



THE REPUBLIC OF UGANDA



YUMBE DISTRICT LAND BOARD

ANNUAL PERFORMANCE REPORT FOR FY 2021-2022

12/27/2022



YUMBE DISTRICT LOCAL GOVERNMENT

December 2022

Contents

Foreword	ii
Acknowledgment.....	iii
Chapter One	4
1.0 Introduction	4
1.1 Background	4
1.2 Mandate of the District Land Board.....	4
1.3 The Purpose of the Report	5
1.4 The Objectives of the Annual Report	5
1.5 Land Ownership.....	5
1.6 The Scope of the Report	6
Chapter Two	7
2.0 Introduction	7
2.1 Summary of Board Transactions.....	7
2.2 The status of Public land	7
2.3 The conversion of Public Land.....	8
2.3.1 Internally Displaced Persons (IDP) Land.....	8
2.3.2 The Land at Geya Primary school.....	8
2.3.3 Land for Industrial Park	8
2.4 Summary of all Board sittings.....	9
2.5 Budget Performance of the Board.....	9
2.6 Achievements of the Land Board	9
2.7 The Challenges Affecting Service Delivery.....	12
2.7.1 Encroachment to Institutional Land	12
2.7.2 High rate of land disputes in the District	12
2.7.3 Financial Constraints.....	13
2.7.4 Other Notable Challenges.....	13
2.7.5 Capacity of the Sub County Area Land Committees.....	13
2.7.6 Corruption Perception.....	14

2.7.7	Transport Challenges and Logistics	14
2.7.8	Poor Land record Management Challenges.....	15
Chapter Three		16
Methodology		16
3.0	Introduction	16
3.1	Sources of Data Collected.....	16
3.2	Data Entry and Analysis	16
3.3	Scope of the Data Collection	16
Chapter Four		17
Presentation and Analysis of Data on findings on Land Registration.....		17
4.0	Introduction	17
4.1	District Land Institutions by Location	17
4.2	District Institutional Land by Registration Status	18
4.2.1	District Institutional Land with Registered Status.....	18
4.2.2	District Institutional Land with Non-Registered Status.....	19
4.3	District Institutional Land by Survey Status	20
4.3.1	District Institutional Land by Surveyed Status	20
4.3.2	District Institutional Land by Not Surveyed Status	21
4.4	Correlation Analysis.....	21
4.4.1	Institutional Land Location and Registration status of Institutional Land.....	22
4.4.2	Institutional Land Location and Survey Status Institutional Land	22
Chapter Five		24
The Discussions and Recommendations		24
5.0	Introduction	24
5.1	Recommendations	24
5.4	Conclusion	27
Reference		29
Annex 1		30

i. The District Land Board Planned Activities Vs the Achieved Activities for Financial Year 2021/2022.....	30
ii. Members of Yumbe District Land Board.....	35

LIST OF ACRONYMS

ACAO	Assistant Chief Administrative Officer
CAO	Chief Administrative Officer
DINU	Development Initiative for Northern Uganda
DLB	District Land Board
IDP	Internally Displaced Persons
NFA	National Forestry Authority
UIA	Uganda Investment Authority
UNCDF	United Nations Capital Development Fund
UN WFP	United Nations World Food Programme
URCS	Uganda Red Cross Society
YDLG	Yumbe District Local Government

Foreword

Subject to Section 60(3) of the Land act CAP 227 and in line with the mandate of District Land Board, I am humbled to present to you the Annual Report on the performance of District land Board in Yumbe District for the period 2021/2022. Yumbe District Local Government has had a great progress in addressing capacity gaps in the administration and management of Land for sustainable use and development. The District has constituted the full Membership of the Board as required by Section 57(1), (3) and (4) of Land act CAP 227. The District Council has, on the advice of the Sub-county or Division Council and in accordance with Section 64(1) of the Land Act, appointed a Land Committee at Sub-County or Division level to exercise the functions conferred on a Committee by this Act or any other law. Since Land is a key resource in agriculture, industry and forestry and it underpins rural livelihoods of the majority of landholders in the rural area, Yumbe District in one of the Council sessions of Fifth Council in 2018 adopted District Strategic direction to annually plan for acquisition of land for Council investment as well as plan for sustainable use of land for development

