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Enhancing Tenure Security for Customary Lands and Natural Resources in Karamoja Region through Participatory Community Mapping

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Abstract:

Since 2009, Uganda Land Alliance (ULA) has been working with the people in the Karamoja sub-region in north eastern Uganda to a certain tenure security through community participatory mapping as provided for in the 1998 Land Act for purposes of protecting communal land from boundary conflicts, grabbing and land related conflicts. Land in Karamoja is mostly held collectively by communities under the customary tenure system which allows the people to practice pastoralism, their main source of livelihood. The Nature of land in Karamoja region is characterised in such a way that it's not demarcated, surveyed or registered. The discovery of mineral resources in the area and peace building process in the region made the communal land more vulnerable as individuals and corporate entities rushed in to acquire land for mineral exploration, mineral exploitation and other commercial activities. Community Participatory Mapping was conceived by ULA as the most viable option to protect the land rights of communities in Karamoja. The law as it is on customary tenure makes proposals that have neither been tested nor implemented ineffective due to cultural rigidities, making this a very grey area given the fact that over 80% of the land in Uganda is governed by traditional customs and norms defined by each particular community or group of people. Sections 4 – 27 of the Land Act give an elaborate procedure of how customary land may be administered but none of these have been tested. This therefore calls for participatory community mapping, intended to test out these methodologies in a bid to enhance tenure security and therefore, learn lessons for possible replication. Today, there are 35 parcels mapped in the District of Napak Iriiri-sub-county under Karamoja Region. Other districts of Amuru, Katakwi, Apace and Kampala that have adapted to community Participatory mapping using Open source technology (STDM, OSM and QGIS) which are ready for registration of interest so that they can be recognized as legal Documents with powers to manage communal land. Although the mapping process is still ongoing, The Government of Uganda through Ministry of Lands have started taking part in demarcation through community mapping to have interests registered on land. Uganda land Alliance has adapted to using innovative technologies such as Social Tenure Domain model (STDM) Open source such as Quantum GIS and Open Street Mapping (OSM) for the mapping process and this will contribute to the thematic area: Enhancing tenure security for customary and common lands and natural resources (including water rights) formalizing and

scaling of participatory land use mapping; inclusive organisational models and transferability of rights.

Key words

Tenure Security, Participatory Community Mapping, Community Land Rights, Systematic Land Demarcation, Open street mapping and Social tenure Domain Model (STDM).

Introduction and Background

As a result of insecurity, Karamoja has for a long time been ignored by the government and remains closed to interventions from civil society. Karamoja is now in a transitional period with high hopes of sustainable peace being achieved, and therefore this has ushered in a period/window of opportunity for recovery. With the above said, land is the center of recovery and peace building process in the region. Now that the area enjoys a considerable amount of stability and peace, with an ever increasing dependence on the agriculture as a livelihood option, pressure has began to mount on land and natural resources to render survival of the locals. Conflicts are beginning to arise within communities, and land transactions are beginning to happen, potency for conflict over land because of the richly endowed soils and mineral wealth.

Furthermore, evidence points at cattle stock dwindling and so land is gaining more significance and thus the need to own land. Results of the baseline survey conducted in September 2008 revealed that in the project area 81.9% of the population depended on Agriculture and only 1.9 % was engaged in cattle keeping³. (Uganda land Alliance)

In addition to the above the baseline survey indicated a shift from livestock to sedentary agriculture among these communities. However, the challenges faced by these communities during the transition are enormous and these have created the need for the ascertainment of their rights to land through participatory community mapping to guarantee security of tenure and therefore enhanced productivity. With the above mentioned, there is a reduction in migrations and nomadic practices which were earlier on taking place, and therefore this has created the need to ascertain and reinforce ownership patterns.

With support from the FORD Foundation and Danish Church Aid (DCA), collection of original and geo-referenced data using interviewing and sketch mapping was carried out from April to September 2009 to ensure that the community can conceptualize the project objectives through community sensitization on gender dynamics in land ownership, community mapping concepts, benefits that will accrue to them,

³ Uganda Land Alliance Baseline study for Iriiri sub-county – Moroto district September 2008

significance of registration of land, the procedures that will be used in the exercise and the procedures for applying for a certificate of customary ownership.

Furthermore, there is a growing perception of speculation on land in Karamoja (Kabong, Kotido, Moroto, Abim, Nakapiripirit, Amudat and Napak, strange faces are seen by the communities inspecting the land as they watch helplessly because they do not know the extent of their rights, boundaries all because of the high levels of ignorance. In addition, ownership of land has led to huge swathes of land being allocated as game parks and game reserves logging concessions, mining and protected areas or as large scale agro-plantations, often with little consultation or consent of local pastoral communities.

The law as it is on customary tenure makes proposals that have neither been tested nor implemented ineffective due to cultural rigidities, making this a very grey area given the fact that over 80% of the land in Uganda is governed by traditional customs and norms defined by each particular community or group of people. Sections 4 – 27 of the Land Act gives an elaborate procedure of how customary land may be administered but none of these have been tested. This therefore calls for participatory community mapping, intended to test out these methodologies in a bid to enhance tenure security and therefore, learn lessons for possible replication.

Participatory maps often represent a socially or culturally distinct understanding of landscape and include information that is excluded from mainstream or official maps. Maps created by local communities represent the place in which they live, showing those elements that communities themselves perceive as important such as customary land boundaries, traditional natural resource management practices, sacred areas, and so on.

Through the identification, adjudication and registration of interests, these community led land reforms can be recognized and later on be perfected by the state, taking into consideration the fact that Government itself through its Land Sector Strategic Plan (LSSP) is piloting the ascertainment of boundaries on customary tenure and registration of those rights through a program called Systematic Land Demarcation⁴. The Participatory community mapping exercise will

⁴ Systematic demarcation of land has so far been concluded in Ntungamo, Iganga and is being implemented in Mbale and six other sites

ensure that the outputs are of a standard enabling the issuance of certificates of title. Geo-referencing community spatial knowledge will provide the accuracy needed in community led processes for the government to recognize the results. Mapping for land registration enables information to be transferred and digitized into a Geographic Information System (GIS)⁵. The process should however, be affordable and be made user friendly, generated by the participation of the community and thus making the entire process clearly understandable by them.

Collection of original and geo-referenced data using interviewing and sketch mapping should be carried out to ensure that the community can conceptualize the idea through community sensitization on gender dynamics in land ownership, community mapping concepts, benefits that will accrue to them, significance of registration of land, the procedures that will be used in the exercise and the procedures for applying for a certificate of customary ownership. Such practices have been noted in Irriri sub county Napak district and Adangi village Apac district as embraced by Uganda Land Alliance. Through sketch mapping, communities are able to identify their natural resources, institutions in their communities and public facilities like roads, health facilities, schools and water points.

Further to this, community mapping is a broadly inclusive way to bring community members, civil society, local governments and the central government together to better understand the places in which communities live, the social, economic and political issues affecting those places and the means by which those issues might be addressed.

In addition, this places emphasis on customary land, entails generation of information for community empowerment through implementation. It seeks to gather gender disaggregated information on overlapping land claims and provide spatial information that is useful for territorial planning and natural resource management. It also aims at defining and securing secondary rights to land and enhancing local governance structures as means to defend or advocate for the rights of indigenous people all of which are fundamental in defining the livelihood strategies for the communities.

⁵ Software that interprets captured survey data and represents it on a map for decision making. The Land Act, 1998.

