity. On the other hand a positive nutrient balance depicts a notorious soil thus implying fertile soil and subsequently high productivity.

Source: *C.K. Kaizzi (2004). Estimated nutrient balances for selected Agro-ecological zones of Uganda.*

In Uganda, soil erosion alone accounts for 4–10% of the Gross National Income (GNI) and represents up to 85% of the total annual cost of environmental degradation (Slade *et al.,* 1991). The worst affected areas include highland areas in the southwest and some dry land districts. The estimated cost to the National economy due to environmental degradation (in form of biodiversity loss, deforestation and soil erosion) lies between 4% and 12% of the gross domestic product (GDP) (PMA, 2005). Also IFPRI, 2002 soil nutrient loss studies and UBOS, 2002 census data reported the value of soil nutrient loss at $ 625 million per annum. Therefore there is urgent need to reverse these trends to ensure sustainable land resources management for increased productivity to meet the demands of the rapid national population growth ranked the third highest in the world at a rate of 3.4% per annum.

Figure 2: Nutrient deficiency symptoms for major nutrients in maize

Nitrogen Deficiency; *Pale yellow colour* on *the older leaves starting*

Phosphorous Deficiency; *Purple coloration* on *leaves and* stems in *cases* of *acute deficiency* of *phosphorous.*

Potassium Deficiency; *Yellowing along leaf margins* followed *by scorching and browning* of *the tips* of *older leaves.*

Maize grown on *productive soil*

In Uganda, soil erosion alone accounts for 4–10% of the Gross National Income (GNI) and represents up to 85% of the total annual cost of environmental degradation (Slade *et al.,* 1991). The worst affected areas include highland areas in the southwest and some dry land districts. The estimated cost to the National economy due to environmental degradation (in form of biodiversity loss, deforestation and soil erosion) lies between 4 and 12% of the gross domestic product (GDP) (PMA, 2005). Also IFPRI, 2002 soil nutrient loss studies and UBOS, 2002 census data reported the value of soil nutrient loss at $ 625 million per annum. Therefore there is urgent need to reverse these trends to ensure sustainable land resources management for increased productivity to meet the demands of the rapid national population growth ranked the third highest in the world at a rate of 3.4% per annum.

The implications of land degradation especially soil fertility depletion are low agricultural productivity resulting into hunger, poverty and poor livelihoods. This calls for application of improved soil, water and nutrient management technologies to maintain and improve soil fertility for increased soil productivity. Secondly land degradation results in reduction in the quality and value of land and complete loss of land in the long run; silting up of reservoirs, rivers, navigable waterways and natural drainage systems for example, Kagera, Manafwa and Malaba rivers as well as Lake Kyoga, and crater lakes in Western Uganda in Bushenyi District; flooding which is very common in various swampy areas; contamination of water bodies resulting in eutrophication; loss of biodiversity and extinction of species including medicinal, ornamental plants, micro and macro organism.

Proposals

I. Massive sensitization of land degradation and implications to livelihoods
II. Promotion of Integrated soil, nutrient and water management approaches
III. Promotion of participatory approaches to land management, technology development and evaluation e.g. the Farmers field school among others.
IV. Development and enforcement of byelaws and ordinances formulation to enforce proper land use and management
V. Provide support in terms of incentives for compliance to sustainable land management

2. High population growth

Uganda's population is approximately 24.4 million currently and is projected at 28 million by 2006 (UBOS, 2002). It is growing at the rate 3.4% per annum (UBOS, 2002) making it the third highest in the World, after Niger and Yemen (World Population Report 2005). This current annual growth rate in population means it will double every 20 years thereby increasing pressure on land resources to meet the demands of the population in terms of food, fiber and forage.

Consequently this would result in land fragmentation (*this is very common in the districts of Kabale, Rukungiri and Kisoro, Bushenyi, Mbarara and Ntugamo*); encroachment on fragile land/ecosystems (wetlands, montane areas); for soils in particular it means loss of arable land. All these result in environmental damage and poverty.

