

**A DOCUMENTATION OF FINDINGS OF LAND RELATED CHALLENGES AMONG RURAL
WOMEN IN KYANKWANZI DISTRICT AND PROMISING PRACTICES RELATED TO
STRENGTHENING WOMEN'S LAND RIGHTS**



“There have been a few things in my life that have had a more genial effect on my mind than the possession of a piece of land,” Harriet Martineau 1802-1876, first female sociologist.

MAY 2018

1.0. Introduction

This document presents the findings of land related challenges among rural farmers in Kyankwanzi district and promising practices related to strengthening women's land rights. The data collection exercise conducted by Action for Rural Women's Empowerment (ARUWE) Uganda in partnership with Emerge Poverty Free/Comic Relief Uk. ARUWE sought to establish community knowledge in land governance structures, land ownership and documentation as well as gender and land ownership. Data was collected using a structured questionnaire. The sample included 346 females and 68 males making a total of 414. The exercise was conducted in Kitabona, Nkandwa and Gayaza Sub counties in Kyankwanzi district.

1.1. About the organization.

Action for Rural Women's Empowerment (ARUWE) is a grassroots non- profit organization working with marginalized groups of people especially rural women and children in Uganda. ARUWE operates in Wakiso, Kiboga, Kyankwanzi, Mpigi, Nakapiripirit and Sembabule districts focusing on eliminating discriminative practices that inhibit women's potential in the social, economic and civic sectors. ARUWE envisions a world in which women and children realize their full social, economic and civic potential and our mission is to empower women to manage their socio-economic development processes through strengthening community participation, advocacy and service delivery.

1.2. The partnership

In 2017, Emerge Poverty Free/ Comic relief UK, Partnered with ARUWE to implement a three year project titled "TRANSFORM AND EMPOWER THE LIVES OF 900 SUBSISTENCE FARMING FAMILIES IN RURAL UGANDA". The intervention aims at seeing Farmers increase agricultural productivity, Farmers experience increase in household income, household assets, and land resources, Households improve their food security and Women farmers experience an increase in financial empowerment and decision making.

Part of this intervention sought to train farmers in land tenure systems, land rights, land policies and law. ARUWE conducted three legal aid clinics on land rights among the 336 farmers. During the implementation of this activity, ARUWE gave opportunity to community to air out their views concerning land governance. It was observed that property and land rights violations reported included unlawful and illegal evictions of tenants from land, trespass, poor or lack of land registration/documentation as proof of ownership by women, corruption which inhibits justice for the vulnerable women who are mainly the victims of land grabbing and eviction, limited or lack of knowledge on the availability of local/ community level justice systems as well as limited or lack control and decision making over land as a key factor of production in rural households mainly affecting the women.

Widows and orphans also face violations from male relatives and cultural leaders who seek to throw them out of their inherited property. The situation is made worse if the deceased husband didn't leave a will to protect the inheritance rights of the widows and children especially the girl child. It should be noted that insecurity on land affects these

agricultural communities more because land is the major factor of production and women contribute approximately 80% to production in the agriculture sector. It hampers their economic development. In addition, land insecurity affects people mental and social health because they are constantly threatened and are afraid of losing their livelihoods.

Hence, much as farmers needed knowledge in land rights, ARUWE realized the need to conduct a rapid needs assessment gaps in land governance in the three sub counties in Kyankwanzi district. As such in May 2018, ARUWE organized a data collection activity provide information against which the project will base to conduct sensitizations, advocate for better land governance and establish strategic partnerships

From the rapid needs assessment the most affected villages with violations on land including evictions and grabbing include the following: Kiryajobyo East village -20 households, Guwe village- 30 households, Mubilama village - 100 households, Kyelele North village - 100 households, Kiryajobyo East village- 20 Households, , Nkondo village - 30 households and Kiryajobyo West has 20 households affected. This makes an approximate total of 1650 people. The number has been derived by calculating the average number of people per household i.e.5 multiplied by the 330 households in Gayaza sub-county.

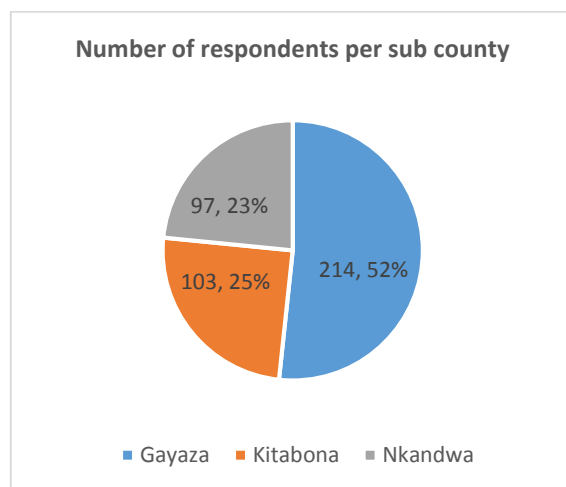
ARUWE seeks to embark on massive sensitization on the legal and policy framework relating to access to and ownership of land, establish rural farmer advocacy groups, orient area land committees, provide legal aid to communities and support farmers in documentation of their land/property.

2. Findings

Respondents.

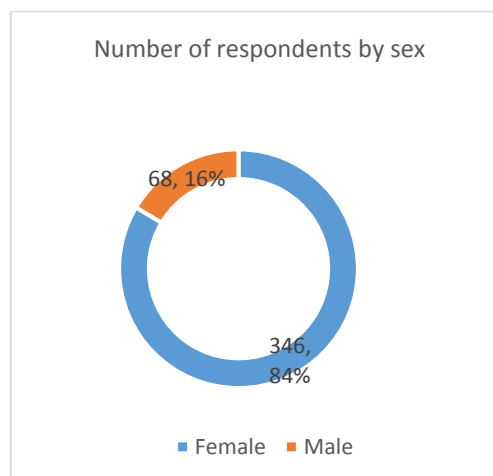
1.0 Number of respondents by Sub County

Sub county	Frequency	Percentage
Gayaza	214	51.7
Kitabona	103	24.9
Nkandwa	97	23.4
Total	414	100.0



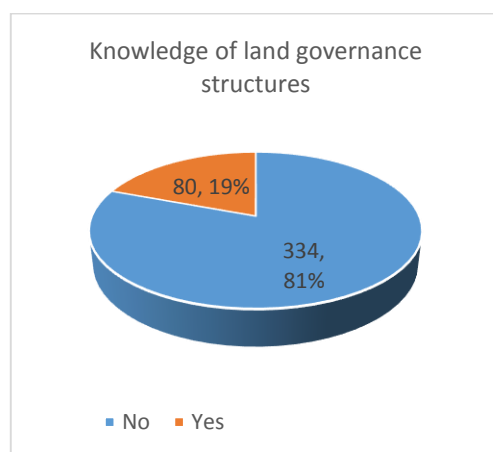
Number of respondents by sex

Sex	Frequency	Percent
Female	346	83.6
Male	68	16.4
Total	414	100.0



2.1 Knowledge of existing land governance structures

Sex	Frequency	Percentage
No	334	80.7
Yes	80	19.3
Total	414	100.0



2.1. b. Response on land governance structures known to be existent in the community

Area land management committees	43
Area land management committees; District land board	3
Area land management committees; District land board; Grade one court	1
Area land management committees; District land board; Grade one court; Recorder	1
Area land management committees; Grade one court	2
Chairman LC ¹ III	2

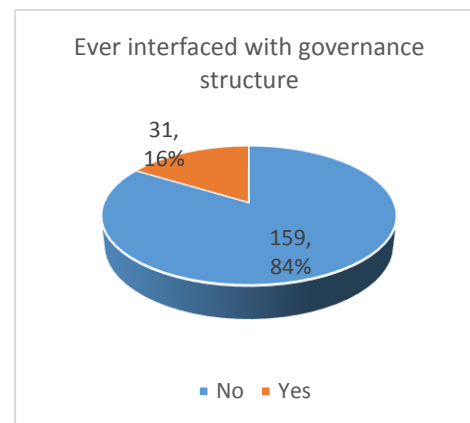
¹ Local Council

Chairperson LC1	1
District land board	12
District land board; Grade one court	1
Grade one court	5
RDC ² s Office	1
Recorder	1
Sub-county committee	1
Count of responses	74

The respondents were most familiar with the area land management committees, district land board and grade one court.

2.2. a Respondent having ever interfaced with existing governance structure

Response	Frequency	Percent
No	159	83.7
Yes	31	16.3
Total	190	100.0



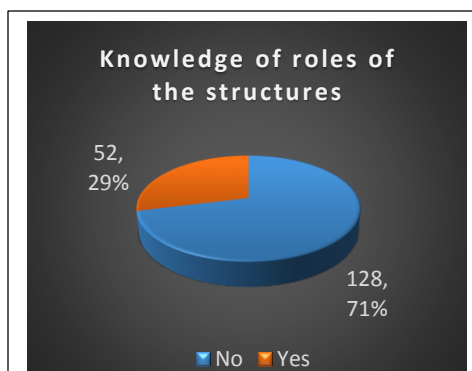
16.3% had ever interfaced with existing governance structures, while 83.7% had never.