Methodology:

The Uganda Land Alliance intervention in Karamoja through community mapping has enabled the use of information generated for community project design and implementation, thus empowering people and their communities. Community mapping has gathered gender disaggregated information on overlapping land claims where duties, rights and responsibilities are not clear and provides spatial information that is useful for territorial planning and natural resource management by the communities. Through this clearly distinguishing gender roles in the process and assigning responsibilities for the harnessing of the resource base. It has mapped cultural and socio-political relations underlying the spatial information and socio-institutional structures that govern natural resources. Here, the roles of the women and the youth have clearly been defined in the process. Furthermore, secondary rights to land have been clearly demarcated e.g. access to grazing land, water resources, fruit trees, firewood lots etc. as these are fundamental in defining the livelihood strategies for the communities.

Community mapping has buttressed the community's own vision of development and economic growth, of peace and security, and of their needs as a community, especially the role of women in the management and administration of land. The cultural dimension of this is that community mapping has the potential to enhance local governance structures as a channel through which to defend or advocate for the rights of indigenous peoples (of which the Karamojong form part) to their ancestral lands. Through the community mapping office and the community volunteer program, community representation in courts of law and other adjudication for a have been made possible.

A reliable and regularly updated cadastral system ⁶will enhance land security for the rural people as this system will be maintained by the community itself with a decentralized land administration system created and monitored with the participation of the community. The office of the sub county chief is the recording office for land transactions according to S. 68 of the Land Act Cap227.

Community mapping for land use planning and natural resource management is one critical area where this project becomes critical. Planning and managing land use is

⁶ A cadastral system records details on parcels of land including ownership, sub divisions, encumbrances, etc.

intimately linked to tenure security. The consolidation of secondary rights to land not only enables the definition of livelihood options and strategies, but also defines the comparative advantage of a communal tenure system as alternative or complementary to an individual ownership/tenure system. In this, issues of pasture management, land and water use optimization, thus taking into consideration the past, present and future natural resource use.

Community mapping will be a powerful mechanism to transform and possibly resolve disputes and conflicts by accompanying it with lobby for effective decentralized institutions for conflict resolution (Local council court systems, and magisterial courts) accompanied by a broader effort to empower communities and their traditional institutions in dispute resolution. This mapping project can help manage internal dynamics and disputes or conflicts not only through the identification/strengthening of dispute resolution capacity of the traditional authorities and local councils as stipulated in S. 76A and S.88 of the Land Act but also through the community volunteer program defined in the cultural context of Karamoja.

This project will aid planning and spatial integration especially in identifying administrative units while helping communities to include their concerns in an enlarged integrated vision of the reality. Thus, by using a common spatial framework, the maps will fortify the community's understanding of how physical, social and political factors interact.

Although civil society in the region has provided for a relatively conducive space for civic engagement between the people and the government, effective participation in this space is often marred by factors which include limited degree of knowledge and skills. These further affect consensus building and political activism. ULA aims at strategically replicating approaches and models that have been tested and proven in improving the livelihoods of the people to increased protection of their land rights by building the capacity of grass roots civil society and other key actors in the land sector at the community, district, and national level.

Community Mapping Exercise

The Land rights Centre will double as a community mapping office because of the additional function it will play in supporting the communities in the adjudication and ascertainment of their rights to land. The Land Rights Centre must be set up prior to the commencement of the program. In addition, the equipment for implementing the project must be in place and pre-tested prior to the training of community members in its use. The sub county of Irriri availed land for this project and the challenge is in its construction.

The Collection of Original and geo-referenced data, using interviewing and sketch mapping will be undertaken to enable the communities in a rudimentary way identify their natural resources and institutions within the community and public facilities e.g. roads, health facilities, schools, water points, etc. Through this process, identifying the boundaries of individual or communal parcels will be undertaken with a view of determining the limitations of a rights holder and the solving of any disputes that may be present. Land use patterns will also be identified at this point. This information will then be represented on a Satellite imagery map through the use of Differential Global Positioning Systems (DGPS)

After the measurement of parcels, the technical team with the participation of the communities will compile a map showing each land parcel shape and size. All land parcels in a given location will be compiled and displayed so that the communities view, approve or recommend readjustment of the parcels information. Where issues arise, the parties concerned will agree to redraw their physical land boundaries. Computer Mapping will be managed by the community members with the support of technical experts at the community office to provide the community mapping teams with geo-referenced data. Geographical Information system (GIS) will be exclusively used by experts to capture more complex information relating to land use and natural resource management applications, poverty and vulnerability, seasonal movements in gathering, grazing and hunting, etc. GIS will also be used to produce high quality maps for support in negotiating for registration of tenure rights through the use of intermediate printers.

At the end of this, it is important to carry out a participatory social Impact Assessment PSIA. The PSIA is a systematic and interdisciplinary approach to evaluating the distributional impacts of policy reforms on income and non-income well-being of stakeholder groups, with a specific focus on the poor and vulnerable.

Recording of Land Rights

In law, it is only government to issue certificates of customary ownership, certificates of title or certificates of customary ownership. But because of the involvement of the land administration institutions in the exercise, the ascertained land rights will be recorded with the sub-county chief where a copy of all the documentation will be kept. A temporary certificate will be issued to the communities showing the mapped land. This certificate will clearly show the spouse' interests either as co-owner or one for whom consent is required. Pictures of both husband and wife will be included.

Karamoja sub-region

Karamoja sub-region is located in north eastern Uganda bordering Kenya in the East and the Republic of South Sudan in the North. It is currently made up of seven districts namely Abim, Amudat, Kabong, Kotido, Moroto, Nakapiripirit and Napak (Figures 1&2). It constitutes about 10 percent of Uganda's total land area of 241,550.7 square kilometres. It is characterized by typical rangeland conditions with unreliable rainfall, a long dry spell and infertile soils. It is home to about 1.2 million people, the majority of whom are indigenous Karamojong that practice a combination of pastoral and agro-pastoral livelihood. The basis for social organisation of the Karamojong is the clan. Below the clan are sub-clans, lineage groups and homesteads which claim common descent. By tradition, men are the main formal decision makers. The women have no direct role in decision making but can influence decisions through men (SNV, 2004).

According to the Uganda Demographic and Health Survey of 2011, human development indicators in Uganda are lowest in Karamoja sub-region. At least eight in ten households in Karamoja are in the lowest wealth quintile. Access to basic social services is largely limited. Only 11 percent of the people there are literate (UDHS, 2011).

Why select Irriri for Community Mapping

The selection of Irriri sub-county for this project was purposive. Irriri sub-county is becoming cosmopolitan in nature drawing settlers from the various parts of Karamoja although dominated by the Bokora, the Pian and some Iteso. There are trading centers mushrooming raising the need for physical planning as the population growth rate rises. People are organizing themselves into permanent settlements and have started owning land on permanent terms.

Because of the fertility of the land and the drastic reduction in cattle population, people in Irriri are orienting themselves from pastoralism to Agriculture. The rapidly increasing population in the area is putting pressure on the settled areas raising anxiety and disputes over land. There is a need therefore to ascertain boundaries in this area.

National Land Policy

The National Land Policy is taking center stage in land sector activities. The experiences gained in this community mapping project will go a long way in clarifying issues and especially strategies that should be adopted in the National Land Policy for the administration of customary land. In societies where the role of the traditional authorities is still highly respected and recognized there is need to examine how formal law interacts with custom in delivering land rights to the people it seeks to serve.

The Justice Law and Order Sector (JLOS)

The JLOS has positioned itself to strategically strengthen the capacity of justice delivery institutions for efficiency during the recovery and reconstruction phase in Northern Uganda. The sector conducted a study on land and family justice which among others recommended the use of alternative dispute resolution methods. The sector has supported the development of local council courts in 80% of districts in Uganda. These are complimentary to ULA's proposed intervention (community mapping) in the region which was envisaged and tested in other areas as a mechanism that can be enhanced to protect and promote the land rights of the vulnerable, women, men and children and ultimately increase access to justice.