Additionally this high population growth has also seen high rates of rural urban migration. By 1991, 14% of Uganda's population was staying in urban areas. The number is likely to increase due to increasing undeveloped rural infrastructure, unemployment, landlessness, insecurity and insurgency (especially in northern Uganda) (RURAL, 2006). This has implications such as establishment numerous slums in Kampala City and suburbs e.g Kalelwe, Kivulu, Kikoni, Kisenyi among others. The communities in slums lack good housing structures, effective sewage systems to mention but a few rendering their health at risk of cholera, malaria, HIV/AIDs among other ailments.

Proposals

I. There is need to address population issues affecting human settlements and fully integrate demographic concerns into human settlement policies.
II. Promoting intensive agricultural production systems
III. Winning people off land by creating alternative employment opportunities such as agro and cottage industries
IV. Equitable distribution and development of infrastructure and services to the public in various regions of the Country.

3. Tenure regimes and security

Land tenure in Uganda takes the following forms Mailo, Customary, Freehold and Leasehold. Security of land tenure has hardly been adequately resolved, and in fact this remained unresolved even during the implementation of the Land Act 1998. Rights of the Bonafide occupants versus the rights of the Landlord are at the centre of the controversy guidance should be provided by the policy. While the law protects the bonafide occupant it makes the landlord vulnerable in the following aspects:

a) Very little ground rent of 1000/= per year ha^{-1} *('busuulu')* is charged and it is not commensurate with the benefits accrued by bonafide occupants. This promotes further encroachment on the landlords land by bonafide occupants.
b) It leaves loopholes that even those who have acquired land forcefully or through crude means claim to be bonafide occupants
c) The landlord has to pay for all the developments on the land by the bonafide occupants if he is to evict them.

Furthermore, money-lending institutions would like guidance on the legality of certificates of occupancy and whether these can be recognized as collateral.

The implications of insecure land tenure regimes has been largely observed through practice that people who do not own land never invest in sustainable land management, *a good example in case are the bonafide occupants* – these most of time only exploit resources. Therefore secure land rights are critical to economic growth and development.

Proposals

I. Promotion of tenure regimes, which ensure ownership thus stimulating investments in sustainable land management.
II. Establishment of a mutual relationship between landlord and bonafide occupants

STRATEGIES TO ADDRESS LAND DEGRADATION

A case study of Lukwanga Parish, Wakiso district

Over a period of 2 years, Environmental Alert together with other partners[2] tested participatory approaches to land and soil management through the farmer field school (FFS)[3]. This involved participatory technology development and evaluation through integrated soil and nutrient management with considerations for indigenous and scientific knowledge and FFS curriculum training on basic soil science, management, land use, soil and water conservation and general environmental conservation at a central learning plot[4].

Impact of tested strategies

1. Crop yields, especially for beans, maize and vegetables have increased by over 50%. This has ensured household food security, increased incomes, and subsequently, improved livelihoods. Figure 1 below illustrates an example of responses of maize production to various treatment combinations of fertilizers at selected sites in Nabukalu village in Lukwanga Parish. It clearly shows that maize grain yields from applications of 2.5 T/ha of poultry manure, 345 Kg/ha Diammonium phosphates (DAP) + 345 Kg/ha of Urea, and a combination of 1.25 Kg/ha of poultry manure + 173 Kg/ha DAP + 173 Kg/ha of Urea were more than twice compared to yields realized from common farmers' practices of no fertilizer application.

2. Enhanced capacity of farmers in terms of analyzing their farming systems. They can analyse their farming systems based on the physical appearance of soil and crops. They can easily determine the level of soil fertility depletion and take appropriate action with minimum support from extension workers/service providers.

[2] EA implemented the integrated nutrient management to attain sustainable productivity increases in East African farming systems (INMASP) project with various partners from Universities, National Agricultural research programs, and Local Governments. http://www.inmasp.nl

[3] FFS is a school without walls located at the farmers
' field under a tree shed. It comprises of 25-30 farmers who come together to solve a common problem (FAO, 2000).

[4] Central learning plot is a site located at the farmers field were various technologies are tested and evaluated through season long observations and agro ecological systems analyses.