2.2. b. Reasons for interfacing with the existing governance structures

- i. To apply for a lease offer.
- ii. To submit com
- iii. plaint when facing eviction.
- iv. To seek for assistance over land disputes with neighbors.
- v. To meet land lords for ground rent payment
- vi. They were monitoring and following up on the transfer policies.
- vii. To seek for knowledge over what they can do in case of eviction

2.3. a Knowledge of the roles land governance structures play

Response	Frequency	Percent
No	128	71.1



² Resident District Commissioner

Yes	52	28.9
Total	180	100.0

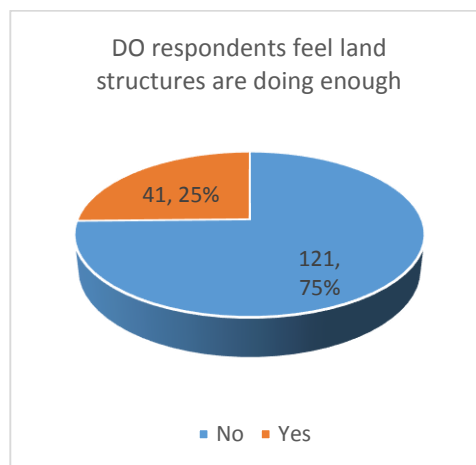
Only 29% have knowledge about the roles land governance structures play.71% do not have that knowledge.

2.3. b. How did respondent learn about the roles of the existing land structure in the community

- i. They got land conflicts and interfaced with the area land committees.
- ii. ARUWE gave them trainings on land rights and awareness.
- iii. Got information from friends, relatives and the community members.
- iv. Learnt from the neighbors who experienced disputes on their land.
- v. Accumulated information when he worked as a member of the area land committee.
- vi. Received trainings from the sub-county officials.
- vii. Got information from spouse
- viii. Landlord held meetings for all the tenants and trained them on their responsibilities.
- ix. Through media
- x. The LCs mobilized community members for dialogues with landlords.
- xi. Through sensitization in village meetings

2.4a Do respondents feel the land structures are doing enough?

Response	Frequency	Percent
No	121	74.7
Yes	41	25.3
Total	162	100.0



74.7% feel the land governance structures are not doing enough, while 25.3% feel that they are.

2.4b Responses as to why they feel the structures are not doing enough

- i. There are so many land conflicts but the governance structures are not solving any.
- ii. The governance structures connive with the land lords to evict people from their land.

- iii. They do not sensitize the communities about land rights and other land issues.
- iv. Land disputes have multiplied and others are destroying people's properties and taking lives but none of these have been solved.
- v. Some people sought for assistance but did not get any positive response.

2.5a Have idea of how state and its agencies should protect you in case of eviction

Response	Frequency	Percentage
No	174	69.9
Yes	75	30.1
Total	249	100.0

30.1% have ideas but 69.9% do not have any idea of how the state and its agencies should protect them in case of eviction.

2.5b. The ideas of how the state and its agencies should protect people in case of eviction

- i. The agencies should create conducive environment for the relationship between landlords and tenants to improve.
- ii. Laws and policies that protect citizens and their property should be followed.
- iii. Land rights and awareness trainings should be held amongst the citizens.
- iv. The existing agencies should always intervene and solve land conflicts once the citizens report to them.
- v. The tenants should be aware of the land rates that they should pay and fulfil these payments to the landlords.
- vi. When eviction takes place, the citizens should be given alternative areas for settlement.
- vii. The agencies should have the correct information about the procedures and therefore should guide the citizens concerning land issues.
- viii. The agencies should defend the citizens from land grabbers.
- ix. Landlords and tenants should always be willing to solve conflicts amicably.
- x. The authorities should not wait for bloodshed before they intervene in conflicting situations.
- xi. The government should avail soft loans to the citizens so that they may obtain land titles for their land.
- xii. The government should abolish ownership of Mailo land and land fees payments so that land belongs to all citizens.

3. Knowledge of land tenure systems

3.1a Knowledge of land tenure systems in Gayaza, Nkandwa and Kitabona sub counties.

Response	Frequency	Percentage
No	143	35.5
Yes	260	64.5
Total	403	100

Out of 403 responses, 64.5% knew about land tenure systems in their communities, and 35.5% did not know anything.

3.1. b Types of existing land tenure systems in Gayaza, Nkandwa and Kitabona sub county.

Customary tenure	5	1.8
Customary tenure; Freehold tenure	1	0.4
Customary tenure; Freehold tenure; Leasehold tenure; Mailo land tenure	2	0.7
Customary tenure; Leasehold tenure	1	0.4
Customary tenure; Mailo land tenure	4	1.5
Customary tenure; Public land	1	0.4
Freehold tenure	6	2.2
Freehold tenure; Leasehold tenure	7	2.6
Freehold tenure; Leasehold tenure; Mailo land tenure	5	1.8
Freehold tenure; Mailo land tenure	34	12.4
Leasehold tenure	38	13.9
Leasehold tenure; Mailo land tenure	16	5.8
Mailo land tenure	152	55.5
Public land	2	0.7
Total responses	274	100.0

55.5% (152) of the respondents had knowledge about Mailo land tenure only; 12.4% knew about both freehold and Mailo land tenure systems; 5.8% (16) knew about both leasehold and Mailo land tenure systems; and 1.8% (5 respondents) knew only customary land.

Defining the different types of the land tenure systems in Uganda

The Land Act 1998 defines freehold tenure as a tenure that bestows upon someone ownership of registered land in eternity

Mailo tenure as one where permanent ownership of a large plot of land belongs to landlords who acquired it through the 1900 Buganda agreement, while at the same time tenants on the land are recognised and they also have rights to live on and utilise the land. Under Mailo land tenure, owners have perpetual ownership and are free to sell or pass on their rights to their heirs

The Land Act of the Constitution describes this customary tenure as one where land is owned communally, by a clan, or a tribe, among others

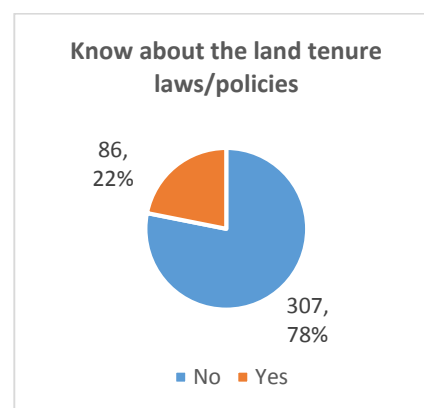
The 1998 Constitution describes leasehold tenure as one where one party grants to another the right to exclusive possession of land for a specified period, usually in exchange for the payment of rent. Leasehold is a system whereby land is held based on an agreement between the lessor and the lessee. Under this type, a land owner (whether through freehold, Mailo or customary tenure) grants a lease to another person.

Source: <http://www.monitor.co.ug/Magazines/HomesandProperty/land-tenure-home>

Explaining the different types of land tenure

3.2. a. Knowledge about the land tenure laws/policies for the country.

Responses	Frequency	Percent
No	307	78.1
Yes	86	21.9
Total	393	100.0



Out of the 393 responses, only 22% (86) knew about the existing land tenure laws/policies for the country. The 78% (307 respondents) knew nothing about them.

3.2 b Source of information on the existing land tenure laws/policies in the country

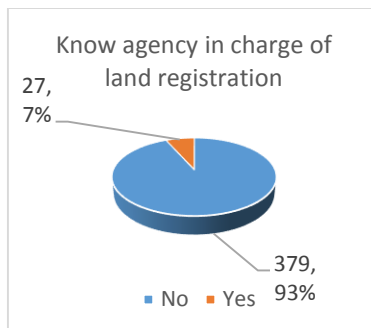
ARUWE and other NGOs' land trainings	14	16.3
Media	23	26.7
From relatives or friends	34	39.5
Information sheet	7	8.1
Land lord	1	1.2
Land office	5	5.8
Land surveys	1	1.2
Residential District Commissioner	1	1.2
Total	86	100.0

Whereas 16.3% (14 respondents) learnt about the land tenure policies from ARUWE land rights and ownership trainings, 39.5% (34 respondents) learnt from relatives and friends; 26.7% (23 respondents) learnt from media, 5.8% (5 respondents) learnt from the land

office, 8.1% (7 respondents) learnt from information sheets, and 1.2% learnt from land surveys, and from the RDC, and from the land lords respectively.