The National Peace and Recovery Development Plan (PRDP)

The peace negotiations paved way for an interval of peace in the region upon which the GOU has embarked on a program to resettle the people and reconstruct Northern Uganda.

The PRDP which is a multi-faced program aimed at recovering and reconstructing Northern Uganda, the West Nile Region and parts of North Eastern and Eastern Uganda was launched in October 2008. The proposed intervention of ULA in the region is directly complimentary to Programs 8 and 13 of Strategic Objectives 2 (Rebuilding and Empowering Communities) and 4 (Peace Building and Reconciliation) of the PRDP. ULA's activities in Irriri, Apac and commencing activities in Pader, Amuru and Katakwi complement these PRDP program areas.

The Karamoja Disarmament and Development Program (KIDDP)

The overall goal of the KIDDP is "To contribute to human security and promote conditions for recovery and development in Karamoja". This elaborates the Karamoja component of the PRDP with much emphasis being placed on peace, recovery and development. One of the objectives under component number 4 of the KIDDP (2007/2008 – 2009/2010) is 'to Secure the land rights of communities in order to encourage sustainable utilization of natural resources'⁷. This implies that the community mapping project under ULA directly feed into the KIDDP. Which provided a benchmark under which the land rights related activities under KIDDP would be implemented in the rest of Karamoja.

The Uganda Pastoralist Week

The Coalition of Pastoralist Civil society Organizations (COPACSO) under the auspices of the Uganda Land Alliance started a Uganda pastoralist week (UPW) in 1996 as an avenue to bring to the national platform issues and pastoralist concerns. This was started by Kenya and that Tanzania had its self inaugural pastoralist week.

Lands of pastoralist communities are often viewed as open access resources with no body paying particular attention to their management and governance. Through this project, mechanisms to harness the common property resources to which pastoralist lands belong will be undertaken. This will give best practices that will be

⁷ Program component 4 of the KIDDP is on 'supporting the development of alternative means of livelihood'. See KIDDP document (2007/2008 – 2009/2010), Office of the Prime Minister.

shared with the stakeholders in the Uganda Pastoralist week to enable replication to other areas be agreed upon and thus enhancing the harnessing of pastoralist lands from land grabbing and speculators.

The Uganda Pastoralist Week (UPW) creates a platform through which pastoralist concerns as a minority community are raised high on the National Agenda especially in the National Development Plan, Water for production policy and the Rangeland Policy. High among these is the recognition of land and water rights for pastoralist communities. Community Participatory mapping therefore, tests methodologies using the community itself in harnessing their resources and seeking for the protection of their rights. The results from this project will go a long way in impacting the lives of pastoralist communities in this country.

The Traditional Institutions

The traditional institutions have had a significant role to play in resolving conflicts in communities particularly in areas that have relatively settled down in northern Uganda. Uganda Land Alliance has found the engagement of traditional authorities a very useful model both in mobilizing communities and resolving land disputes. The traditional authorities that were used by way of training so that they have adequate information and knowledge on land laws.

Land ownership Karamoja

There are three property regimes in Karamoja: common, state and private properties. The colonial government had set aside 94.6 percent of the land in Karamoja for hunting and wildlife conservation (Rugadya, Kamusiime and Nsamba-Gayiiya, 2010). In 1998, Uganda Wildlife Authority reduced the hunting and conservation area to 53.8 percent of the total land area. By 1992, state-owned game reserves alone covered 6,908 square kilometres of the total land area (Kisamba-Mugerwa, 1992). Access to most of these areas is strictly prohibited. The largest part of the remaining land is held communally for grazing, habitation and migration (Human Rights Watch, 2014). It is managed collectively by clans, sub-clans or lineages that live in close proximity to each other and share common resources such as grazing areas and water sources. Access to a resource is

determined by one's membership to the particular community (Kisamba-Mugerwa, 1996). The customary land is governed under legal dualism whereby the statutory legal system coexists with the customary system (Rugadya, Kamusiime and Nsamba-Gayiiya, 2010). Individuals also claim rights over small parcels of land for settlement and cultivation, but the larger clan retains powers to intervene in case of conflict or the violation of communally accepted land use practices.

Karamoja problem

North Eastern Uganda has been plagued by armed conflict for 30 years mainly using the gun for the raiding of cattle. The war unleashed a state of anarchy and wreaked havoc on all aspects of life. The formal and informal justice systems have been rendered dysfunctional. Previously the Karamojong communities provided for justice systems in the home, clan, community and society as a whole. In the same way government provide the Police, Directorate of Public Prosecution and the Judiciary to protect and promote justice. These systems were dismantled leaving the military and the warrior camps in authority of what led to massive displacement of people from their homes, deaths and destruction of property and livelihoods. For decades justice has eluded many people in North Eastern Uganda which has been attributed to ignorance and limited access to information among other things. Matters are not helped by increased levels of poverty and yet justice comes with a cost. The most affected are the women and children.

Objectives of the paper

1. To build capacity of grass roots organizations and communities on land rights and to enhance local and national level advocacy for security of tenure and agro-pastoral development.
2. To undertake community Participatory mapping for greater tenure security and improved livelihoods for the poor women, men, other vulnerable groups and youth in Karamoja.
3. To strengthen capacity support for ULA to effectively spearhead state-community engagement in advocating for tenure security and pro-poor land reform nationally and regionally.

Legally prescribed structures and communities

Land rights information is critical to enabling the communities make informed decisions on how their land should be administered and governed and how disputes over the land can be resolved without distorting social cohesion.

Confidence and consensus building are critical to the achievement of this community mapping project. Notices will be placed in every public place and on Radio to inform as many people as possible of the commencement of the project and of the trainings and sensitization meetings that will take place.

Various categories of people will be trained because of the special role they play in the project. The NGOs and CBOs have a strong advocacy role they play in ensuring that land is a priority issue in the District. The Traditional Leaders are mandated under the Land Act to resolve land disputes but also manage land according to customary norms and practices. Training them in the provisions of the law enables them discard the cultures and traditions that infringe on the rights of women, children and other vulnerable groups as stipulated in Article 33 of the Constitution and S. 27 of the Land Act.

The Local councils are democratically elected institutions with roles under the Local Government Act and the LCII Courts Act to resolve disputes and also provide support to communities.

Organizations working in Irriri with which ULA include:

1. OCODI – Omaniman Community Development Initiative
2. IFS – Irriri Farmers Society
3. SVI – Service Volunteers International
4. CHIPS –
5. MONALIP

6. CARITAS

7. Church of Uganda

The communities were sensitized on gender dynamics in land ownership, community mapping concepts, benefits that accrued to them, significance of registration of land, the procedures that were used in the community mapping exercise and the procedures for applying for a certificate of freehold title.

A selected section of the community with a gender balance were trained on the use of equipment and management of information processing.

Summary of Activities

- Carry out Consultative meetings with the local governments and the district land office
- Develop, translate and produce IEC materials
- Translation and production of Paralegal Training Manual
- Development and translation of training manual and translation for CSOs/CBOs, Traditional Leaders and LCs
- Training of CBOS and CSOs on land, land use and natural resources management
- Training of Traditional Leaders
- Training of Local Council Courts
- Training of Community Volunteers/Paralegals
- To set up community mapping office to provide support to persons whose land rights are violated and the community mapping project
- Construction of the Community mapping office/Land rights Centre (Land provided by the sub-county)

Participatory mapping

Participatory mapping - also called community-based mapping - is a general term used to define a set of approaches and techniques that combines the tools of modern cartography with participatory methods to represent the spatial knowledge of local communities. It is based on the premise that local inhabitants possess expert knowledge of their local environments which can be expressed in a geographical framework which is easily understandable and universally recognised. Participatory maps often represent a socially or culturally distinct understanding of landscape and include information that is excluded from mainstream or official maps. Maps created by local communities represent the place in which they live, showing those elements that communities themselves perceive as important such as customary land boundaries, traditional natural resource management practices, sacred areas, and so on.