In August 2016, the Government of Uganda through Office of Prime Minister (OPM) adopted open Refugee Policy to host South Sudanese refugees in Yumbe District and other West Nile Districts. The District therefore through elders and Customary land lords offered land for the settlement of over 241,000 South Sudanese refugees in Bidibidi settlement. This gesture is a response to the various International and Regional conventions, treaties and protocols relating to Human Rights of refugees. This Refugee population constitutes 24.4% of District population as projected from Uganda National Housing and Census Report (2014), which has direct effect on service delivery and land management challenges. The Board is therefore in the right direction in implementing the District Council strategy of acquiring more land for development and the Report provides relevant information to the Council as policy making Body, opinion leaders, service providers, researchers and all the other stakeholders as we strive as District to improve service delivery.

FOR GOD AND MY COUNTRY



Bandaru Patience Daisy (Mrs)
Chairperson- Yumbe District Land Board.

Acknowledgment

The preparation of this Annual Report has been made with support from technical staff in Land sub sector for which my appreciations should be extended. The successful completion and production of this Annual Report on the performance of District Land Board in 2021/2022 is great work for all of us as a team.

The performance report is in itself is an achievement for which an appreciation should go to Yumbe District Council, District Chairperson, the Standing Committee on Production and Natural resources for appropriation of funds to the Land Board to deliver her mandate.

Appreciation goes to the line Ministries of Land, Housing and Urban Development, Chief Administrative Officer, District Chairperson, District Economist for the tireless technical guidance provided in the course of the year that has enabled the Board to be fully constituted as well as perform her functions effectively

The Land Board is also grateful to the Sub County Area Land Committees, Sub County leadership, Department of Education and Health, Primary Schools for providing relevant information which the Board used for the preparation this Report for FY 2021/2022.

In a special way I appreciate the Members of Board whose participation was critical to the successful completion of this Report. United Nations Capital Development Fund (UNCDF) has financed the registration and titling of 7 Institutional land under Asset management Action Plan fund and Development of Land Asset Management action plans for which, UNCDF should be acknowledged by District Council

It will be wrong if I failed to recognize Government Valuer of Arua District Local Government who guided the Land Board and District in making rightful decisions in Land Transactions including the contributions of Ministry of Land Zonal Office –Arua. Please, you are highly appreciated for work well done



Ojoatre Rashid

Secretary District Land Board-Yumbe District Local Government

Chapter One

1.0 Introduction

In pursuit of Section 60(3) of Land Act 1998 as amended, this report for financial year 2021/2022 has been prepared. According to the provision of land Act and in the performance of its functions, a District land Board (DLB) shall prepare and publish an annual report and shall have regard to any comments that the District Council may make on that annual report. This report has been prepared in fulfilment of Section 60(3) of Land Act 1998 CAP 227 as well as Article 241 of Constitution (1995) as amended. The report presents the summary of board transactions, Board sittings, the achievements, challenges and recommendations adopted by the Board to improve land administration and management in Yumbe District

1.1 Background

Yumbe District covers a total surface area of approximately 2411 square kilometres of which 6.2% is water and 93.8% is Land. A total of 62% of the available land is arable land although only 26% is currently utilized (Yumbe District Development Plan 2020/2012-2025/2026). Land resources play an important complementary role for economic growth, employment and general socio-economic development. Land is a key resource in agriculture, industry and forestry and it underpins rural livelihoods of the majority of landholders in the rural area. Based on this, Yumbe Districts is strategically mandated through District land Board (DLB) to plan for acquisition of land for Council investment as well as plan for sustainable use of land for Development

1.2 Mandate of the District Land Board

The mandate of the District Land Board is derived from Article 240 of the Constitution of Republic of Uganda (1995) as amended, which provides for the establishment of the District Land Boards in Uganda and this also has been enshrined in Land Act CAP 227 (1998) as amended. The District land board is fully constituted with five members as provided for Section 57(1) of Land Act CAP 227. With recommendation from District Executive Committee through District Council as provided for in Section 58 of Land Act CAP

227, the New Land Board was appointed by Hon. Minister for Land, Housing and Urban Development on 4th November 2021 as enshrined in Section 57(1) of the Land Act CAP 227.

