Land Information Management in Uganda: Current Status

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Abstract

This paper presents the current status of land information management system in Uganda, the different problems faced with the system and the practical solutions to the problems. Land is the basic element of development and more especially in developing countries such as Uganda. A good land administration system is a prerequisite for proper land management and information about parcels of land is the basis on which a good land administration and land information system can be built. In this review, issues and problems pertaining to land information management in Uganda are examined. The roles of various stakeholders, the nature and format of the information are discussed and how handling of this information has affected land administration in Uganda. Furthermore, the various efforts being taken by the government of Uganda in addressing land administration problems are highlighted. Finally, possible solutions to the land information handling problems in Uganda are proposed.

Keywords: Land Information Management, Land Registration, Land Information System

1. Introduction

Land is the most valuable resource, and more so, in developing/agricultural-based countries such as Uganda where the majority of the people stay in rural areas. According to Ubink (2008) citing Toulmin and Quan (2000a: 1-2), land is a great asset of importance to African economies as a source of income, food, employment, export earnings and it also has a great social value as a place for settlement on which people live as well as symbolic and ritual associations such as burial sites, sacred woodlands and spiritual life.

Land information management refers to the way information about land is handled or dealt with. Broadly, it includes activities of capturing, organising, integrating and distributing of land related information. The information could be in digital or paper form. Mulaku (1997) identifies that making use of the available resources in terms of information, human and technology towards an effective decision on land, is the major objective of land

information management. Land information management also offers tenure security, promotes economic development in terms of creating good land markets and appropriate land use planning; it also reduces conflicts on land and encourages good land management practices. Little or no land management is a sign of little land information (Lemmen, 2010).

In Uganda, efforts to improve land information management and land administration systems have been on for a long time. Some of the earliest studies such as Greenwood (1990) and Larsson (1990) made recommendations, some of which specifically focused on addressing problems of land information handling. Other studies undertaken later on such as Swedesurvey (1996) and Computer Supplies Ltd (1996) merely echoed the recommendations of the previous studies. As more studies and interventions gained momentum in the land sector, the government of Uganda decided to formulate a policy that would guide land management and land administration interventions and actions. Indeed, the Land Sector Strategic Plan (LSSP) of Uganda 2001-2011 was formulated by the government to help guide in the utilization of Uganda's Land Resources for Sustainable Development. Its Strategic objective number 4, which is considered to be the most relevant for land information management, is to increase availability,accessibility, affordability, and use of land information for planning and implementing development programmes. One of the strategies to achieve the objective is to introduce a unified, relevant and accessible Land Information System. The other strategy is to implement systematic demarcation of land in Uganda.

The major action towards implementing objective no.4 is the Private Sector Competitiveness Project II (PSCP II) which is a 5-year project funded under a credit arrangement from the World Bank to the Government of Uganda for developing a National Land Information System. Although the Strategic Plan is coming to the final year of its targeted implementation, it is still not clear to what extent it has impacted on land information management in Uganda. Despite this uncertainty, it is clear that the plan has paved way for the improvement of land information management in Uganda. Finally, in light of the above strategic plans and policies, it is clear that the government is increasingly acknowledging that improving accessibility to land information will lead to utilization of Uganda's land resources for sustainable development.

In Uganda, Land Information Management is principally tasked with some departments in the Ministry of Lands, Housing and Urban Development. However, under the Local Government Act, powers were given to lower

local governments, more especially at the district level to manage land information in their respective jurisdictions. Currently, there are 112 local governments of district status and each district is mandated to have its own land office. Stakeholders in land information are individuals, government and non government organizations. The roles of the stakeholders and the nature of information handled are summarized in table 1 below.

Government uses information generated by stakeholders for planning and to a less extent for taxation purposes amongst others. The public, who are the biggest users of land information, normally play a role for providing information to the land information management system through land transactions and conveyancing. They are therefore the priority beneficiaries for the improved land information management system.