Participatory mapping has emerged as a powerful tool for identifying, securing and managing community lands as part of a wider trend to promote community engagement in natural resource management in recent years.

Community rights and participatory mapping in the Congo Basin

The Congo Basin is home to an estimated 50 million forest dependent people. Anthropological research suggests that much of the region is subject to longstanding customary tenure and resource systems which are often well defined locally but have little legal expression. National laws which give the state ownership of the land have led to huge swathes of forest being allocated as industrial logging concessions, mining and oil permits, protected areas or as large scale agro plantations, often with little consultation or consent of local forest communities.

Participatory mapping has primarily been used by civil society organisations to support such communities to document their lands and resources in the face of harmful projects – but the technique has increasingly been adopted by other actors, such as logging companies seeking FSC certification or protected area managers. Moreover, it is increasingly seen by policy makers as a key tool for implementing forest sector interventions such as for the demarcation and management of community forests, ensuring FPIC and the equitable flow of benefits in relation to REDD projects and promoting transparent land reform and land-use planning.

Over the past 15 years or so, the discipline has evolved considerably from fairly rudimentary techniques (e.g. compasses) to the kind of custom-built software and GPS-enabled tablets that are available today. New mapping technologies and approaches hold the potential to capture the extent of community land claims in the region – with currently more than three million hectares viewable on the [Mapping for Rights](#) interactive online map alone.

Community Participatory mapping in Kampala

Access to financial services through banks, ATMs, microfinance institutions and via mobile money is a key driver of poverty reduction and financial empowerment, especially for women who have traditionally been excluded from such services.

These services still do not yet reach everyone. Working on the ground in Kampala, HOT is partnering with Financial Sector Deepening (FSD) Uganda, community members, and students from Makerere University to teach community mapping skills and then map banks, ATMS, and mobile money services, along with schools and health sites.

Community-led mapping has served as a starting point to building maintainable, high-quality map products that are open to all while being verified and kept up-to-date by local communities. In the short term, the program has contributed to building a highly-functional local infrastructure and community capacity for mapping. It also makes open financial service provider, health site and school data available in multiple free, accessible formats via Open Street Map (OSM), with the goal of helping service providers to increase coverage and access.

This Tasking Manager Project is directly help the Kampala community mappers by "pre-mapping" basic road and building data that has then be updated, completed and added to by the local project team and community from January - April 2016 (<http://tasks.hotosm.org/project/1334>)

Actual community mapping in Iriiri sub county, Napak

Identified and trained community members who have been used as focal people in the community mapping exercise.

Two trainings were conducted involving identifying and training influential persons from the community who helped in the mapping exercise. A three-day residential training for 25 focal persons was conducted in Iriiri trading centre with one person selected from each village in Nabwal parishes. Three field visits for training of local council leaders and elders were also conducted having four (4) people selected from each village comprising of two (2) LC leaders and two (2) elders. A total of 96 people attended with 72 men and 24 women and meetings were held in the village centres of Naloret, Kodike and Amedek.

The 25 focal people trained from the different villages in Nabwal A and B Parishes
2009

These community representatives received training on how to ascertain ownership rights associated with each parcel of land to be demarcated and were equipped with skills of land rights adjudication especially in their setting where traditional leaders take on this role. The trainings also served to reinforce the leaders understanding of community mapping emphasizing the processes therein, the roles of the different stakeholders, benefits, outcomes and challenges and to counter the politicized stand where demarcation has been made to seem a prerequisite for land grabbing by government and to the community, a breakdown of the cultural bond fostered by the communal ownership and use of their land.

This aimed at identifying and apportioning responsibilities to the community members as stakeholders in the exercise by directing their input in taking the lead role in further sensitizing and preparing the ground when the exercise commences.

The 25 people were trained to have each move with the team in one's village with the elders and local leaders giving back up support to the demarcation team as the constituents of the traditional justice system to mitigate flaws in the community mapping exercise through dispute resolution for the boundary and land ownership conflicts. It was also paramount to have them take the lead role so they may own the process and not have it seem imposed on them.

The community members were tasked to produce sketch maps for individual land parcels and to identify public utilities or communal resources in the particular area. On the map, they located the home, garden and the neighbours to each side of the land for clarity of its confines. The community resources identified included, roads,

schools, health Units, water sources, security units (barracks, police post and prison), rivers, wetlands and mountains.

This was an effort geared towards ensuring social service provision by the relevant authorities both government and Civil Society Organizations as later approved by the District Physical planner and Environment officer.

In here, the different stakeholders in the community mapping process were listed including opinion leaders, local council leaders, Area land committee members, local community, Parish and Sub county chiefs, District Physical Planner and the Environment Officer. These were to form the team to be used in the overall exercise.

Equipment for community mapping including the Differential Global Positioning Systems (DGPS), satellite imagery, laptop, generator and motorbike were purchased to facilitate the mapping team in supporting the communities in adjudication of rights to land.

A community meeting with a total of 160 participants having 103 men and 57 women was convened on the 28th/12/2009 to mobilize communities for the start of the mapping exercise. It involved various stakeholders with local leaders, opinion leaders and representatives of the district leadership, technical staff comprising the District Land Officer and District Physical Planner and the community members. They were briefed on the progress of the project and tasked to carry forward the different roles allocated to them as stakeholders in the exercise. It was decided that the exercise begins in Nabwal A parish with institutional land provided by the community being mapped first as the people clear their parcel boundaries.

The Area Land Committee members who are mandated by law to carry out adjudication were trained in the ascertainment of rights to land through determining the limitations of a rights holder and the land use patterns. In their operation, they would record the land owners and their neighbours, plant survey beacons to each corner point of the land parcel and take readings off each beacon

Using the Global Positioning System (GPS). They were also trained in alternative dispute resolution so they would be able to resolve disputes arising from ownership and use of the land to be mapped.

Six Survey Assistants were selected and trained to handle and operate the survey equipment so as to help the surveyors in the exercise. They were trained in pre-testing the survey equipment, placing it against the beacons planted for the surveyors to take the readings and correspond the information given by the adjudicating team on the form filled to what is on the ground.

Five adjudication teams were formed each having a Survey assistant, Area land committee member, and local leader and community members. Each group was tasked with marking land boundaries by observing corners and turning points along the boundary for individual parcels as well as public facilities like road reserves, health facilities, schools and local government administrative units. Emphasis was placed on having land owners and their neighbours present and sign against the forms completed for each parcel to ensure consent of all parties. For areas in dispute, the committee member in the team would take the lead to have the dispute resolved for work to proceed. For cases where parties in dispute failed to reach an agreement, the parcel would not be mapped to avoid claims of land grabbing.

Methodology for carrying out community mapping.

Community mapping contains a component of systematic demarcation which means that all the land within a given territory is mapped at the same time with community participation.

What does community mapping field work involve?

This chapter outlines the steps that will be taken in carrying out the systematic demarcation exercise by the systematic demarcation team, land committees, LC's, chiefs, community members and other stakeholders. The following are the steps that will be followed to conduct a systematic demarcation exercise.