Figure 1 Maize productivity under various fertilizer treatment combinations in Nabukalu village, Lukwanga Parish, Wakiso Sub County

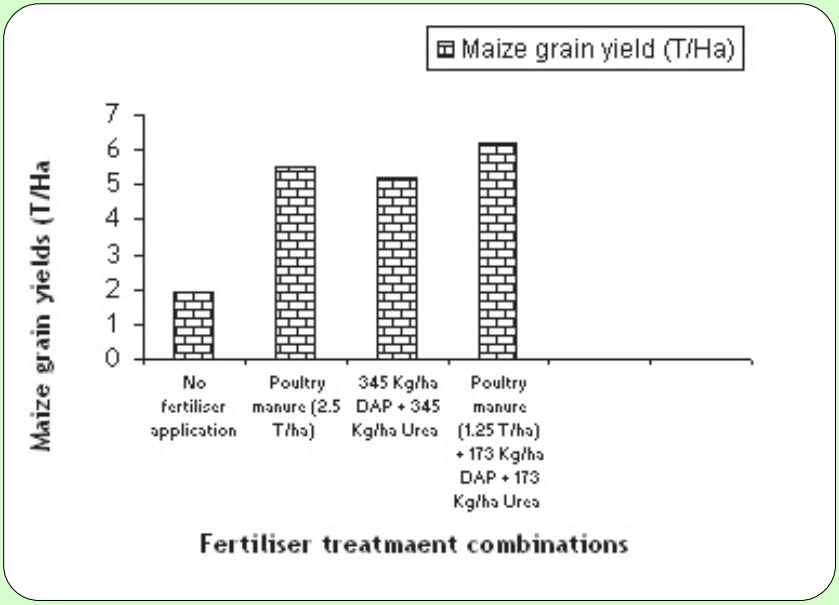


Figure 2 Maize crop grown with application poultry manure + DAP + Urea, June 2005

3. The farmers have realized the importance of locally available inputs for restoration of soil fertility. Local farm inputs such as manure is now handled with much more care. Hence they have testified to this, *'I learnt the value of cow dung. I used to let it run off, now I pick it from any where along the way and take it home.' 'We learnt how to use manure with little effort but significant output. It was much easier that we had imagined.'*

4. Level of expression for participating farmers has increased i.e. they have testified that now they can ably participate in discussions at various village meetings. *'I used to be shy but now I talk, I am even the advisor of the group.' 'I also speak for the Association at the district and I am listened to.'*

5. Participating farmers' leadership skills and relations with other people have improved. They have testified to this for example, *'I never used to plan anything, now I do and with greater understanding of the value.'*

6. FFSs have developed into more sustainable community structures constituting community-based organizations (CBO). These legal institutions are registered with the District Directorate of Community Services, and have operational savings accounts on which they save monthly fees as stated in their constitutions. They are charged with specific objectives to continue working together using FFS principles to champion development in the community. They deal with other community constraints such as poor nutrition and health for children, environmental conservation, and also operate commercial plots for income generation.

7. International recognition as winners of Energy globe awards 2005 under the earth category. http://www.energyglobe.at This recognition has motivated them further that now they feel more confident to train other farmers.