Table 1: Stakeholders in Land Information Management in Uganda

Stakeholder	Role	Nature of information generated/handled	Remarks
Department of Land Registration	In charge of land registry	Titles information, transactions, mortgages caveates	Information stored in paper form and sorted different according to land tenure system. It may take from one month to 6 months to acquire a title upon presentation of documents.
Department of Surveys and Mapping	Map production from different type of surveys	Cadastral and topographic data, aerial data	Work is still done manually in some offices since there is lack of appropriate and upto date equipment. This slows down the map production process.
Department of Land	Preparing, the initial	Legal framework, valuation reports,	The department is an interface

Administration	documentation leading to land matters and valuing land property where government interest is involved	valuations for compensation, stamp duty, leasing of land etc	between the land data providers (surveys and mapping) and land users
Physical Planning Authority	Preparation of structure and detailed plans	Land use and planning	Data used is provided by the department of surveys and mapping
Uganda Land Commission	Holds and manages land acquired by the government both here and abroad	Leases, transactions	They grant leases on public land and also help government acquire or buy land.
District Land Offices	holding and allocation of land in the district which is not owned by any person or authority and determine compensation rates.	Title information, transfers, compensation rates	They approve or reject a ward of customary certificates. They maintain registers of leases in the districts. However there is no requirement to update such certificates and there is no register of land sales
Area land Committees	Land inspections to verify information supplied by applicants and recommendation to district land	Minutes of land applications decisions, land applied for, land adjudication issues and decisions	Recommendations made by area land committees are used by district land boards to grant leases, freehold and customary certificates to

	boards		applicants. Area land committees are transported by applicants to do adjudication. The speed at which they do the work sometimes depends on the facilitation.
Magistrates' courts	Handle disputes arising on land	Lease, repossession, transfer or acquisition, compensations	They replaced the land tribunals. Their decision can be appealed if individuals are not satisfied with the ruling.
Private Surveyors	Carry out cadastral surveys	Establishment and verification of boundaries. Raw data for production of maps is obtained	Information collected from the field is converted to coordinates. In order to minimize errors and effect validation, this data is manually checked by the government/district surveyor
Real Estate Agents	Acts as an intermediary between seller and buyer	Transactions, transfers, mortgages, leases	The information they have is mainly about the land and property market. Without good Land information, it is impossible to have efficient systems for property transactions.
Traditional Rulers	They have power to influence	Leases, sales	Own land under traditional settings

	masses. They also own large tracts of lands.		
General Public	Provide information to the land management system	Land transactions, conveyancing	They facilitate in the updating of the register.

2. Current status of land information in Uganda

Implementing policies on land to support economic growth is not possible if there is no good land information (Ahene, 2009). The government has for long tried to put in place different mechanisms to check and improve the land information management but these mechanisms have had a very minimal impact.

2.1Status of Survey Information

Survey information mainly includes cadastral sheets, topographical base maps and Job record jackets for storing survey field data and computations. Cadastral data sheets are kept in paper form and compiled at scales ranging from 1:2,500 for urban areas to 1:10,000 and more for rural areas. Most of the sheets are georeferenced to the UTM projection Arc 1960 Datum and the grids are inserted on the sheets. Cadastral sheets for mailo surveys are not geo-referenced since UTM coordinates are not used for surveying parcels on mailo land tenure. Most sheets held by the Department of Surveys and Mapping and districts are in bad physical condition and a number of them are torn. Such torn maps are difficult to scan, geo-reference and digitize. Topographical maps are also in paper form. The 1:50,000 scale maps cover the entire country but have not been updated since the late 1960s where they were compiled by the Ordinance Survey of Great Britain. However, through Japan International Co-operation Agency (JICA) project, some topographical maps covering Kampala and surrounding areas were updated. Most of these maps have been scanned and geo-referenced.

Survey files also known as 'Job Jackets' or 'Job Record Jackets' are only updated in the case of the survey of freehold land (GIC, 2007, p70). According this report, these files are stored in the registry and have been distributed to the district offices where the updates are made and the files are thus not synchronized with the head office. The survey files are sent to Lands

and Surveys at Entebbe for checking and not returned to the district. The surveyors who require information (control) for surveys on adjacent plots can access these files. The number of such survey files is estimated to be 7,000-8,000.

2.2 Status of Land Registration Information

Land registration provides an underlying structure on which ownership rights in land are recognized (Dale and McLaughlin, 1999). In addition, land registration also helps in resolving or reducing land disputes and provide information for processes like land valuation (Steudler, 2004). In Uganda, registration of land is voluntary. Mailo land is registered in a mailo register which uses a system of block and plot numbers as the land unit identifier. Freehold and leasehold are registered in a different register which uses the volume and folio numbers as a unit of identification. However, certificates of customary ownership are kept at the district by the District Land Board. Land registration information is still largely manually managed with some information missing from the register making it incomplete and outdated.