Steps for carrying out the community mapping exercise.

An application is required to be made to the area land committee which then places a notice in the prescribed form requiring all persons claiming an interest in the land or any adjacent land to attend the meeting of the committee. The meeting is required to be held not less than two weeks from the date of the notice.

Identifying, ascertaining and establishing land rights;

i. What form of ownership is associated with each particular piece of land?

ii. What rights and interests are associated with each parcel of land?

- Mortgage -no
- License- yes
- Sell- yes, but upon the family agreement
- Give away- yes upon the family agreement
- Third party rights/easement-accepted upon community and the local council leaders' agreement
- Clan/community interest- no, there is no Freeland

iii. Who owns each parcel of land in a given area?

- Individual land-yes
- Institutional land- yes for the sub-county was given by the British
- Land for the institutions like the church was got through an agreement
- Sub-county also hires land
- Public/communal land-yes

iv. What types of land use can be identified in the area.

- Agriculture- yes
- Pastoralism- yes
- Fish farming- no
- Wetland utilization- no
- Commercial- yes (upland rice scheme is the only one so far in Nabwal
- Residential-yes

- Infrastructure and development that is schools, hospitals, government buildings and recreation grounds-yes
- Forestry - no
- Industry-no

v. Identifying the different stakeholders in the stakeholders on the systematic process;

- Opinion leaders
- Local council leaders
- Parish land committees and the sub-county land committees(area land committees)
- Local community
- Parish chiefs
- Physical planner
- Environment officer

vi. Sketch mapping process;

- Identifying features for the sketch maps;
- Roads
- Schools
- Health units
- Water sources
- Security units(barracks, police post, prison)
- Garden
- Home/ manyatta
- Rivers, wetlands, trees, mountains

- Neighbors

Identifying, ascertain and establishing Land rights

The first step will be identifying the boundary of the individual piece of land, as well as public facilities. The public facility may include; road reserve, health facilities and schools. It will not only be identifying land rights but also the limitations of such rights and disputes with a view of resolving such disputes.

The phase will involve a set of questions namely;

What rights and interests are associated with each parcel of land?

These interests maybe, easements (rights of another person or persons over one's land), mortgages (pledging of land as security for a loan or credit), licenses, user rights (e.g. family interest for minor children, dependent children, spouses), third party interests, clan interests or community interests.

vii. What form of ownership is associated with each particular piece of land?

This is customary tenure but there are also emerging forms of land utilization which can be in form of wetland or per-urban areas that may require special attention.

viii. Who owns each parcel of land in a given area?

The team together with the community has to establish whether the ownership is individual, communal, family, institutional or public land ownership.

ix. What types of land can be identified in the area?

This may be one or a combination of the following; agriculture, pastoralism, (cattle keeping), fish farming, wetland utilization, commercial, residual, infrastructure (schools, hospitals, government buildings, and recreational grounds), forests, or industry.

The community mapping team will be required to confirm the boundaries with the neighbors, local opinion leaders, environmental officers, physical planners and with any other relevant authority. The environmental/wetlands officer will be instrumental in identifying various uses in pre-urban areas.

Marketing of established boundaries

The second step will be marking the land boundaries by observing corners and turning points (bends) along the boundary. This exercise will apply to individual pieces of land as well as public facilities such as road reserves, health facilities, schools, wetlands as well as pre-urban areas.

In some cases and regions, marking boundaries will be based on the natural man-made boundary marks. The problem may arise that these marks may not be visible or may have shifted. So, in marking the boundary, the concerned parties must be handled before the boundaries are marked, in terms of wetlands and pre-urban areas, the community mapping team will depend on the base maps and the advice given by the relevant authorities.

Taking the necessary measurements

After marking the boundary, the parcel will be measured by the surveyors or experts in the survey field. The surveyor will determine which survey tools will best suit the situation on the ground and the survey standards required.

Drawing a plan (index map) of the land

After land parcel size has been measured, the technical team, in presence of the parties/ residents, will compile a map showing the land parcel shape and size. All land parcels within a given location will be compiled and displayed so that the local residents view, approve, or recommend readjustment of the land parcels information in question.

Land Readjustment

This will involve two or more parties who will agree to redraw their physical land boundaries. This is a purely optional exercise in which, two or more parties may agree to adjust their boundaries either by exchange or sale.

Recording Land Rights

This will involve recording the land rights with the sub-county chief for rural areas and the town clerk for urban centers. The recording of the land rights will entail several steps.

- The land committee and community mapping team will compile a report, with sketches/ maps attached.
- The land committee will then send the compiled report with sketches/ maps attached to the district land board for approval and issue of certificate of Customary Ownership.
- The District Land Board will meet to approve, or reject the issuance of a certificate of customary ownership with conditions, restrictions and limitations as specified by law.
- The District Land Board will send the approved application to the Recorder to issue a Certificate of Customary Ownership.

Issuance of Certificate

The certificate of customary ownership will only be issued by the Recorder to the applicant whose application is approved by the District Land Board at a prescribed fee.

Roles and Responsibilities of Different Stake Holders in Community Mapping

There are several land administration and management institutions in Uganda that will participate in the community mapping exercise.

Role of the Central Government in Community Mapping

- Provision of equipment
- Quality assurance

Role of Ministry of Lands, Housing and Urban Development

As already indicated the department of lands and surveys is responsible survey, mapping and quality control.

- During the community mapping exercise the department will avail up to date maps of demarcation areas to the community and the district land office showing administrative boundaries.

- Advise the procurement of appropriate program equipment.
- Avail community mapping technical staff to district land officers.

Role of Local Governments in Community Mapping

- Assist in the mobilization of people in their areas for community mapping exercise
- Appoint land committees
- Appoint and or fill vacant posts in the district land offices
- Appoint the district land board members
- Sustain (continue with) community mapping program throughout the district after the pilot phase.

The Role of Community in Community Mapping

- The community will be expected to mobilize, co-operate and participate in the community mapping exercise
- The community (owners/ occupiers) will be expected to provide accurate information concerning the land parcel and ownership.
- The community will be requested to participate in settlement of disputes over land before the actual community mapping exercise begins
- Participate in clearing of boundaries for the mapping team

The Role of the Recorder

- The land act gives the responsibility of preparing and issuing of certificates (of customary ownership and occupancy) to the sub-county chief (rural land). When performing this role, he/she will be known as the Recorder.
- Upon receipt of the approved report from the DLB, the Recorder will issue the required customary ownership certificate after payment of the official fee by the land owner.

The Role of the Land Owner/ Occupier

The land owners (and of course the community) will play an important role in the community mapping exercise and most important ones will be:

- Availing him/ herself during the exercise
- Giving consent and active participation in the community mapping exercise
- Ensuring that boundaries of his land are cleared
- Participating in the settlement of land disputes, if any, before the actual community mapping exercise is carried out
- Availing the required information concerning the land parcel and house hold members

Land Disputes and Land Adjudication

During the community mapping exercise, the adjudication stage involves settling land disputes. There are several forms of land disputes which may arise and delay the community mapping exercise and these should be settled during the adjudication exercise. The following are some of the forms of disputes which may arise and should be addressed during course of the adjudication exercise.

- Boundary disputes
- Succession disputes
- Ownership disputes
- Land lord/ tenant disputes
- Community versus individual interests
- Government individual interests

Land disputes will be settled through land adjudication. Land adjudication will involve settlement of land disputes in the selected area. Community mapping of land rights within a given location will be carried out strictly in accordance with the existing legal framework by technically competent personnel, assisted by the people at the grassroots who will provide reliable information for fair adjustment.