3.3a Knowledge of the agency in charge of land registration

Response	Frequency	Percent
No	379	93.3
Yes	27	6.7
Total	406	100.0



93.3% (379 respondents) did not know the agency in charge of land registration, while only 6.7% (27 respondents) knew.

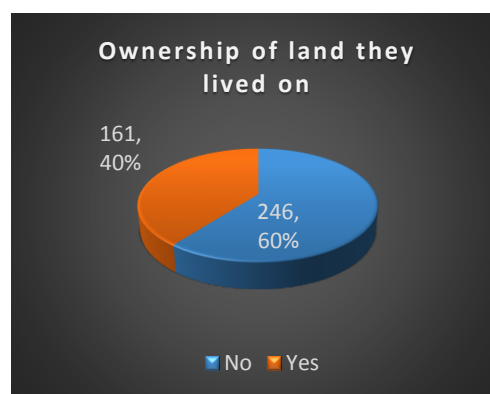
3.3b Offices known to be agencies in charge of land registration

- Chairman LC1's home/ office
- District Land board
- Area land committees
- Land registration offices
- Land commission
- The Uganda Land board
- National Forest Authority

4.0 Ownership

4.1a Ownership of the land they live on

Response	Frequency	Percent
No	246	60.4
Yes	161	39.6
Total	406	100.0

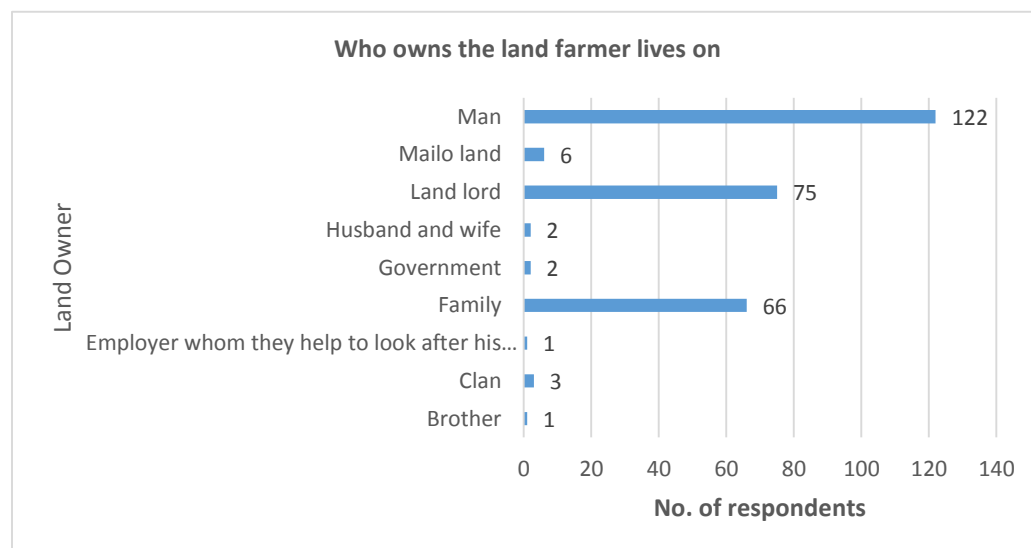


Only 39.6% (161 respondents) reported that they lived on own land. The remaining 60.4% (246 respondents) did not own the land that they lived on.

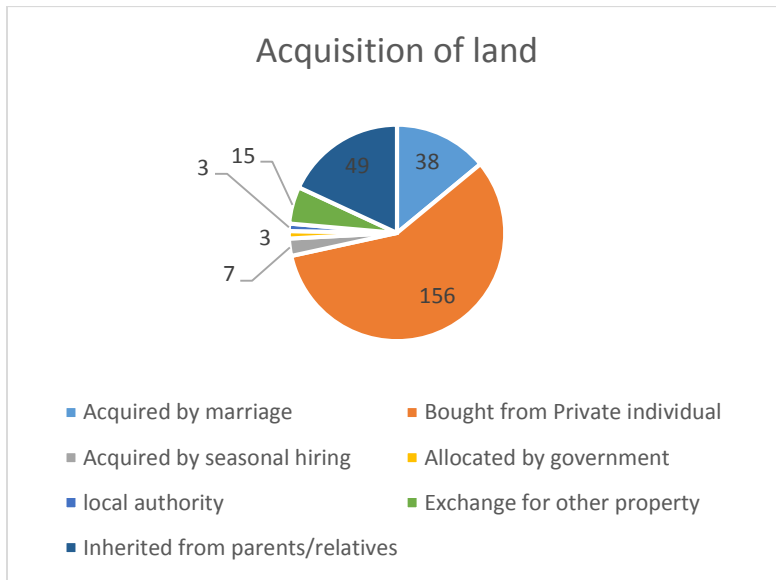
4.1b Who owns the land on which the farmers live?

Land owner	Frequency	Percent
Brother	1	0.4
Clan	3	1.1
Employer whom they help to look after his land	1	0.4
Family	66	23.7
Government	2	0.7
Husband and wife	2	0.7
Land lord	75	27.0
Mailo land	6	2.2
Spouse	122	43.9
Total responses	278	100.0

43.9% (122 respondents) reported that the land that they lived on was owned by Man; 27% (75 respondents) said it was owned by land lords; 23.7% (66 respondents) said that their land was owned by family. Also, 0.4% said theirs was owned by the employer while another 1.1% (3 respondents) said it was owned by their clans. Another 0.7% (2 respondents) said theirs was owned by the government while yet another 0.7% (2 respondents) said that theirs was owned by both husband and wife.



4.2 How was the land acquired?

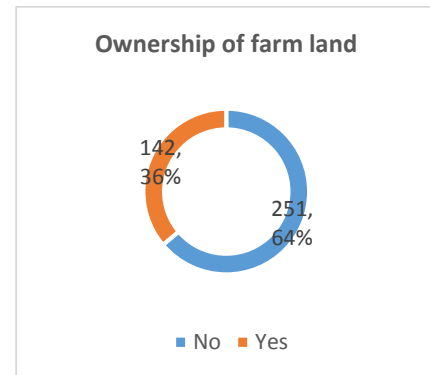


58% of the land was reported to have been bought from private individuals; 18% was inherited from parents and relatives; and 14% was acquired by marriage. Other means included;

- Acquisition by seasonal hiring (3%)
- Given by local authority (1%)
- Allocated by government (1%)
- Exchange of other property (6%)

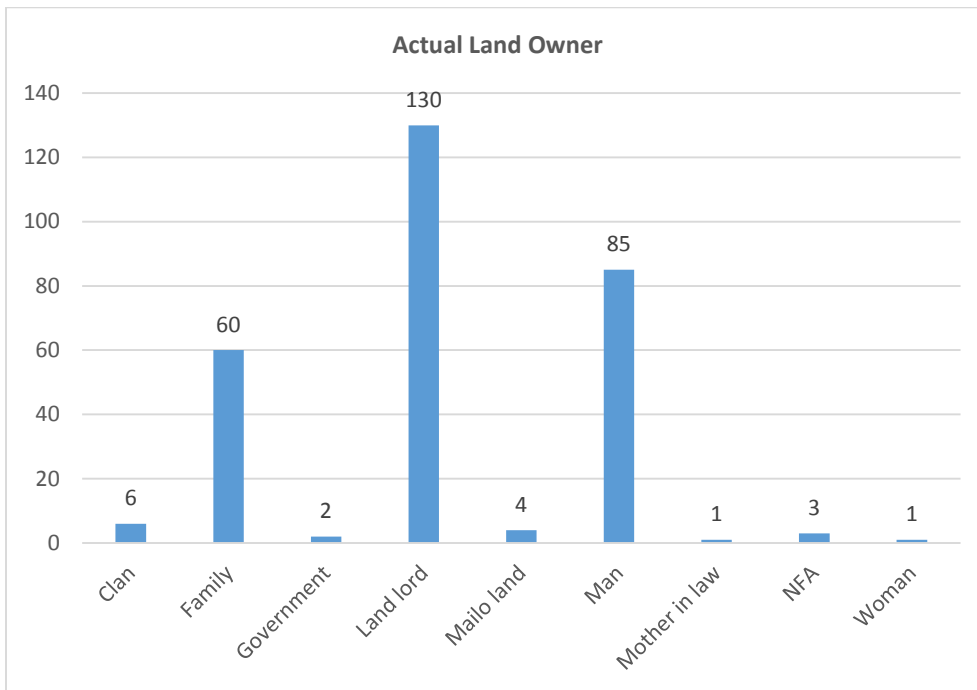
4.3a Does respondent own the land they farm on?