According to GIC Ltd (2007), 60% of the information in the land registry has never been updated. A study of the land registry (Greenwood, 1990) reported that high transfer costs and ignorance of the law were the major reasons why people preferred not to register their properties. Although there has been an initiative to improve the land registry through computerization by using a software for automating the database called TRIMand scanning of land records under the USAID-funded Support for Private Enterprise Expansion and Development (SPEED) project, it has not produced much positive results as far as land information management is concerned. Archiving of the land records has been done making the storage rooms that once looked packed with torn records all over the floor as seen in Figure 1, look well organized as seen in Figure 2.

Figure 1: State of land registry before archiving (Ahene, 2009)

Figure 2: Land registry documents archived (Ahene, 2009)

2.3 Status of Land Administration Information

Land administration information is important because it's on this information that land management is built. This Information is used in preparation of the initial documents that are used to generate policies and laws in land matters. It also contains information used to generate reports on valuation of different properties in which government interest is involved. This information is also found at the land registry. The problem is that the room is full of dust and rain easily finds its way to the room(Computer Suplies Ltd, 1996). This has caused damage on the files which are overflowed in the storage racks but efforts are being made to reconstruct them.

3. Challenges Facing the Current Land Information Management System and Processes

Various studies carried on in Uganda since 1990 show that there are problems of land information management and processes. The government has tried to come up with strategies like decentralization and computerization to overcome this problem but it has persisted. Good land information management should ensure that information can easily be accessed by the users, at the same time, it should be easily shared from the producer to the users and between the users (Mulaku, 1997).

3.1 Analogue system

Uganda has been using a manual system of land records management which are in poor shape. Reliance on this data can be misleading since it comes with different levels of inaccuracies and misrepresentation.The current system is slow, inefficient and puts information at risk of being lost due to wear and tear. This makes land information difficult to update, analyse, track changes and are also subject to constant wear and tear hence leading to critical data losses. This analogue system makes data sharing, dissemination and checking very difficult and cumbersome.

3.2 Legal Framework

There are various laws affecting land records management in Uganda. Examples of some of the laws and legislation affecting the management of land records include Registration of Titles Act 1924, National Records and Archives Act 2001, Land Act, Evidence Act 1909, Survey Act 1939 etc. Some of the laws are outdated and cannot hold for the current situation while others are overlapping or duplicates. For example, according to Barata (2001), "The Evidence Act is ambiguous as to whether microfilm or electronic records are admissible as evidence in a court of law. Moreover, there does not appear to be any precedents in case law. If a computerized

land information system is pursued in future, the legal admissibility of microfilmed or digital information will need to be clarified."

3.3 Lack of Integrated information

There are various institutions that require different types of land information for their day to day operation. They include, but are not limited to; National Environment Management Authority (NEMA), National Forestry Authority (NFA), Uganda Bureau of Statistics (UBOS), Ministry of Lands, Housing and Urban Development (MoLHUD). Since there is no centre for readily and accessible land information maintained by the government, different institutions generate their own data sets which they use to meet their institutional mandates but do not readily share information with each other (Giddings, 2009). This has led to duplication of data and the accuracies of these data cannot be guaranteed. This does not only waste money, it can easily lead to disputes and conflicts due to mismatches in the information (Computer Suplies Ltd, 1996).

3.4 Public Ignorance and Bureaucratic Procedures

Ignorance of the public coupled with bureaucratic procedures has caused land information inefficiency in Uganda. Majority of public does not know the costs or even procedures for registering a property in case the property has changed hands whether through transaction, inheritance or gift. It is also very difficult to get land information from the registry. As a result, for one to get land information, they employ a chain of people which not only led to high costs but a breeding ground for theft and forgery. This has also made people lose trust and confidence in the system (Galiwango, 2008; ILS Inc, 2010).

3.5 Staff Capacity

There are staffing problems facing offices in which land records are kept (Barata, 2001; GIC,2007). In most offices it is either that the number of staff recruited is less than the required number or the recruited staff do not have the required skills and the education levels for the positions they are occupying. This has led to too much pressure and backlog of work. The end result is that the staff become inefficient and the whole process becomes slow. To make the situation worse, the staff are lowly motivated (GIC, 2007).