Community mapping requires co-operation, collaboration and participation of all people for it to succeed. This is the reason why mass mobilization and sensitization is necessary.

Some individuals may try to politicize and sabotage the process, usually at the mobilization stage. Therefore, carefully planned and detailed sensitization which costs a lot of money and requires a lot of dedication time is required prior implementation of community mapping.

Involving women and youth in the process

By tradition, women are generally overlooked in land management and their interests are not clearly articulated when decisions about land governance are made. However, they have access to land belonging to their communities by descent or by marriage. Women access land for cultivation and gathering wild foods for home consumption or for sale to generate income for the household (Kisamba-Mugerwa, 1996).

Mapping may seem intrusive in the lives of community members; make sure that the purpose of the mapping and how this information will be used is explained to the concerned parties. Allow youth to be involved in the mapping process; it will be a more fun-filled data-collection activity!

Results

The ascertainment of women's land rights as individual land rights holders and as co-owners with their husbands. Furthermore, community structures have embraced women's participation in land management institutions.

Sketch mapping enabled clear identification of individual and community resources, thus clarifying rights. This has made customary tenure relations and rights more apparent for outsiders and facilitated the official engendered administrative recognition of these rights.

There is awareness about the law governing land relations. Through sketch mapping boundary disputes have grossly reduced;

Awareness has led to the community developing its own vision for development and economic growth, without waiting for external intervention for example increased farming activities.

Parcels of land mapped with the participation of the community, the district Land Office, the Area Land Committees and the District Local Government.

Risks

Heavy and total reliance on donor funds. The diversification of the funding base had to go a long way in making this project a success. The Ford Foundation has made a contribution of USD 150,000/= for the year 2009 – 2010. Furthermore, the community's contribution to the project though in-kind support played a crucial part in ensuring that the project succeeds.

The existence of the army in the area has fostered peace. The commitment by the Uganda Police force to boost the police presence in the communities and the commitment to the building of a police Station in Irriri makes the risk of insecurity emerging low.

Sustainability of participatory mapping

The Community Participatory mapping is expected to be sustainable because of the several emerging partnerships it has created, built and exploit for synergy and continuity. It has strongly supported the integration of the project activities executed by ULA with those of local governments by ensuring a model to assimilate activities into District Development Plans on land and Gender which are formulated to ensure that linkages are established within the support extended to the grass roots CSOs.

The project emphasizes institutional capacity building at national, district and lower levels within the targeted CSOs and traditional institutions. It is unrealistic to imagine that the community mapping has meet the expressed demand for support that has been demonstrated in its proposal; however it is realistic to expect other

development partners gain interest either to support or to learn from the innovative nature, focus and work that have been carried out in this.

The focus is on scale up and mainstreaming the proposed activities into existing and operational CSOs in Moroto active in Irriri by integrating the participatory mapping in the overall work plan of targeted organizations. This will ensure skills transfer, which has been adopted as a model for the regeneration of project goals, promoting local creativity and innovativeness at district and community level.

(a) For the past three years, there has been a mechanism for regenerating the goals of the community mapping, such as training of trainers. These processes generate information, which has been contained in a knowledge bank for future “withdrawal” by Civil Society Organizations and the communities that have been utilized beyond the project life.

(b) Involving local governments in the project ensures that at the end of the community mapping, it’s integrated into ongoing local government programs for replication and continuity. Thus, the deep embedding of this project in the community, local government structures and civil society.

Lesson learnt

The border dispute between Teso and Karamoja is an issue of concern to the people as this dispute is within the project’s sub county. ULA is expected by the community and sub county leadership to take on this matter with the two districts and the central Government. Although this was not envisaged as part of the project, ULA will take on the initiative and there will be a start to the negotiations in 2010.

People are concerned about government threatening to take away their land. Instances of government institutions like Uganda Wildlife Authority coming in the area claiming ownership of land on which people have settled since time immemorial have affected production as the people are unsure of their tenure security. ULA has to engage the Uganda Wildlife Authority to sort out this looming fear and also negotiate for the degazettement of certain land which used to be

wildlife use areas. Discussions have commenced and results may show by the close of 2010.

The concept of human rights and use of formal justice systems is strange to the Karamojong in the project area. They believe in their traditional ways which many times is contrary to Human rights. Killing for any reason seems acceptable and recourse to the police is seldom used. There is therefore need to train the traditional leaders on Human rights and how culture interfaces with formal law to achieve the observance of law and order.

There is immense fear of losing land without compensation to government. Although this fear is unfounded, it must be addressed through confidence building and securing the land rights of this community. The people assert that communal lands are being grabbed by people the communities' do not either know or are in fear of revealing. Land grabbing also takes the form of family members taking the land of those that are unable to cultivate due to vulnerability like people with disabilities, people infected and affected by HIV, women or child headed households. Ascertainment of land rights through community mapping will achieve this by 2010. Communities will feel more secure on land.

The animal population has fallen drastically and there is a shift to cultivation making land a more valuable resource than before. This calls for measures of defining one's confines of land which is to be addressed through the demarcation exercise. This will be achieved through the project.

The high levels of ignorance posed challenges to the project. Their limited exposure to other ways of living and concepts hinders their ability to transform themselves in terms of economic and social development and advancement. There is still need for Massive community education in all aspects of life. This need is acknowledged by the communities themselves.

Challenges encounter

Part of Nabwal Parish which was prior to the exercise, assumed to be a community wildlife area where wild animals have to co-exist with the people is a wildlife reserve. Resultantly, a meeting was held with the Uganda Wildlife authority on the 19th January 2010 and a strategy to carry forward these discussions with a wide section of stakeholders was adopted. The first of this meetings took place in Moroto on the 18th February 2010 at The Gum Arabica Centre in Moroto bringing together Uganda Wildlife Authority, the District Local Government, NGOs, The Irriri Sub county and members of the community.

There are numerous boundary conflicts amongst neighbours as a result of the insecurity in the area. Contrary to the general belief that land in Karamoja is free and there would be no land disputes, through the adjudication exercise in a bid to clarify boundaries, there ensued conflicts, some of which could not be resolved on the spot by the adjudication teams. Resultantly, some parcels of land were not marked requiring resolution of deep rooted conflicts. This raises the need to have traditional leaders in the area trained on dispute resolution to enhance tenure security.

The strong belief in communal lands as belonging to the mountains or wetlands has seen the gross grabbing of these lands by the elite. This systemic land grabbing takes place through allocations from traditional and area leaders in the communities. This is a practice that the exercise has come up to counter through the mapping of communal lands for the benefit of the entire community.

The border dispute between Karamoja and Teso is an issue that the team had to contend with all the time. From identifying the survey points planted in the mountains to the extent of land surveyed in the border regions, there seemed to be discontent from some sections in the community. For any reference that needed the aid of maps, the Karamojong would insist on using the '1958 map' which the survey team never possessed for current map that was nationally adopted for the entire country is the '1972 map' which purportedly favoured the Iteso. It's this dilemma that created tension with Ngariam Sub county administration insisting that part of their land could be grabbed in the process. However, the survey team assured them that they were keen on the border line and could not map Katakwi land for the Karamojong.

The critical factor that has hindered the Karamojong from investing in any form of development is the lack of clarity of land rights. This insecurity of tenure is deep rooted and creates fear of death. People most often would rather leave the land in impasse than venture in settling the dispute. Through the project, this realization became eminent as no single parcel was free of dispute. It also became apparent that only those with some form of tenure security had invested in semi-permanent structures. Ascertaining of land rights still stands out key if Karamojong are to move forward into development.

Conclusion

Discussions on the degazettement of land in Karamoja, not only in Irriri but throughout Karamoja needs to be carried forward. With meetings being scheduled.