Response	Frequency	Percent
No	251	63.9
Yes	142	36.1
Total	393	100.0



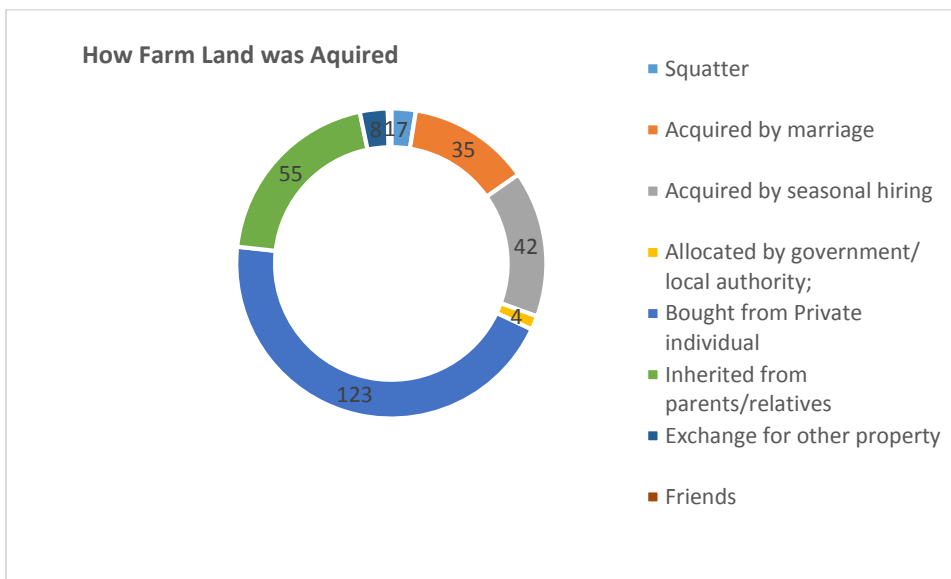
From the pie chart below, only 36.1% (142 respondents) owned the land that they farmed on, while 63.9% (251 respondents) did not.

4.3b Actual owner of the farm land



45% of the land that is farmed on was owned by landlords; 29% was owned by man; and 21% was owned by family. The remaining 15% was owned by the clan, government, Mailo land, mother in law, NFA and woman.

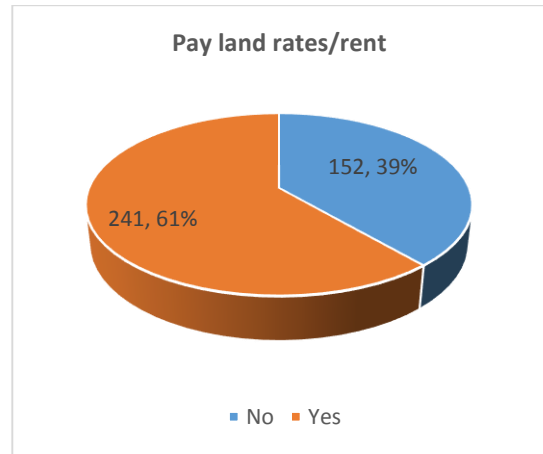
4.4 Ways in which the farm land was acquired



From the graph above, 44.7% (123 respondents) reported that their farm land was bought from private individuals; 20.0% (55 respondents) said theirs was inherited from parents/relatives; 15.3% (42 respondents) said they did seasonal hiring; 12.7% (35 respondents) was land acquired by marriage; 2.9% (was land acquired through exchange for other property; 2.5% by squatter; 1.5% by government/local authorities; and 0.4% (1 respondent) was from friends.

4.5 Payment of land rates

Response	Frequency	Percent
No	152	38.7
Yes	241	61.3
Total	393	100.0

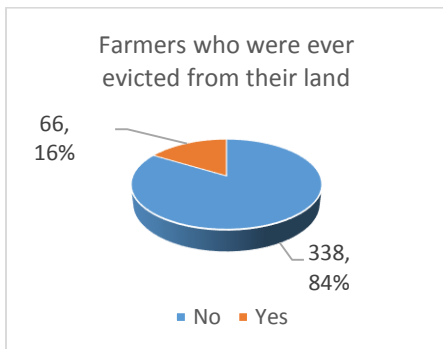


The pie chart above shows that 61.3% pay land rates while 38.7% don't.

4.6 Ever been evicted from their home at any one time

Response	Frequency	Percent
No	338	83.7
Yes	66	16.3
Total	404	100.0

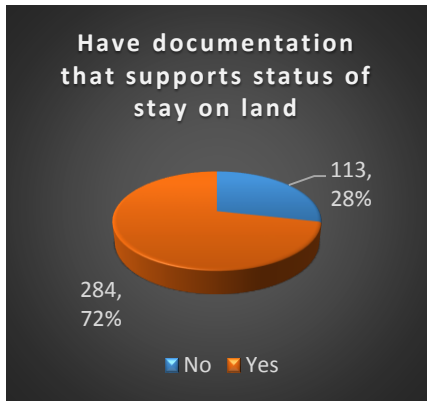
The pie chart below shows that 16.3% (66 respondents) had ever been evicted from their homes, while 83.7% had never.



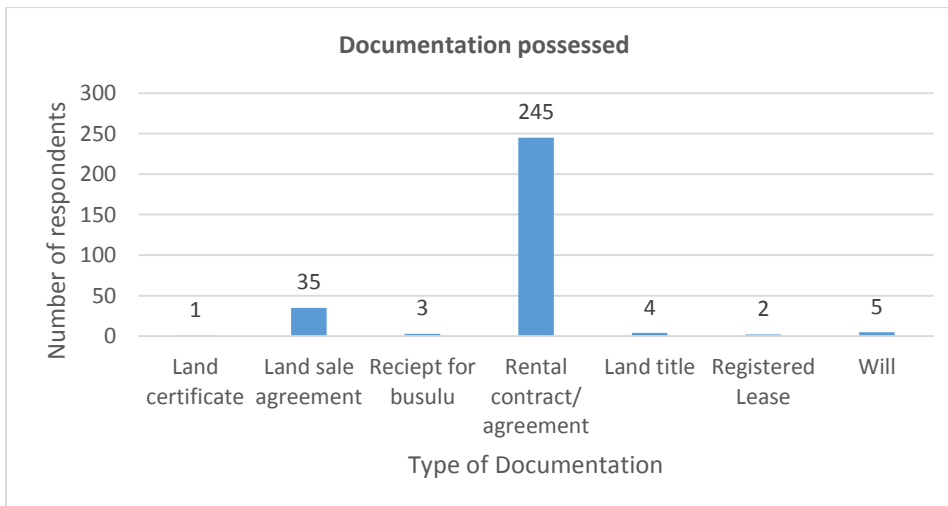
4.7a Documentation to support status of stay on the land

Response	Frequency	Percent
No	113	28
Yes	284	72
Total	397	100

72% said that they had some form of documentation that supports their stay on land; while 28% (113 respondents) did not have any. This is as shown in the pie chart below.



4.7b Types of documentation possessed by the farmers to support their status of stay on land



From the graph above, 83.1% (245 respondents) possessed rental contract/agreement (this is acquired by farmers for a period to six months to one year to use land for agricultural purposes) while 11.9% (35 respondents) had land sale agreements. The remaining 5.1% are respondents who held land certificates, receipts for busulu (nominal ground rent), land titles, registered leases, and wills.

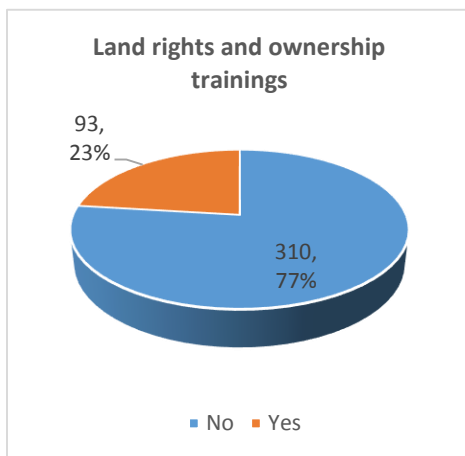
4.7c Reasons for not possessing documentation

- i. Land acquired by bonafide occupants rarely has documentation
- ii. Some families lost their documents during the political and civil unrest the in 1980s, and some through fires.
- iii. Ignorance of the importance of documentation
- iv. At times, land got through inheritance and marriage has no documentation
- v. Documents are provided after one completes the payments for the land
- vi. Land got through seasonal hiring has no documentation apart from receipts provided by some land lords.

4.8a Received training on land rights and ownership

Response	Frequency	Percent
No	310	76.9
Yes	93	23.1
Total	403	100.0

The pie chart below shows that 23% (93) of the respondents had ever received trainings on land rights and ownership; and 77% (310 respondents) had never.