1.3 The Purpose of the Report

The Annual performance report of District land Board is prepared to update the District Council, District Executive Committee and Key stakeholders in Land administration and Management on the progress made by the Board in delivering her mandate as provided for Section 59(1) of Land Act (1998) CAP 227. The purpose is to present the performance of the Board and inform the key stakeholders on the achievements, challenges and recommendations in the implementation of Board's approved plans and budget in the financial year 2021/2022

1.4 The Objectives of the Annual Report

This report has been prepared based on the following specific Objectives;

- To report the progress on the implementation of Land Board activities in the Financial Year 2021/2022 as well as fulfil the requirement of Section 60(3) of Land Act CAP 227 in Yumbe District
- To assess the safety and security of Land Asset in the provision of social service delivery in Yumbe District
- To identify the challenges facing Land Board in the performance of her functions and make recommendations to the District Council in making policy toward improved service delivery in Yumbe District
- To assess the Registration status of the land under Public Institutions in the District

1.5 Land Ownership

As provided for in Article 237 of the Constitution of the Republic of Uganda (1995), all land in Uganda belongs to the people. It is owned in accordance with the four land tenure systems namely: customary; freehold; mailo and leasehold. The Government may acquire land in the public interest and non-citizens may acquire leases in accordance with the country's land laws.

However, Land in Yumbe District is mostly owned under customary tenure system which constitutes majority of land tenure systems in the District.

1.6 The Scope of the Report

Geographically, the report has covered land management in the originally 13 Lower Local Governments (12 sub counties and 1 Town Council) which included; Yumbe Town Council, Apo, Drajini, Kululu, Kerwa, Romogi, Kei, Ariwa, Odravu, Kuru, Lodonga, Midigo and Kochi. These Lower Local Governments were selected because Most of the Parcels of land were acquired in their corporate names. Secondly, the newly created Sub Counties and Town Councils (7 Sub Counties and 6 Town Councils) were considered to be part of the Old Administrative Units. The report focused on annual performance of District Land Board for the financial 2021/2022 in undertaking her mandate

Chapter Two

2.0 Introduction

In this chapter, the reports highlights the summary of Board transactions, the status of Public Land and the extent of conversion of Public land. It also focuses on Internally Displaced Persons (IDP) Land, Land for Industrial Park, summary of Board sittings, budget Performance for the year under review, achievements and challenges of the Board

2.1 Summary of Board Transactions

Performance of District Land Board in the financial year 2021/2022 was measured against its functions provided for in the Article 241(1) of Constitution, 1995 with amendments and Section 59 of the Land act, 1998 as amended incorporating The Land (Amendment) Acts, 2004 and 2010) as hold and allocate land in the District which is not owned by any person or authority; facilitate the registration and transfer of interests in land; cause surveys, plans, maps, drawings and estimates to be made by or through its officers or agents; compile and maintain a list of rates of compensation payable in respect of crops, buildings of a non permanent nature and any other thing that may be prescribed; review every year the list of rates of compensation; to deal with all other matters connected with land in the District in accordance with laws made by Parliament

2.2 The status of Public land

Yumbe District Local Government has over 212 parcels of Institutional Land across the sectors. Of these 212, the District has managed to acquire titles and continue to process titles for institutions including Yumbe hospital, now Yumbe Regional Referral Hospital (YRRH) and Midigo Health Centre IV representing 15 % (32) while 85% (180) has remained un registered. In order to increase security for Government land asset, there is a need to increase funding to land subsector to undertake community dialogue on landownership rights and titling of government land in the FY 2022/23 and this increase in land registration has been attributed to the DINU/UNCDF support intervention in AMAP Grant

2.3 The conversion of Public Land

In the Financial Year 2021/2022, the board did not convert any Public land in to freehold as provided for in the land laws and guidelines. However, the following transactions were under consideration by the Board

2.3.1 Internally Displaced Persons (IDP) Land

The District in 2004 acquired a good parcel of land from the customary leader of Kandia whose boundaries were marked by Natural features like trees, rivers and streams approximately 1500 acres without actual measurement undertaken. This Public Land which is referred to as IDP Land was secured for the resettlement of Internally Displaced persons from Eria Forestry Reserve in Moyo District upon their eviction by National Forest Authority (NFA). The portion of the land was allocated to about 46 household heads on average of 6 acres each. The land has remained under occupation by the IDPs though cases of encroachment has been registered on the Land