Dialogue with the Ministry of Lands to officially communicate the extent of the border of Katakwi and Moroto districts from the survey they conducted.

Training of traditional leaders and the elders in the adjudication and resolution of land disputes along with new technologies that exist.

Recommending to government for the up scaling of the Community mapping exercise. Because of the cost of undertaking this exercise on a large scale, ULA believes that government is better placed in terms of resource and personnel to carry forward the community mapping exercise.

Liaise with other stakeholders NGOS working in the area and local Government for a concerted effort towards community education and empowerment. It is only through the availability and comprehension of knowledge that society transforms.

References

Republic of Uganda (January 2007), Karamoja Integrated Disarmament and Development Programme, "Creating Conditions for Promoting Human Security and Recovery in Karamoja, 2007/20082009/2010", Office of the Prime Minister, Kampala.

Land under Wildlife, Forestry and Mining Concessions in Karamoja Region, Uganda, Study undertaken by Associates Research Uganda with support from TROCAIRE Uganda and Oxfam GB in Uganda, August 2010.

SNV, 2004, Armed Pastoralist Conflicts and Peace Building in Karamoja, the Role of Gender

United Nations Human Settlement Program UN-Habitat, 2015 h's Number: HS/079/15E

Human Rights Watch, 2014, "How Can We Survive Here?" The Impact of Mining on Human Rights in Karamoja, Uganda, United States of America.

Kisamba-Mugerwa, 1992, Rangeland Tenure and Resource Management: An Overview of Pastoralism in Uganda, Research Paper 1 Prepared for Makerere Institute of Social Research and the Land Tenure Center.

The Constitution, 1995

The Land Act, 1998

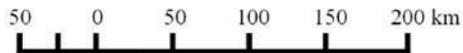
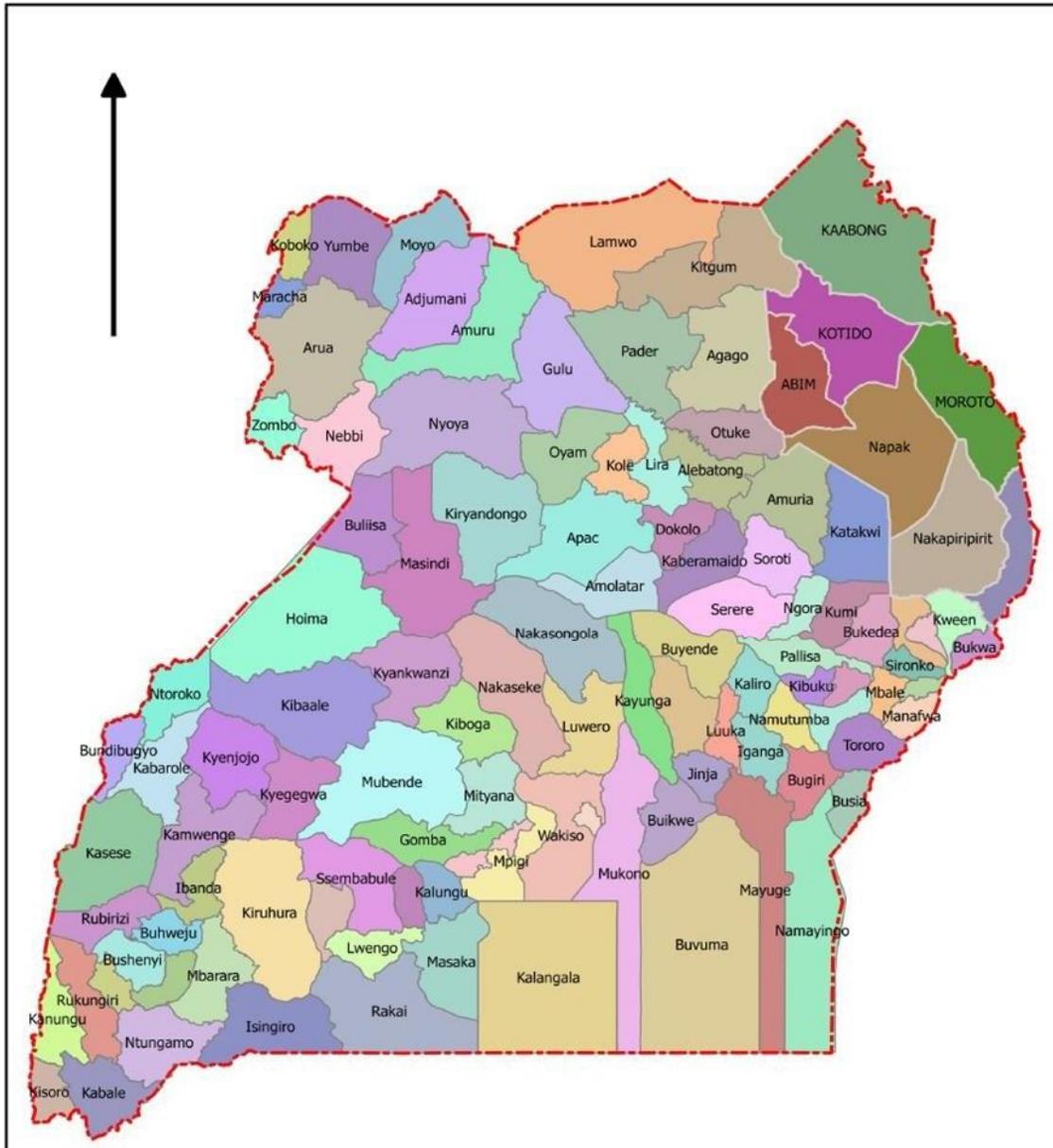
The Uganda Demographic and Health Survey of 2011

The Uganda National Land Policy, 2013

Enhancing Tenure Security on Customary Land through Communal Land Associations (Owor Edmond)