4.8b Areas of trainings on land rights and ownership include;

- Difference in land tenure systems, policies and land governance structures.
- How to solve land conflicts.
- Land fees and land rates payment
- Land ownership and rights by women
- Distribution of land amongst siblings after death of parents
- Gender land rights
- Land rights and responsibilities
- Land policies and governance
- Roles and responsibilities of land lords and tenants

- Land documentation procedures

5.0 Gender and land ownership

5.1a Women entitlement to own land in this community

Response	Frequent	Percent
No	37	18.0
Yes	168	82.0
Total	205	100

Out of 205 respondents, 82% (168) agreed that women are entitled to own land in their community. However, 18% (37) disagreed to it.

5.1b Reasons why women are not entitled to land ownership in the communities of Gayaza, Nkandwa and Kitabona sub counties.

- Women in the said communities are not meant to own land because of their cultural beliefs
- Lack of awareness of land rights by both men and women.
- Women are not aware about their rights to land ownership.
- Women do not have as much money as their husbands to purchase land
- The communities do not support the women to possess land.
- Women are not supposed to own land because they are inferior to men in these communities.
- Women are allowed to use land after their spouses are dead though they are not allowed to own.

5.2a Women ownership of land in the Gayaza, Nkandwa and Kitabona sub counties

Response	Frequency	Percent
No	70	17.5
Yes	331	82.5
Total	401	100

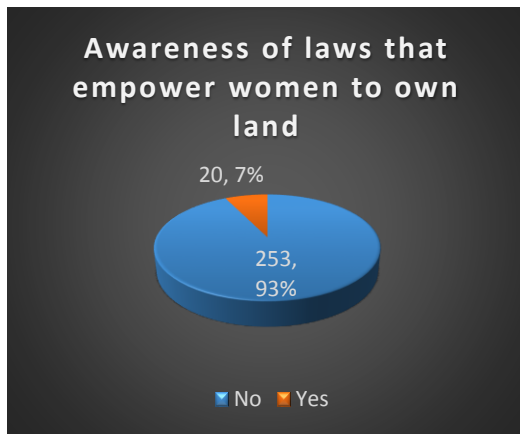
Whereas 82.5% were positive that women owned land in these community, 17.5% did not agree that it happens within the communities.

5.3 Reasons why women are denied opportunities to own land in Gayaza, Nkandwa and Kitabona sub counties.

- It is assumed that women are not so bright and educated
- Men say that women who own land are uncontrollable
- Women are considered as a weak sex, unable to handle land issues
- Because women have limited capacity to buy land and own a land title

- v. Because of poor governance and no emancipation
- vi. Cultural beliefs and unfair treatment
- vii. Cruelty by husbands
- viii. Women are not allowed to make decisions over their money
- ix. Women feel inferior and unworthy to own land
- x. Women get married and take over responsibilities over the family land
- xi. Women are considered as visitors both in their parents and marital homes
- xii. Land is expensive and women lack sufficient finances to purchase it.
- xiii. Some men do not want their wives to own any asset
- xiv. Women are preoccupied with reproductive activities

5.4 Awareness of laws that empower women to own land

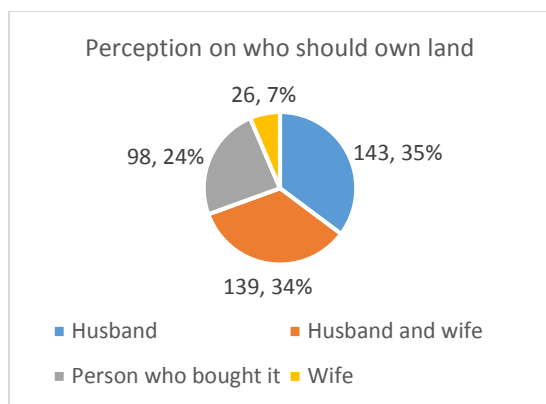


Response	Frequency	Percentage
No	253	92.7
Yes	20	7.3
Total	273	100

Only 7.3% are aware of laws that empower women to own land. The 92.7% are not aware that such laws exist.

5.5 In the respondent's opinion, who should own land?

Person who should own land	Frequency	Percent
Husband	143	35.2
Husband and wife	139	34.2
Person who bought it	26	7
Wife	98	24
Total		100.0



From the pie chart above, 35% felt that only husbands should own the family land; 7% felt that the wife should; 34% felt that it should be owned by both husband and wife; while 24% felt it should be owned by the person who bought it.

5.6a On women/girls inheriting land/property

Response	Frequency	Percentage
No	74	18.8
Yes	320	81.2
Total	394	100

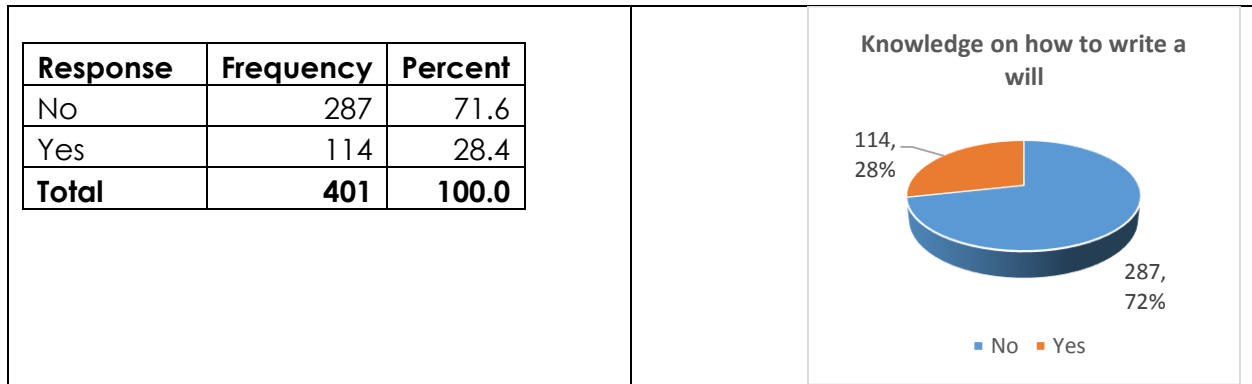
81.2% of the respondents think that women/girls should inherit land/property; while 18.8% do not think so.

5.6b Reasons why women/girls should not inherit land/property

- i. Women get married and can use land on their husbands' side.
- ii. Women mismanage land.
- iii. They are considered untrustworthy.
- iv. When women get married they support their husband's families hence there is no need to give them family land
- v. Because women/girls are undermined and considered weak, society thinks that they should not inherit land.
- vi. Boys seem more responsible than girls.
- vii. Boys should inherit property since they continue the family lineage.
- viii. Cultural believes do not allow women to inherit land.
- ix. When women get married, they give away their land rights to their husbands.
- x. Adult females should be strong and hard-working enough to purchase their own land.
- xi. Some women may sell their inherited land and take the money to their husbands.
- xii. When women divorce, they move to far away homes and hence don't access their inheritance.

- xiii. Girls lack enough security to guard property.
- xiv. Women are too weak to handle land issues.

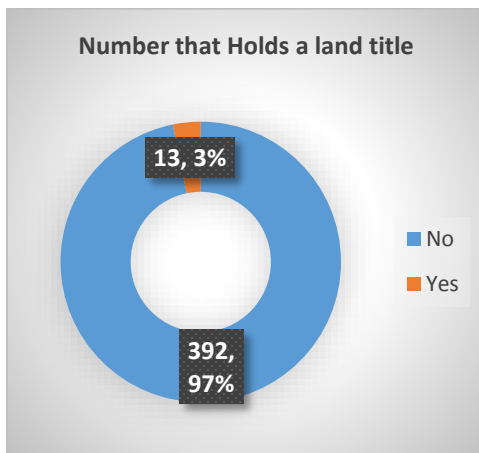
5.7 Knowledge on how to write a will



28% (114) of the respondents knew how to write a will, while 72% (287) did not.

6.0 Land registration

6.1a Farmer holds a land title



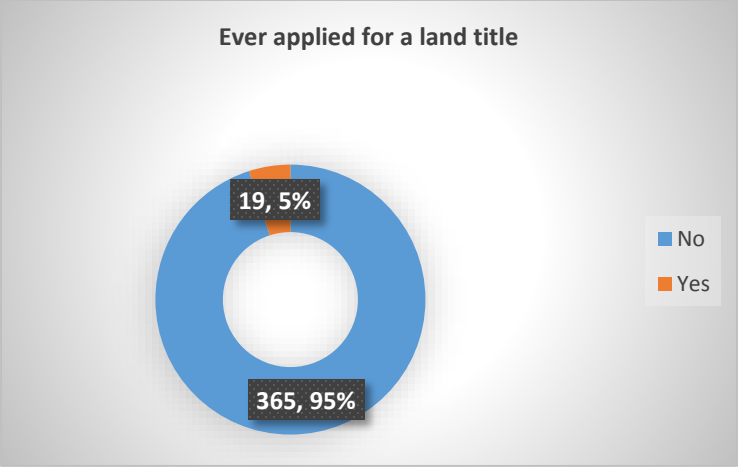
Response	Frequent	Percent
No	392	96.8
Yes	13	3.2
Total	405	100

In the three (3) sub counties, only 3.2% hold land titles. The other 96.8% does not.