2.3.2 The Land at Geya Primary school

The District in 2018 also secured land of 13 acres behind Geya primary school for undertaking strategic investment. The land is located at Block 10 in Ujji East Village situated at Geya Parish, Kululu Sub County. With the resolution of District Council, the Land Board allocated the land measuring 5 Acres, with its appurtenances for the construction of Uganda Red Cross Society Office so long as URCS maintains her offices in Yumbe

In the same Block, the District Land Board also allocated a Parcel of land measuring 5 acres to United Nations World Food Programme (WFP) for the establishment of office premises and food storage facility. The parcels of Land was allocated for period of 49 years with option of extension upon meeting the terms and conditions agreed between the Land Board and UN WFP and URCS

2.3.3 Land for Industrial Park

In 2016, Yumbe District Local Government secured land for Industrial park measuring 245 acres in Bijo Sub County formally known as Kululu Sub County. The Parcel of land was acquired for purpose of attracting investors and promote value chain addition for the Agro-Industrialization Program. The land is located 3.5 kms away from the District along Yumbe to Odravu sub county road at Kulawiri stream. The land is registered with Certificate of title

deed. This land was proposed for allocation to Uganda Investment Authority (UIA) which has not been formalized by the District Land due to outstanding obligations to the Land Lords.

However, the compensation of the land Lords have not been completed and the land has remained unutilized

2.4 Summary of all Board sittings

The Meetings of the District land Board are held Atleast once in every two months for the discharge of its functions under the Land Act CAP 227 at such place and time as the chairperson shall appoint. In fulfillment of Section 62(3) of Land act CAP 227 the District Land Board has had three (3) meetings since its approval in November 2021. **In her 38th (A) sitting on 9th December 2021**, the Board received applications for approval from different applicants for Land titling. The board also convened on **4th March 2022 in her 39th meeting** to consider allocation of District Land to Uganda Red Cross society (URCS) and United Nations World Food Programme for Construction of their office premises for the purpose of bring services nearer to the people

In addition, the Land Board in **her 39th (A) sitting of 9th May 2022** received 19 application for approval including two applicants for extension of Leasehold. The Land Board therefore received total of 37 applications in the year under review.

2.5 Budget Performance of the Board

In the Financial Year 2021/2022, the Statutory Bodies where District Land Board falls, received annual Budget allocation of UGX 942,649, 000 and the proportion of budget allocation to the District Land Board as an output area was **UGX 30,498, 000** which represents 3.2% of the Annual Budget of the Statutory Bodies (Yumbe District Annual Approved Budget estimates for 2021/2022). This fund was used for facilitating the Land Board members in performance of their functions

2.6 Achievements of the Land Board

In the implementation of Land Board Planned activities, a number of achievements were made in the Financial Year 2021/2022 and the following have been highlighted:

In fulfillment of Section 59(1) (e) of Land Act Cap 227, the Land board has compiled, approved and maintained a list of rates of compensation payable in respect of crops,

buildings of a nonpermanent nature and any other thing that has been prescribed by the law. The approved compensation rates have been moderated and approved by the Ministry of Land Housing and Urban Development for implementation. These rates were used by the Uganda National Road Authority (UNRA) in the compensation of citizens affected by the Road construction Project from Yumbe to the Boarder of Terego District with funding from JICA as well as the Road Construction Project on road from Koboko to Moyo via Yumbe District. The board has been reviewing every year the list of rates of compensation referred to in subsection; (e) of Section 59 of Land act cap227.