4. Proposed improvements

The way forward is based on the challenges identified in the previous sections. However it should be noted that the challenges being faced in the land information management system are not limited to those in section three above. Also principles of good governance in land administration as explained by Zakout et al (2009) and Williamson et al (2009) are being used as a basis for the way forward.

4.1 Staff training, development and recruitment

There is need to train more people to management and administer land record practices in the various districts. People should be trained at both a lower (technicians) and higher (managerial) level since systems/technologies are dynamic and change at all times and levels. There is a need for people involved in land information management to have broader knowledge on land which will enable easy exchange and interaction of information. The staff can continually be trained through seminars, conferences, workshops, short and long courses. This will enable staff to be competent and well informed. There is also need to recruit the required number of staff inorder to enable staff work without pressure resulting from much backlog.

4.2 Legal Reforms

For Land Information System to operate effectively there is need to have a supportive legal and policy framework to regulate its operations and reduce any legal challenges that may arise. One of the possible ways of having an adequate legal frame work is by harmonising and updating the current laws and regulations. The laws should be reviewed, amended and updated all the time as to meet the changing demands on land. For example laws governing the disciplines of land need to be updated to fit within the trends of modern technology and allow the use of such equipment such as Global Positioning System, Geographical Information System and eventually Land Information System.

4.3 Developing a National Land Information System

Augustinus (2003) observes that unless Uganda gets an appropriate land management system, economic and social services will not be delivered to the citizens and worst still, sustainable and affordable security of tenure will

never be offered. A land management system which is interlinked nationwide should be developed to enable easy sharing and transfer of data from the different parts of the country. However it should be noted that Land Information System should be supplemented with other tasks which include; harmonizing and updating the legal frame work, updating the cadastre and land register, streaming the land register, etc.

4.4 Decentralization of Local Land Record Offices

Government passed the Local Government Act of 1997, which provides the legal basis for decentralization and the devolution of functions, powers and services from the centre to local governments. This will increase transparency and governance of land information which will reduce on bureaucracies involved. It will also contribute greatly towards getting people interested in the system since services will be brought nearer to the public. It will help in the process of updating the registers. Decentralization can only work if there is capacity building in the land sector in terms of personnel who are qualified and highly motivated, equipment, office space and financial resources to kick start the initiative and also keep it going.

4.5 Public Involvement and sensitization

Public involvement is essential in any innovation if it is to succeed as it's the needs of the users of the proposed innovation that is focused on. Public involvement acts an educator to the masses and an evaluation for the system that is being developed or used. It also makes the community feel they are important and so they will work together in order to ensure that any proposed development takes place. It also serves to make an innovation better since they could be having solutions to the problems. However there is need to for sensitization campaigns to increase the level of awareness and appreciation of land related

4.5 Incentives to have land registered

Currently, majority of land in Uganda is not registered. It is estimated that only 18% of land owners have ownership claims (Ahene, 2009). Various studies have shown that some of the reasons individuals do not get their land registered is because of the high costs and time entailed. Government should work out a means of making sure that the public sees reasons to have their land or properties registered whenever a transfer or subdivision takes place. This will help in keeping land information up to date. Systematic demarcation should be encouraged by government in areas where land is not surveyed if an increase in formalization of land ownership in Uganda is to be

achieved as fast as possible. With a higher number of registered properties, information will be readily available.

4.6 Strong Institutional Linkage

Strong institution linkages should be embraced to avoid data duplication and overlap. This will help streamline data and information in preparation for a land information system. Institution linkage will enable data sharing amongst institutions that use the same data. This linkage will enable institutions to not only generate information they can use internally, but generate information that can be used externally by other institutions. The other alternative to avoid duplication is that the ministry should be the sole provider of land information. The information between institutions and government could be shared; manually by using disks, electronic linkage that is use of email and fax are by an integrated approach of wide area networks. This saves on the time and cost institutions would use to generate similar data sets.

5. Conclusion

Good management of land is dependent on the quality and standard of land information and the efficiency of the processes involved in land information generation and dissemination. It is recommended that the problem of land information inefficiency in Uganda should be dealt with using a multiple approach dimension. The approaches include human resource training and development, consistent availability of financial resources, introduction of IT technologies, using of the integrated approach, public involvement and sensitization. These approaches could be carried out simultaneously or concurrently if tangible results are to be realized.

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