6.1b Ever tried to apply for a land title

Response	Frequency	Percent
No	365	95
Yes	19	5
Total	384	100.0

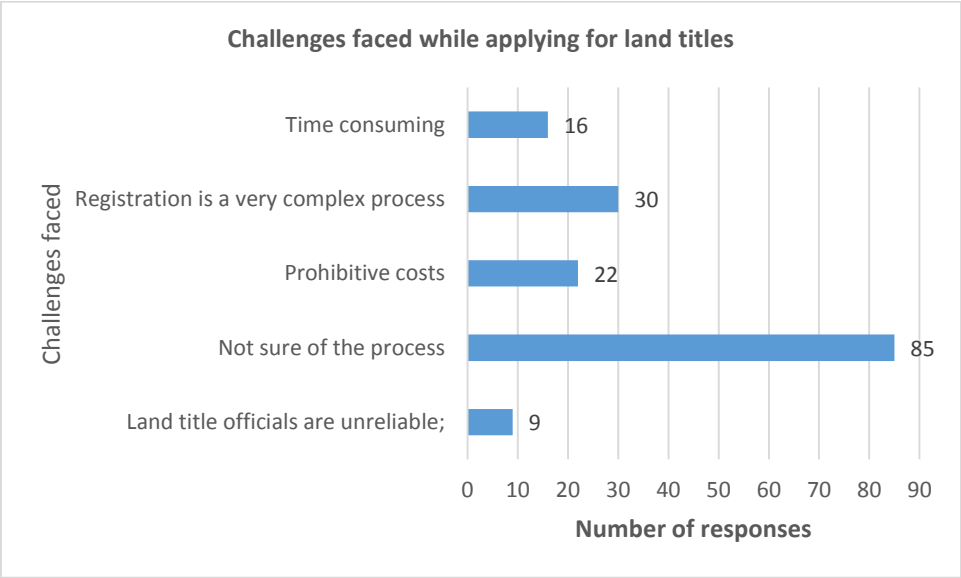
Only 5% (19 respondents) had ever tried to apply for a land title. The other 95% (365) had never ever tried to apply for a land title.



6.2 Challenges encountered while applying for land titles

Challenge	Frequency	Percent
Land title officials are unreliable;	9	5.6
Not sure of the process	85	52.5
Prohibitive costs	22	13.6
Registration is a very complex process	30	18.5
Time consuming	16	9.9
Total	162	100

The graph below shows that the challenges faced by the respondents while applying for land titles is; Not being sure of the processes (52.5%), registration is a complex process (18.5%), prohibitive costs (13.6%), time consuming (9.9%) and land title officials are unreliable (5.6%).

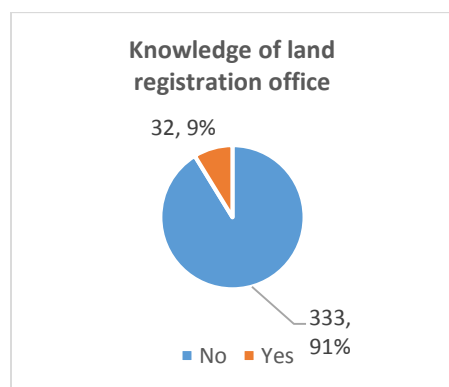


6.3 Approximate cost incurred to get the land titles for the land that was registered

Cost Incurred	No. of persons	Total expenses
200,000	1	200,000
300,000	1	300,000
500,000	1	500,000
1,500,000	1	1,500,000
3,000,000	2	3,000,000
Grand Total	6	5,500,000

On average, the farmers incurred UGX 916,667 to acquire land titles

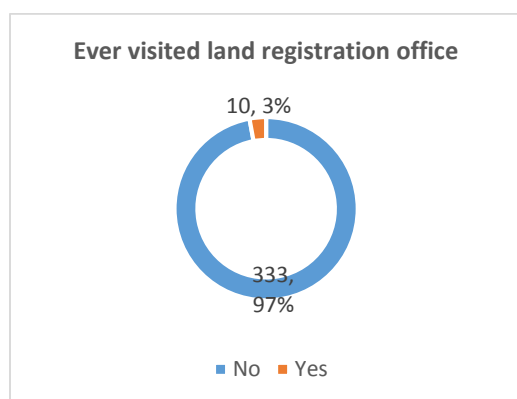
6.4 Farmers know the office in charge of land registration



Response	Frequency	Percent
No	333	91.2
Yes	32	8.8
Total	365	100.0

Only 8.8% know the office in charge of land registration in the district.

6.5a Ever visited the office in charge of land registration



Response	Freq	Percent
No	333	97.1
Yes	10	2.9
Total	343	100

Only 2.9% of the respondents had ever visited the land registration office. 97.1% had never visited it before.

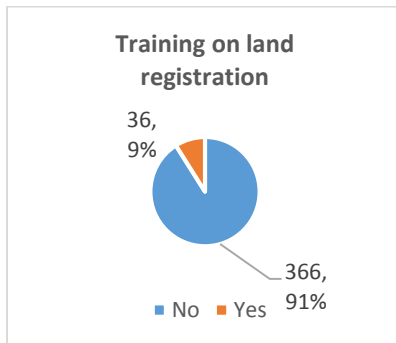
6.5b Why farmers never visited the office in charge of land registration

Reason for not visiting land registration office	Frequency	Percent
Not cooperative	19	7
Not aware of process	206	79
Have no trust	11	4
Process is cumbersome	17	6
Lack of funds	9	3
Total	262	100

79% of the respondents who did not visit the office in charge of land registration were not aware of the processes to follow. Other reasons included;

- The officials' non cooperativeness (7%)
- Lack of trust in the officials (4%)
- Cumbersome process to undertake (6%)
- And Lack of funds that are required (3%)

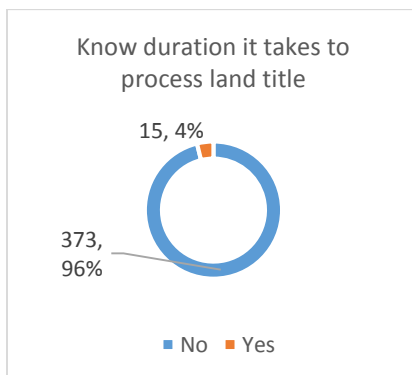
6.6 Trained on land registration



Response	Frequency	Percent
No	366	91
Yes	36	9
Total	402	100

Only 9.0% (36) of the respondents have ever received training on land registration. All the 91% (366) have never got it.

6.7a Knowledge of how long it takes to get land titles



Response	Freq	Percent
No	373	96
Yes	15	4
Total	388	100

Only 4% had knowledge on how long it takes to get a land title.

The 96% do not.

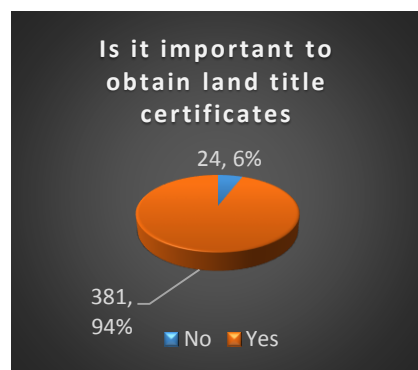
6.7b Duration it takes to get a land title

One respondent said it takes 1 week while 1 other said it takes more than 12 months.

1 week	1
4 to 6 months	2
7 to 12 months	1
More than 12 months	10
More than 5 years	1

66.7% of the respondents reported that it takes more than 12 months to get a land title, 13.3% said between 4 to 6 months; 6.7% said it may take a week, another 6.7% said 7 to 12 months, and another 6.7% said it takes more than 5 years.

6.8 Knowledge of benefits of owning a land title



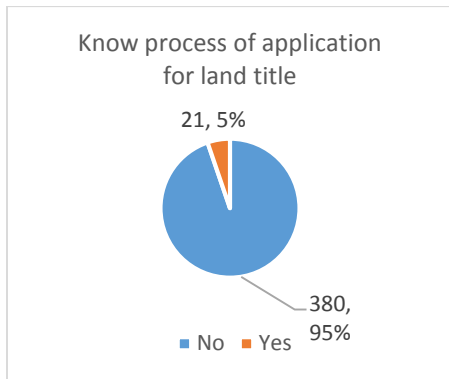
Response	Frequency	Percent
No	24	6
Yes	381	94
Total	405	100

94% believed that it was important to own a land title once they owned land; 6% did not think so.