Land Tenure Regimes in Uganda

Land tenure	Description
Customary	a) Applies to a specific area of land and a specific group of people with similar customs of land ownership and use. b) It is controlled by rules and regulations that are common and respected by people of concerned community where the land is located. c) Applies to any person who acquires land in that area d) Applies to customary rules and practices common to the particular community regarding the way the individuals and house holds own, use, occupy or deal with land. e) Allows shared ownership and use of land between persons or groups such as family or traditional institution (communal ownership). f) It is owning land for an unlimited period, hence individuals may die but its ownership continues through the clan relatives or the family.
Freehold	a) Involves the owning of registered land for an unlimited or indefinite period (forever), or a limited period, which may depend on the condition or the happening of an event. b) The owner of the land has full powers of ownership. This means that such a holder can do anything with the land as long as its not against the law. This would include using and developing the land for any purpose allowed e.g. grazing, cultivating, building; growing on the land crops, trees; entering into any dealings concerning land such sealing it, renting or giving it out as security or guarantee for a debt or borrowed money and giving the land away by will i.e. making a statement that in the event of the owner's death, the land should go to a named person, group of persons or institution.
Mailo	a) Involves ownership of registered land for an unlimited period b) Allows ownership of land to be different from things on the land like gardens, houses or trees on the land made by a person allowed to occupy or use the land. c) Allows the owner similar powers as if he owns a freehold and with similar conditions and restrictions. These powers should however, not be against the interests and claims of customary tenants, bona fide or lawful occupants.
Leasehold	a) Is created either by some agreement made by the owner of the land and the person interested in having or using the land, or by law; b) Under which the landowner gives or is taken to have given another person the right to posses or control the land in most cases , but not always, for a certain or limited period. The beginning and end of such period may be clearly or expressly stated. It may also be assumed from the conduct of parties. c) It is mostly, but not always, in exchange for payment of money. This money may be paid at once or at intervals. The permission to control or posses the land may also be in exchange of services; d) The owner of the land and the person allowed to posses or control it can do such other things, as are necessary and possible as long as they are within what they agreed.

4. Land inventories and evaluation

Land cadastral mapping and surveys for Uganda were conducted a long time ago. However they are outdated and they are not showing clear demarcations for forests and wetlands. Additionally the very first soil surveys and mapping for Uganda was conducted in the period between 1958-1960 by Kawanda Agricultural Research Institute (KARI). Soil maps are not detailed enough for land use planning purposes. However these maps are outdated and do not respond or inform the current or future national challenges.

Proposal

I. Land auditing measures should be institutionalized
II. Periodical Land and Soil inventories and surveys say very after 10 years

5. Land Use and Management

Land can be put to various uses including agriculture, industries, and settlement among others. In Uganda agriculture is the major land use covering 63% of the land area in Uganda (FAOSTAT data, 2003). Land being a fixed resource, there is competition among various land use types and consequently some land use types have been converted to others e.g. agricultural land is being converted to settlement (industrial and residential); forested land is converted to agriculture. All this is as a result of inadequate land use planning and zoning.

Proposals

I. Urban development master plans should be integrated into long range national development plans so as to ensure synergy between the urban centres and rural areas.
II. Proper land use planning and zoning at Local and National levels.

6. Poor agricultural practices

Agricultural land in Uganda is not optimally and sustainably used. Prioritization and investment in agriculture is still inadequate. Except for a few isolated plantations in the southern and eastern regions, the rest of the arable land is under subsistence farming using very rudimentary forms of technologies of production with little or no replenishing of soil nutrients. This comes with a significant cost of soil fertility depletion. Poor agricultural practices take the following forms:

a) Burning of bushes and crop residues;
b) Continuous cultivation;
c) Crop harvest (nutrient mining) without fertility replenishment conservation;
d) Lack of terraces and or mulching in plantations resulting in soil erosion;
e) Monocropping;
f) Excessive tillage;
g) Inappropriate use of agro chemicals;
h) Deforestation;
i) Brick laying on agricultural soils;
j) Cultivation of marginal and fragile ecosystems;
k) Poor waste disposal especially the non-biodegradable (e.g. polyethene).

Proposal

I. Promotion of participatory approaches to land management, technology development and evaluation e.g. the Farmers field school among others.
II. Training farmers in basic principles of land and soil management
III. Sensitization of farmers about their rights, policies and legislations pertaining to land management and environment in general.

7. Policy and legal frame works

Uganda commenced its reform process without a National Land and Land use policy, the reforms were based on the underlying principle and guidelines

stated in the Constitution, therefore a number of issues remained unclear as the implementation of reforms began. Despite the recommendations of the Commission reports, the provisions of the Uganda Constitution 1995, the Land Act 1998, and the land question in Uganda has not been satisfactorily resolved. In addition a number of environment sector policies (forestry, wetlands, tree planting act) were as well developed without the land policy, consequently there are a number of inconsistencies and contradictions in these policies on issues pertaining to land.