The Board in dissemination of legal instruments to Lower Local Governments (LLG), carried out sensitization and awareness creation on land matters and land rights. In this dialogue, 13 out of 26 Lower Local Governments were covered representing 50% achievement. The objective of this intervention was to inform, educate and empower the community on the procedure of land registration and titling under different land tenure systems and the importance of land registration and titling. The Board also conducted 4 Radio talk shows on the Local Community Radio station of Ribat FM Limited through Resident District Commissioners Officer against the planned 12 radio talk shows. This represents 33.3% achievement under this intervention

In investigation and disposal of land related complains and disputes that came to the attention of Land Board, 12 Dialogue meetings were organized to investigate and dispose land disputes against the target of 20 Community Dialogue meetings planned. This represent 60% performance progress across the District. However, the conflicts related to land has taken tribal and clan lines which represents vast of civil cases in Police and Yumbe Magistrate's Court (Yumbe District Police Report 2021)

In facilitation of registration and transfer of interests in land as provided for in Section 59(b) of Land Act cap 227, the District land received over 15 applications from different applicants including Yumbe District Local Government. These applications were all approved representing 100% achievement since the Board has issued offer for freehold to the Applicants in the Financial Year 2021/2022

In the same period of time, the Board contributed towards the mobilization of financial resources to increase and improve Local Revenue collection of Yumbe District Local Government. The District through District Land Board collected revenue from application registration and premium of UGX **17,857,129** against annual approved budget of **UGX**

25,000,000. This represents **71.4%** revenue performance from application registration and Land premium which is good achievement of the Board in the FY 2021/2022. This collection is consistent with the requirement of law in which 10% is charged on the value of the land registered (Regulations 72 and 95 of the Land Regulations, 2004).

The District Land Board is mandated to Cause surveys, plans, maps, drawings and estimates to be made by or through its officers or agents. the District Land managed to Develop Terms of References for Surveying and titling of East Legu P/S, Locogmbo P/S, Obero P/S, Obero West P/S Swinga P/S, Romogi S/C HQs, Kiiri Market, Barakala TC HQs, Barakala TC Market, Kuru S/C HQs, Amaniri H/C III, Dramba H/C II, and Kei S/C HQs and this is consistent with Section 59(1) (d) of the Land Act Cap 227. The Board therefore registered a good achievement in the year under review since these institutional Public Lands have been surveyed and the process of titling is ongoing.

According to Section 62(3) of Land Act Capp 227 as amended, “a board shall meet for the discharge of its functions under this Act at least once in every two months at such place and time as the chairperson shall appoint.” As an achievement in fulfilment of this provision of the law, the land Board has had 3 meetings which represents 50%. This average performance is attributed to inadequate funding to the Board.

2.7 The Challenges Affecting Service Delivery

2.7.1 Encroachment to Institutional Land.

The Board has noted with concern, the encroachment into public land by community members. Most of parcels of Land where primary schools, secondary schools, health facilities and sub county HQs are located have been reclaimed by the grand children of the then Customary landholders who offered land to Government freely. These claims have become difficult to be responded to by the duty bearers due to lack of proper documentation and lack of Certificate of Land titles. It is true to note that most primary schools, health facilities and sub county headquarters lack Land agreements for the parcels of land where the institution is siting. This is consistent with remarks of Sub county chief of Lodonga Sub County during community dialogue and I quote

“The elders, fathers and grandfathers of these claimants offered land to the Government but our predecessors failed to sign land agreements to formalize the transactions and has caused Government challenges related to land conflicts between the community and the Government”

2.7.2 High rate of land disputes in the District.

The Board has witnessed a lot of Court cases registered by the community against the Lower Local Governments and the District, which are both civil and criminal in nature demanding for land compensation. These land disputes over status of ownership has affected the registration of Public and institutional land to guarantee safety and security Government investments. For example, the Government Contracts awarded for constructions projects have been affected by Court Order which delay contract execution. Some of the government investments affected in period under review among others included:

The Construction of Kuru Market project under Development Initiative for Northern Uganda programme whose project site in Kuru was contested by the one Called Hajji Omar Draku in High Court of Arua.

The construction of Markets in Kulikulinga TC, Bijo and Play Ground in Odравu sub county under Uganda Support to Municipal Infrastructure Development-Additional Financing (USMID-AF) Programme (USMID).

Many of these cases originate from unascertained boundaries and overlapping land rights which can be prevented through adjudication and systematic demarcation, respect for mediation and/or arbitration and by other well-established dispute resolution mechanisms.