6.9 In the respondents' opinion, what is the benefit of owning a land title?

- It acts as collateral security in acquiring credit services from financial institutions
- It is evidence of ownership status hence a source of security from eviction.
- It is a protective measure for widows and orphans from family evictions security
- Gives clear demarcation and helps to curb land conflicts

6.10 Knowledge of the application process for a land title



Response	Frequency	Percent
No	380	95
Yes	21	5
Total	401	100

Only 5% are knowledgeable about the process of getting a land title. 95% do not.

6.1.1 Steps for getting land title that were mentioned include;

- i. Engaging local council one chairpersons in signing land sale agreements.
- ii. Acquiring letters of recommendation from the local council one, Area land management committee, district land board which are presented to the registration offices
- iii. Conduct land searches at the land offices to ensure authenticity of ownership of land ownership that is for cases where one is purchasing land from the alleged land owner.
- iv. Contracting surveyors to measure the land plot to confirm demarcated numbers on the titles.

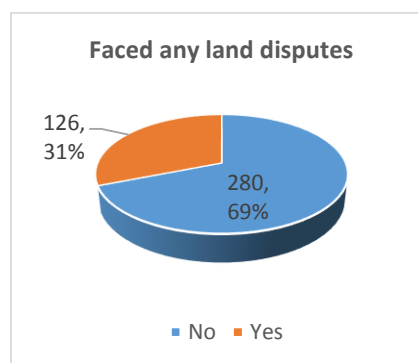
6.1.2 Level of satisfaction with land registration services in the district

Level of satisfaction	Frequency	Percent
Dissatisfied	66	25
Not sure	112	43
Satisfied	38	14
Very dissatisfied	47	18
Total	263	100.0

Whereas 43% were not sure about the service, 25% were dissatisfied and 18% were very dissatisfied. Only 14% were satisfied with the services.

7.1.a Has respondent ever experiences any land disputes

Response	Frequency	Percent
No	280	69
Yes	126	31
Total	406	100



31% had experienced land disputes before and 69% had never.

7.1 b Type of land disputes experienced

- i. Illegal evictions from land by land lords
- ii. Boundary conflicts
- iii. Claims of ownership with different parties
- iv. Conflict within families such as fights, witchcraft
- v. Purchasing of land which already has occupants causing conflicts in land use
- vi. Landlord ordered tenant not to build houses made of bricks there by violating their rights to using land as they would like to.
- vii. Illegal trespass on land by pastoralists who let their animals eat the crop of community members
- viii. Landlords sell the land to multiple buyers which causes conflicts concerning the legitimate land owner.

7.2 Causes of disputes

Respondents reported that disputes concerning land arose from mainly;

- Lack of awareness of rights (11%)
- Conflicts with landlords (53%)
- Conflicts within families (10%)
- Political interest (2%)
- Disputed ownership boundary (25%)

7.3 Below are the outcomes from the land disputes faced.

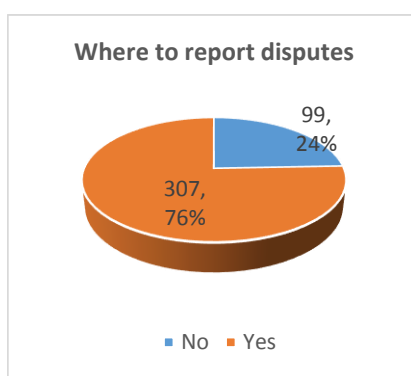
They are arranged in order from most to least rampant in occurrence.

Outcomes	Frequency	Percentage
Assault/injury	35	41.7

Destruction/theft of crops	25	29.8
Eviction from land	6	7.1
Killing/theft of livestock	4	4.8
Killing	3	3.6
Destruction of houses	3	3.6
Witchcraft	3	3.6
Divorce	3	3.6
Imprisonment	2	2.4
Total	84	100.0

7.4 a. In case of a dispute, do the members know where to report?

Response	Frequency	Percent
No	99	24
Yes	307	76
Total	406	100.0



76% of the respondents know where

do not.

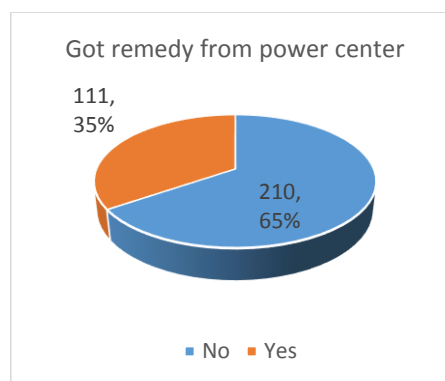
74.b In case of disputes, where do the community members report?

In the table below, community members reported the offices below from most to least reported to.

Office reported to	Frequency	Percent
LC	261	70.2
Police	49	13.2
Land Tribunal	36	9.7
Elders	6	1.6
Elders	5	1.3
District Land office	4	1.1
Sub county	4	1.1
Land lord	3	0.8
RDC	2	0.5
Fida (NGO)	1	0.3
NFA	1	0.3
Total	372	100.0

75a Ever got remedy from any of those power centers?

Response	Frequency	Percent
No	210	65
Yes	111	35
Total	321	100.0



Whereas 35% (111) reported to have got remedy from the power centers, 65% (210) did not receive any remedy.

7.5b. Key reasons as to why respondents did not get a remedy from any of the power centers

- i. "Chairperson is too corrupt"
- ii. "Felt the LC was not more powerful than the landlord"
- iii. "I am not aware of their presence"
- iv. "I don't have knowledge about any office to go to in case of a dispute"
- v. "The area land committee never came out to help us"
- vi. "The police did not side with us at all"
- vii. "The RDC visited us but we were not assisted to solve the land wrangles"

7.6 What is the current status of the dispute you encountered?

Status of dispute	Frequency	Percentage
Dispute on going	49	40.8
Dispute settled by parties	27	22.5
Dispute settled with help of mediation	22	18.3
Dispute resolved in court.	7	5.8
loosing party does not accept decision	4	3.3
parties accept decision	4	3.3
Dispute resolved in court. parties accept decision	2	1.7
Dispute resolved in court, loosing party does not accept decision;	1	0.8
Dispute was not resolved	1	0.8
Left the land	1	0.8
Paying land lord rates	1	0.8

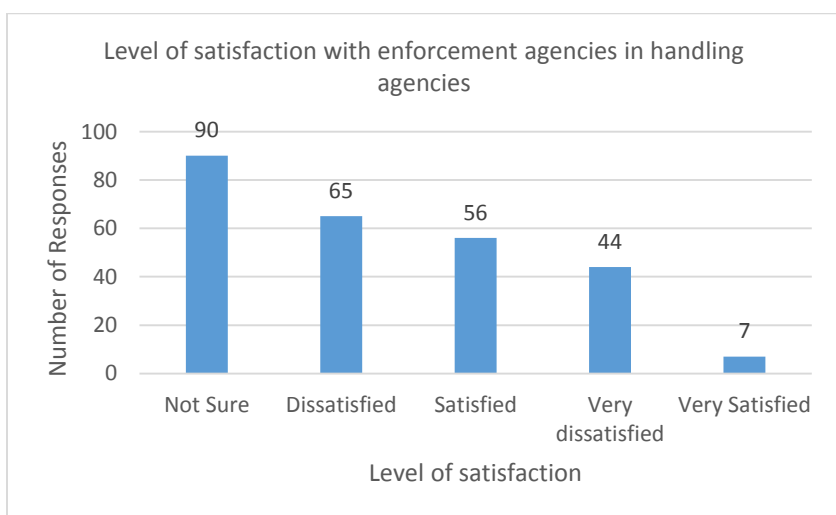
Plot was taken by the new landlord	1	0.8
	120	100

About 40.8% of the disputes encountered are still on going, 22.5% were settled by parties; and 18.3% were settled with help of mediation. 5.8% had theirs resolved in court, with 1.7% of the parties accepting decisions, and 0.8% not accepting decisions.

7.7 Level of satisfaction with enforcement agencies in handling disputes

Level of satisfaction	Frequency	Percent
Not Sure	90	34
Dissatisfied	65	25
Satisfied	56	21
Very dissatisfied	44	17
Very Satisfied	7	3
Total	262	100

The graph below shows that 34% of the respondents were not sure about their satisfaction levels with way enforcement agencies handle disputes. 25% were dissatisfied, and 17% very dissatisfied. Only 21% were satisfied and 3% very satisfied.



8. Recommendations

Basing on the documented results from the findings, the following are recommended actions that can be pursued by duty bearers including local government and development partners and rights holders i.e. citizens to ensure access and utilization of land rights.

- i. **Manage and steer actions for simultaneous changes to both family law and property law, to protect women's rights to land as divorcees, separated partners or heirs.**
- ii. Strengthen state institutions and build the capacity of traditional/ cultural/ religious institutions to recognize and enforce women's rights over land.
- iii. Provide information, educate and orient state institutions and agencies, cultural/traditional leaders and religious leaders responsible for enactment and implementation of laws, policies and programme.