The fact that the Land Act 1998 was enacted without clear policy means it has itself become part of the problem which policy development must seek to resolve. Secondly some of them are outdated e.g. the country and planning act (1964), that they do not meet the current demands and requirements. The implications of all these is that it provides loop holes in implementation of the policies and some even stimulate further conflicts on land e.g. the land lords and bonafide occupants.

Proposals

I. Review of all relevant policies and laws (including the Uganda Constitution, 1995) pertaining to land to address any inconsistencies and contradictions.

8. Land information systems

Land records in Uganda are in considerable disarray, as this stems from the political disorder in the 1970s and the 1980s and the subsequent scarcity of financial resources for qualified staff, buildings and equipment. The development of the land information system is a means to an end; it provides a basis for reforms that will ensure tenure security for the poor, improving access to land, stimulate economic development and investments, promote sustainable use of natural resources and minimize land conflicts. There is need for a detailed plan for the design, development and implementation of a Land Information System for Uganda capturing information from LC1s who are usually involved in witnessing any land sales. At the moment any records

kept at LC1 are ad hoc. Furthermore, where the land information exists such as at national level, accessing that information is a challenge.

The implications of inefficient and ineffective land information system range from forgeries in land tittles and certificates which result in disputes, business fraud most especially in the banking sector were a various land tittles can be secured as collateral but yet they are of the similar piece of land or were the same piece of land is sold to a number of people. All this is counter productive to sustainable national economic growth and development.

Proposals

I. Computerized land registry and recording system
II. Capacity building in land information systems management
III. Efficient monitoring and evaluation of policy implementation
IV. Operationalising the right to access to public information

9. Land Markets development

Ideally Land markets are supposed to regulate themselves through the forces of demand and supply. However the land market in Uganda is not effectively developed that the forces of demand and supply render land prices very high or very low with respect to particular land types and value. Therefore this posses a risk of wealthy people acquiring big chunks of land resulting in concentration of land in the hands of a few while many remains landless. It also makes owners vulnerable especially those affected by pandemics like HIV and AIDS thus exposing them to exploitation and potential loss of their land at very low prices.

Secondly clarification and guidance is sought on registration of family land vis-à-vis the consent clause in the land Act 1998, otherwise this posses a threat to family livelihoods as recommendation by the Mortgage Bill is that the consent clause be dropped as it further complicates the land market.

Thirdly the lack of clear tenure security to some land users and owners

(especially bonafide occupants) makes it difficult for them to access loans from the bank.

All these stifle and are counter productive to economic growth and development.

Proposals

I. Development and application of economic instruments and develop and institutional mechanisms to regulate the land market.
II. Promotion of vulnerability safeguards through access to land market information and land rights awareness

10. Land for foreign direct investment:

Uganda like other African Countries pursues foreign direct investment as one of the strategies towards economic growth and development. This is usually done through advantageous tax regimes rather than seeing how best to develop the local enterprises (IIED, 2005). In the recent past there has been considerable increase in foreign investment and this trend is likely to continue given the drive to secure investors that Uganda is currently pursuing. In acquiring land for investment, government can either allocate its land to the investor, as was the case in Kaweeri coffee resulting in evictions of local populations, excising land from protected areas such as the Namanve case.

Proposals

I. Government to ensure that it discharges its legitimate responsibility of attracting private investment by attracting land while also respecting its constitutional obligations to protect the rights and property of its citizens.
II. Clarification on roles of Ministry and Uganda Investment Authority regarding to acquisition of land for investment.
III. Development of tenancy and leaseholds for investment both local and foreign entrepreneurs

11. Equity

It is important to define what is meant by equity in land issues considering that equity occurs at 4 different levels: individual, family, community and National. Policies should be able to guide us on what equity in land matters means: Is it where every Ugandan owning a piece of Land or not, is it a land issue or a principle or is the concern on equity or equality? These are critical questions for consideration during policy development.