2.7.3 Financial Constraints

The annual budget allocation to the District Land Board is inadequate to facilitate the Board to perform her functions. In the Financial Year 2021/2022, the Board was approved annual budget estimates of Ugx 30.6 million for appropriation which was small against the expectation of Ugx 60 million. According to Section 62(3) of Land Act Cap 227, the Board is required to meet least once in every two months at such place and time as the chairperson shall appoint. The Board in the year under review, held three (3) meetings against the planned 6 Board meetings representing 50% performance. Failure to meet 100% was due to inadequacy of funds allocated to the Board. This is in contravention of Section 62(3) of Land Act Cap 227.

2.7.4 Other Notable Challenges

Besides the financial challenges also affected all land sub sector services including topographical mapping, land use planning, cadastral survey, and valuation and land administration services in the land subsector.

Consequently, the Board noted that poor facilitation of land sector staffs, poses working environment challenges and low budget support poses a serious threat to staff retention especially in the face of increasing technological demands in the surveying (geomatics), land administration and land management professions.

2.7.5 Capacity of the Sub County Area Land Committees

Section 64(1) of Land Act CAP 227 provides for the establishment of area land committees. The same provision requires that a District Council, on the advice of the Sub-county or Division Council, may, in accordance with this section, appoint a Land Committee at Sub-County or Division level which shall exercise the functions conferred on a Committee by this Act or any other law. The Board noted that District has performed this function perfectly and 26 Sub County area Land Committees have been appointed

However, the capacity of these committees to deliver their mandate has been limited by knowledge and inadequate training as most committees have not been inducted on their roles and responsibilities. As a result, most of the recommendations made to Land Board have been contested by community yet a Committee according to Land Act CAP 227 shall assist the Board in an advisory capacity on matters relating to land including ascertaining rights in land and shall perform any other functions conferred on it by this Act or any other law (Section 64(7) of Land Act CAP 227, 1998 as amended).

2.7.6 Corruption Perception

According to Section 64(8) of Land Act cap 227, a committee may, with the agreement of the parties to a dispute about land, act as a Mediator in that dispute and when acting as a Mediator, a Committee shall have all the functions of a Mediator set out in section 89 of this Act CAP 227 and as may be prescribed. The Board during community dialogue meetings and focus group discussions on land rights and ownership in the 13 sub counties, observed the bribery and corruption tendencies reported against the sub county area land committees across the 13 sub counties visited by the Board. This tends to affect the uptake of land management services in the District.

Besides the quorum of the committees during committee meetings indicate three members committee despite full membership of the committees appointed by the District Council. The implication is that some members seem to be isolated which affects the decision that are to be reached on consensus and these are recipes for corruption and loss of confidence in committees and the Board services in face of community.

2.7.7 Transport Challenges and Logistics

The Board has a mandate to undertake due diligence over certain contentious decisions on allocation of Public Land or before approval for applications for Freehold offer or Lease offer against complains registered by the community against such applicants. This requires locus visits to such areas for informed decision-making during Board meetings. The Board therefore faces challenges of transport equipment to perform this function since there is vehicle facilitate the Board.

2.7.8 Poor Land record Management Challenges.

The District Land Inventory indicates 212 stock of land assets under different institutions of Public service delivery. The Board therefore has not been updated with new parcels of land acquired by Lower Local Governments both new and old. Lower local Government lack stock of land inventory including some departments. It therefore becomes challenges for District to trace background land transactions in case of land disputes which are common in the District. Besides, some institutions still lack land agreements to guarantee ownership status for public service delivery.

Chapter Three

Methodology

3.0 Introduction

In this chapter the methodology of data collection and analysis was developed for preparation of annual performance report of the Board. It covers among others the review of existing Land Inventory both at sub counties and district. Reviewing the performance of reports of the board

3.1 Sources of Data Collected

The data for the preparation of this annual report was collected using secondary data and group discussion guides and review of documents existing in the in the District and the respective Ministries, Departments and Agencies

3.2 Data Entry and Analysis

Spreadsheet was used to enter the data, clean and validate before Statistical Package of SPSS was used for data analysis. In some cases, Microsoft Excel was used to do data analysis

3.3 Scope of the Data Collection

In the report, the data was collected from primary schools, health facilities, secondary schools, Sub County and District headquarters, markets which fall within the 13 older sub counties under different departments in the District. This was done because they form service delivery centres and have interest of the Public yet land where they are located has no clear state of land ownership.