- iv. Build capacity of all justice mechanisms, including customary mechanisms to respect, protect and fulfill women's rights to land, and hold relevant authorities / institutions accountable when they fail to do so.
- v. Educate and support religious and traditional/cultural leaders to promote gender equality.
- vi. Design and conduct legal literacy campaigns that support women to benefit from and are able to access formal avenues of justice that protect their rights,
- vii. **Design and implement programs for women to access courts or low cost or free legal aid and other legal services in their own language.**
- viii. Support non-state actors to advocate for accessible and affordable court services for all women, especially marginalized and vulnerable cohorts and sub-groups.
- ix. **Work with responsible departments, agencies and ministries to make the case for adequate human, financial, legal, and technical and other resources to make justice mechanisms effective for women**
- x. Design, promote and encourage the conduct of regular training on women's equal rights to land for legal professionals, including judges, prosecutors and lawyers.
- xi. Support through financial and other means, positive local initiatives which affirm women's equal rights to land, including via community-led paralegals, watchdogs (e.g. grass-roots women's groups) and other community-based strategies.
- xii. Put in place a legal empowerment programmes to improve knowledge and awareness of customary and community leaders on women's property and inheritance rights through training, advocacy, outreach and community dialogues.
- xiii. **Partnerships with legal service providers and the formal justice systems to support to appeal or seek redress from formal courts of law when their land rights are threaten, abused or repressed**
- xiv. **Organize public sensitization and awareness-raising sessions on existing laws, so that people-especially women-know about the laws that protect them.**
- xv. Promote community discussions on marriage and inheritance practices, friction between these practices and statutory law, and possible solutions for aligning the two.
- xvi. Develop the capacity of organizations supporting women's rights and recognize their role in raising awareness and taking strategic interventions to support widows
- xvii. Support legal empowerment through better access to justice, dispute resolution mechanisms and legal support that enables widows claim their rights.
- xviii. **Promote will-writing**
- xix. **For all titling and registration programs, design and conduct effective awareness-raising aimed at educating women and men about women's rights to access, use and control over land as an integral part of the initiatives.**

ARUWE bolded the measures thought most appropriate to the area.

Appendix 1

Data collection tool.



Consent:

Hello. My name is _____ and I am working with ARUWE. ARUWE seeks to document land related challenges among rural farmers in Kyankwanzi district and promising practices related to strengthening women's land rights. The Survey will help to provide information against which the project will base to conduct sensitizations and establish strategic partnerships. We would very much appreciate your participation in this survey. The survey might take 25 minutes to complete.

1.0 Bio data

Date form filled		Phone number		
District		Sub county		
Parish		Village		
Profession/Work		Sex	Female:	
			Male:	

2.0. Knowledge of land governance (power/authority) structures

2.1 .a. Do you know of any land governance (power/authority) structures or instruments in your community?	Yes:		
	No:		
2.1 .b. If yes, mention them. Tick as respondent gives answer (can tick in multiples)	a) District land board b) Grade one court c) Area land management committees d) Recorder e) Others (please mention):.....		

	
2.2.a Have you ever interfaced with any?	Yes	
	No	
2.2.b If yes, can you share what led you to interface		
2.3 a. Do you know their roles?	Yes	
	No	
2.3 b. If yes, how did you find out?		
2.4 a. Do you feel they are doing enough in playing their role?	Yes	
	No	
2.4 b. If no, why?		
2.5 a Do you have any idea of how the state and its agencies should protect you in case of an eviction?	Yes	
	No	
2.5. b. If yes, how?		

3.0 Land Tenure and Registration

3.1 a Do you know the land tenure system in our area?	Yes	
	No	
3.1 b If yes, can you mention some?	a) mailo land tenure b) freehold tenure c) leasehold tenure d) customary tenure	
3.2 a. Do you know the land tenure laws/Policies for the country	Yes No	
3.2 b. If yes, How did you know about them?	a)media b)land office Information sheet c)From relatives or friends d) Others (specify)	

3.3 a. Do you know the agency in charge land registration?	Yes		
	No		
3.3 b If yes, Can you mention the office?			

4.0 Ownership

4.1 a. Do you own the land that you live on?	Yes		
	No		
4.1 b If no, who owns the land?	a) Man b) Family c) Clan d) Land lord e) Other (Specify)		
4.2. How did you acquire this land?	Inherited from parent(s) / relative(s) Allocated by government/ local authority Exchange for other property Bought from private individual Acquired by seasonal hiring Acquired by marriage		
4.3 a. Do you own the land that you farm on?	Yes No		
4.3 b If no, who owns the land?	a) Man b) Family c) Clan d) Land lord e) Other (Specify)		
4.4. How did you acquire this land?	a) Inherited from parent(s) / relative(s) b) Allocated by government/ local authority c) Exchange for other property d) Bought from private individual e) Acquired by seasonal hiring f) Acquired by marriage g) Squatter		
4.5. Do you paid land rates/rent	Yes		
	No		

4.6. Have you ever been evicted from your home at any time?	Yes		
	No		
4.7 a Do you have any documentation to support your status of stay on the land?	Yes		
	No		
4.7 b. If yes, mention the type of documentation you possess?	a) Land Title b) Rental contract / agreement c) Registered lease d) Land certificate e) Other (Specify)		
4.7 c. If no documentation, why?			
4.8 a Have you received any training on Land rights and ownership?	Yes		
	No		
4.8 b If yes, what areas where you trained on?			

5.0 Gender and land ownership

5.1 a. Are women entitled to own land in your community?	Yes		
	No		
5.1 b If no, why?			
5.2 a Do we women own land in your community?	Yes		
	No		
5.2 b If no, why?			
5.3 Why do you think women are denied opportunity to own land in your community?			
5.4 Are you aware of any law empowering women to own land?	Yes		
	No		

5.5. In your opinion, who should own land?	a) husband b) wife c) husband and wife d) person who bought it		
5.6 a Do you think women/girls should inherit land/property?	Yes		
	No		
5.6 b If no, why?			
5.7 Do you know how to write a will?	Yes		
	No		

6.0 Land registration

6.1 a Do you have a land title?	Yes		
	No		
6.1 b If no, have you ever tried to apply for one?	Yes		
	No		
6.2 What challenges did you encounter while applying for the title?	a) Prohibitive costs b) Time consuming c) Registration is a very complex process d) Land title officials are unreliable e) Not sure of the process		
6.3 Approximately how much did it cost you to obtain the title for the land you registered?	UGX.....		
6.4 Do you know the office in charge of land registration in your District?	Yes		
	No		
6.5 a. Have you visited the office in charge of land registration?	Yes		
	No		
6.5 b. If no why?	a) Not cooperative b) Not aware of process c) have no trust d) process is cumbersome e) other (specify)		
6.6 Have you received training on land registration?	Yes		
	No		
6.7 a. Do you know how long it takes to get a land title?	Yes		
	No		
6.7 b. If yes, how long?	1 month 2 to 3 months 4 to 6 months 7 to 12 months		

	More than 12 months Others specify	
6.8 Is it important to obtain land title certificate?	Yes	
	No	
6.9 In your opinion, what is the benefit of owning a land title?		
6.10. Do you know the process of application for a title for land?	Yes	
	No	
6.11. If yes, can you mention the steps?		
6.12 What is your level of satisfaction with land registration services in your District?	a) Very dissatisfied b) Dissatisfied c) Satisfied d) Very satisfied e) Not sure	

7.0 Nature of land violations

7.1.a. Have you experienced any land disputes?	Yes	
	No	
7.1.b . If yes, mention it/them		
7.2. What is the dispute arising from?	a) Lack of awareness of rights b) Conflicts with land lord c) Conflicts with in family d) Political interest e) Disputed ownership boundary	
7.3 What has come out of the disputes?	a) Killing b) Assault/injury c) Destruction of houses d) Destruction / theft of crops e) Killing / theft of livestock f) Witch craft g) Divorce h) Others (specify)	
7.4. a. In case of a dispute do you know where to report?	Yes	
	No	
7.4. b. If yes, where do you report?	a) Police	

	b) L.C c) Elders d) Land Tribunal e) Others (Specify)	
7.5 a. Have you ever got remedy from any of those power centres?	Yes	
	No	
7.5.b. If no, why?		
7.6 What is the current status of the dispute you encountered?	a) Dispute on going b) Dispute settled by parties c) Dispute settled with help of mediation d) Dispute resolved in court, parties accept decision e) Dispute resolved in court, losing party does not accept decision f) Others (Specify).....	
7.7 What is your level of satisfaction with enforcement agencies in handling disputes?	a) Very dissatisfied b) Dissatisfied c) Satisfied d) Very satisfied e) Not sure	

END

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