A MAP OF UGANDA SHOWING KARAMOJA REGION

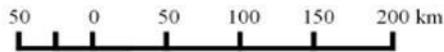
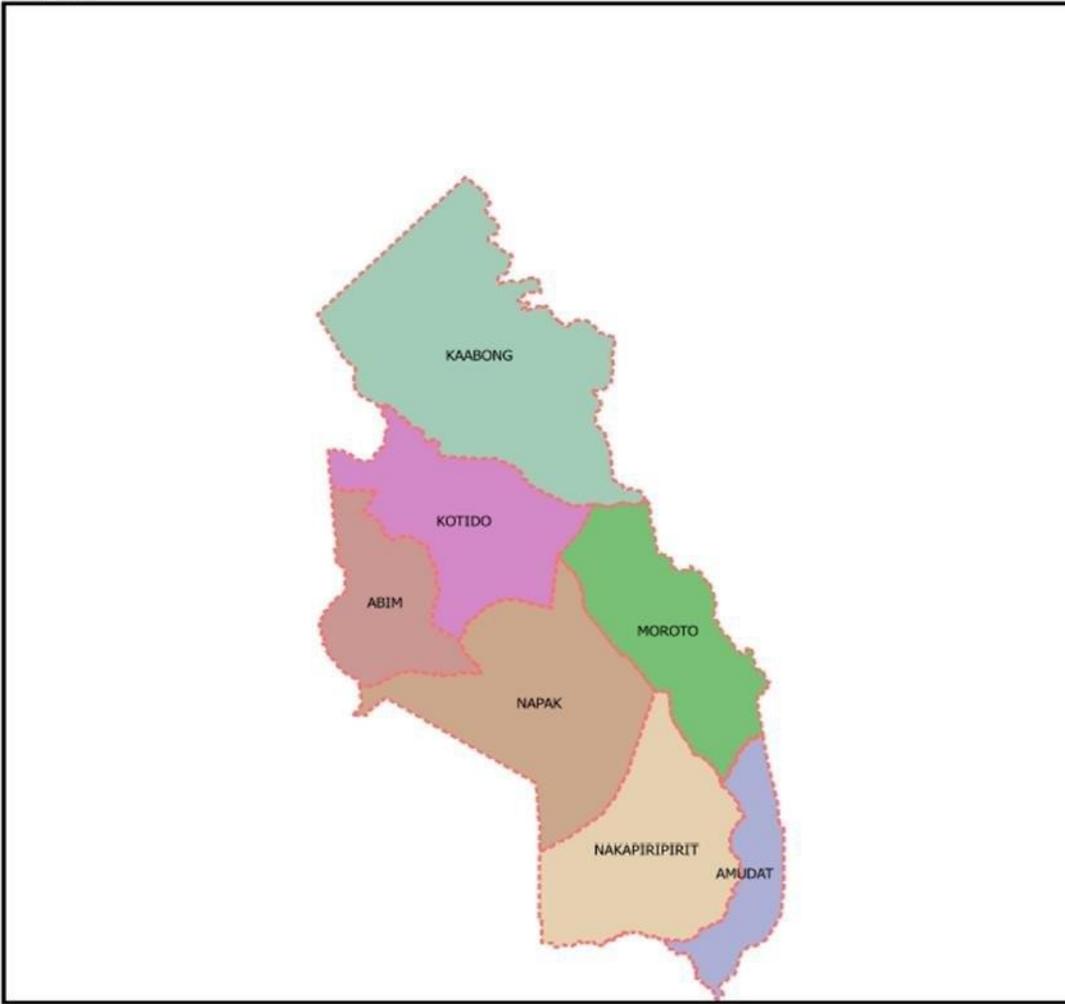
1:1,500,000



This map data source from UBOS 2006-2013
This map is produced by Adiba emmanuel the GIS officer Of
Uganda Land Alliance.
This map is dated :30-01-2015

A MAP OF KARAMOJA REGION SHOWING DISTRICTS

1:1,500,000



Legend

karamoja

Kotido

Abim

Kaabong

Napak

Amudat

Nakapiripirit

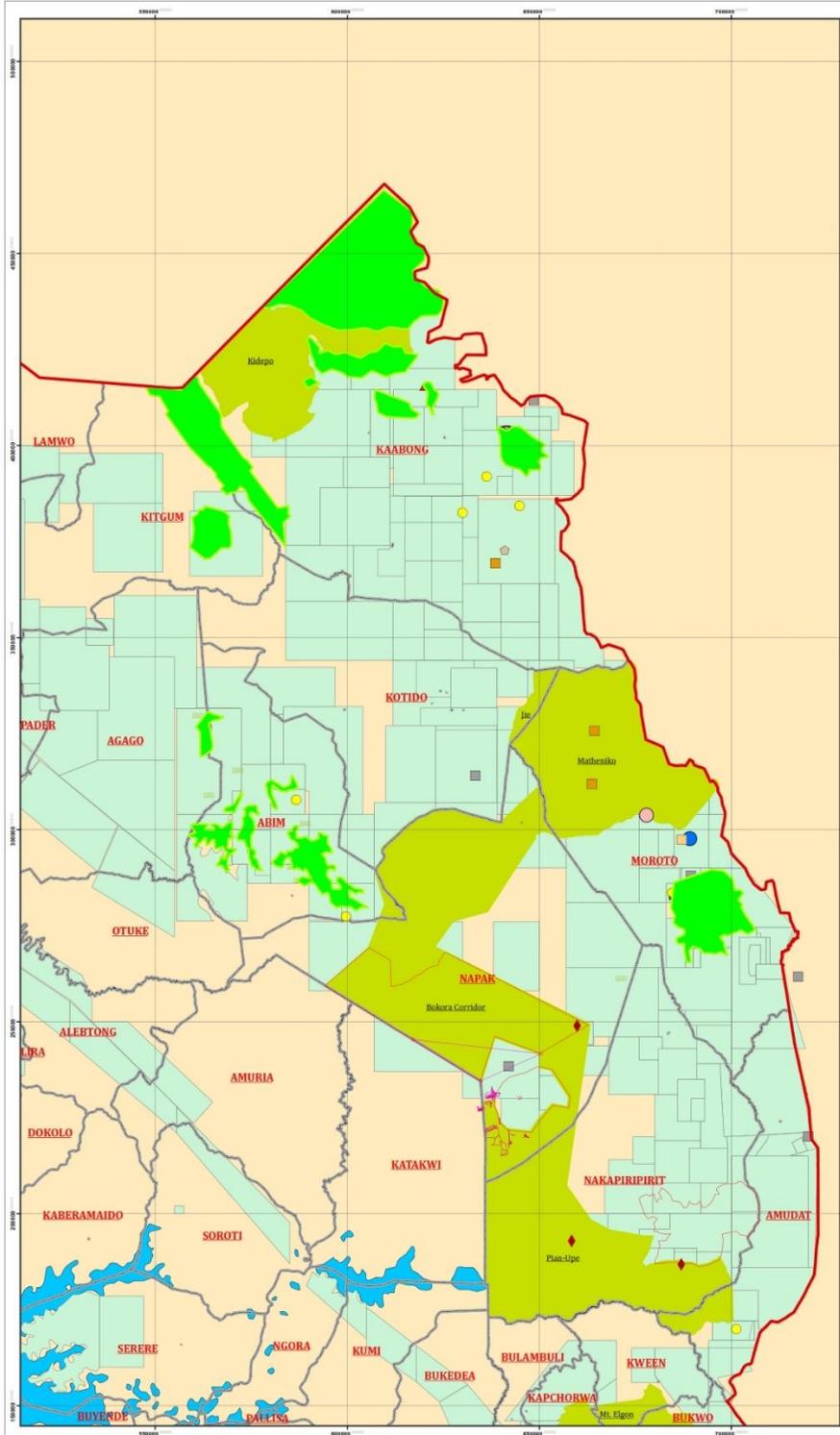
Moroto

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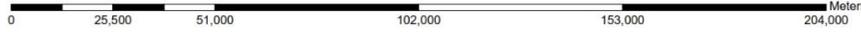
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KARAMOJA LAND, MINERALS AND RESERVES



Legend

- Uganda National Boundary
- Iriiri**
- <all other values>
- Cad Renderer**
- parcels
- Continuous line
- UWA
- Continuous lines
- forest_reserves
- ◆ Beryl
- ◆ Bismuth
- Chromium
- Cobalt
- Columbite-Tantalite
- Copper
- Gold
- ◆ Iron Ore
- ◆ Lead
- Magnesite
- Tin (Cassiterite)
- Wolfram (Tungsten)
- Zinc
- ▲ Asbestos
- Clay
- ★ Diatomite
- Feldspar
- Granite gneiss
- Graphite
- Gypsum
- Kaolin
- ★ Kyanite
- Limestone
- Marble
- Mica
- Phosphates
- ★ Rock Salt
- ◇ Silica sand
- Talc
- Vermiculite
- 112 Districts
- National Game Parks
- LicenseExport



Map prepare October 8 2013 (JLA Kampala)
file UG Uganda land Alliance Coverage Zones
October 2013

The boundaries and names shown
and the designations used on this
map do not imply official endorsement
or acceptance by the Ministry of Lands.

Data sources:
Admin Boundaries/Centers - UBOS 2010

This map is a work in progress. Please
contact the GIS Officer/Adiba as soon as
possible with any corrections.