However it is important to note that equity in the sense that every Uganda should get a piece of land is not practical and possible for its counter productive given that land is a fixed resource and yet there is a high population growth rate.

12. Policy Institutional frameworks and implementation

Policy institutional frameworks are very key for successful policy implementation. Policy institutional framework largely refers to various institutions, agencies or organizations charged with clear roles and responsibilities for implementation of the policy. However Institutional responsibilities overlap and are divided among several agencies, providing possible grounds for competition and rivalry.

The decentralization policies gave Local Governments mandate regarding management of natural resources including Land and Soils among others (Local Government Act, 2000 and the National Environmental Statute, 2000). However this posses challenges in terms of limited capacities for local Governments towards sustainable management of these resources. It times policies come with so many institutions that implementation of such policies becomes very costly e.g. the implementation of the Land Act, 1998 envisioned that the Local Governments would bear the responsibility of operationalising the great bulk of the Act, where every district was to have a District Land Board and District Land Office. Consequently 45 District established Land Boards and 56 Land tribunals on circuit basis have started operations. Furthermore, the law introduced local level dispute resolution mechanisms

(Land tribunals). However experience has shown that most of the districts have inadequate resources both financial and human to put in place all the necessary institutions proposed especially at the scale needed to provide technical and professional services. And given the current practice were more districts are created out of others, this strategy is not practical. It is also important to note that at times institutional structures have divided vertical responsibilities leaving limited or no room for horizontal linkages and information exchange.

The implications of ineffective and inefficient policy institutional framework are that policy implementation would not take root and subsequently the policy objectives would not be met. Hence the policies would remain on paper.

Proposals

I. The optimal utilization of land also requires that institutions responsible for land use planning and management are relevant, cost-effective, efficient and sustainable.

II. The policy should design mechanisms to facilitate the active involvement and participation of communities and people at local level. The policy should promote participatory involvement by all stakeholders in land use planning at all levels.

III. There is need for strengthening coordinating mechanisms between institutions that deal with land-use and resources management to facilitate integration of sectoral concerns and strategies.

IV. Strengthening governance, commitment and compliance to policies and laws by Government and other key stakeholders

13. Common property resources (CPR)

Common property resources include grazing lands (range lands), woodlands, ponds and fisheries among others. Much as these are still vital for many people for livelihood and survival, there is growing pressure on them given the trends towards privatization and enclosure. Secondly the sustainable

management of these resources is still paramount if the communities and Government economy is to continue getting the benefits from them. Among the CPR in Uganda, rangelands are highly degraded. They occupy 84,000 km^2 and are situated in the *'cattle corridor'* extending from Uganda-Tanzania border in the southwest and through Mbarara, Rakai, Sembabule, Mubende, Kiboga, and Nakansola to Kotido, Moroto and Nakapiriti districts (NEMA, 2001). Extensive degradation in rangelands occurs mainly along livestock routes, watering points and hilltops. It is largely caused by overstocking, bush burning, overgrazing resulting into soil compaction and erosion (NEMA, 2001). Consequently there is inadequate grass and sufficient water meaning that the herdsmen and livestock move from one place to another in such for water and grass. This comes with encroachment on gazzeted land, forests and or evading other communities resulting in land conflicts and death.

Proposals

I. Strengthen and promote community management of the CPR
II. Establishment of secure legal rights for local communities over CPR
III. Provide support to communities to manage CPR in equitable and sustainable manner.
IV. Supporting communities to develop rangelands user rules and regulations to reduce conflicts between herders, neighbouring crop farmers and other land users.

14. Landlessness

Currently there are a number of people who are landless or at the verge of losing their land rights as a result of natural disasters including drought and epidemics; civil unrest resulting into internally displaced peoples (IDPs), HIV/AIDs; Government gazzetement policies. These groups of people include pastoralists, widows, youth, minorities (Batwa) among others. The implications of this are that these people lose access and utilization of their land, which is an immediate resource for their livelihood.

Proposals

I. Development of land user rights and litigation mechanisms for these categories of these people to safe guard against grabbing their lands.
II. Resettlement of such groups through timely and commensurate compensation mechanisms.

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