The report focused on definite timeframe of 2021 to 2022 within which Land Board activities were implemented.

Chapter Four

Presentation and Analysis of Data on findings on Land Registration

4.0 Introduction

In this chapter, the report presents the performance of District Land Board in the financial year 2021/2022. The report focused on the analysis of land registration status of different institutions by location, surveying and titling as well as assessing the level of safety and security of Public Investments in the 13 sub counties under different institutions.

4.1 District Land Institutions by Location

The Results in the Report represented the originally 13 Lower Local Governments (12 Sub Counties and 1 Town Council). The newly created Sub Counties and Town Councils (6 Sub Counties and 6 Town Councils) were embedded in the Old Administrative Units

Location	Frequency	Percent	Valid Percent	Cumulative Percent
Yumbe TC	11	5.2	5.2	5.2
Apo	14	6.6	6.6	11.8
Drajini	18	8.5	8.5	20.3
Kululu	17	8.0	8.0	28.3
Kerwa	11	5.2	5.2	33.5
Romogi	13	6.1	6.1	39.6
Kei	25	11.8	11.8	51.4
Ariwa	15	7.1	7.1	58.5
Odravu	27	12.7	12.7	71.2
Kuru	13	6.1	6.1	77.4
Lodonga	16	7.5	7.5	84.9
Midigo	13	6.1	6.1	91.0
Kochi	19	9.0	9.0	100.0
Total	212	100.0	100.0	

In the table above the Report found out that Yumbe District Local Government has a total number of 212 Land Institutions with the highest number being registered in Odravu Sub County represented by 27 taking 12.7%. The Lowest number of District Land Institutions was registered in Yumbe Town Council and Kerwa Sub County with a total of 11 representing 5.2% respectively. Romogi SC, Kuru SC and Midigo SC all had the same number of District Land Institutions of 13 in number represented by 6.1% respectively

4.2 District Institutional Land by Registration Status

The Report sought to find out Registration Status of the Institutional Lands in the District. The different and common Government Institutions reported included the Lower Local Government Head Quarters, Primary Schools, Secondary Schools, Tertiary Institutions, Health Facilities (HC II, III, IV and Regional Referral Hospital), Others which included Police, Army and Prison, Market, Water Scheme, Lands where other Organizations reside but are registered under the District

4.2.1 District Institutional Land with Registered Status

Registered	Frequenc y	Percent	Valid Percent	Cumulative Percent
Head Quarter	8	3.8	25.0	25.0
Primary School	10	4.7	31.3	56.3
Secondary School	4	1.9	12.5	68.8
Tertiary	2	.9	6.3	75.0
Health Facility	4	1.9	12.5	87.5
Others	4	1.9	12.5	100.0
Total	32	15.1	100.0	
System	180	84.9		
Total	212	100.0		

The Table above shows that only 10 Primary Schools in the District have the Lands registered representing 31.3%, 8 of the 28 Lower and Higher Local Government Head Quarters have their Land registered representing 25%, 4 Secondary Schools, 2 Tertiary Institutions, 4 Health Facilities, and 4 Other District Institutions have Lands registered representing 12.5% respectively. Of other institutions residing on the District Institutional Land included; The Uganda Red Cross Society, Okubani Market, Yumbe Regional Referral Hospital and Lodonga Market.

4.2.2 District Institutional Land with Non-Registered Status

Not Registered	Frequenc y	Percent	Valid Percent	Cumulative Percent
Head Quarter	20	9.4	11.1	11.1
Primary School	117	55.2	65.0	76.1
Secondary School	9	4.2	5.0	81.1
Tertiary	1	.5	.6	81.7
Health Facility	25	11.8	13.9	95.6
Others	8	3.8	4.4	100.0
Total	180	84.9	100.0	
System	32	15.1		
Total	212	100.0		

180 Institutional Lands have not yet been registered with the Primary Schools in the District taking the highest percentage of 65% (117 Primary Schools) while only 1 Tertiary Institution Colonel Nasur Ezaruku Technical Institute in Kululu Sub County has land which has not yet been registered representing 0.6%. 20 Head Quarter, 9 Secondary Schools, 25 Health Facilities and 8 Other District Institutions have lands which are not yet registered representing 11.1%, 5%, 13.9% and 4.4% respectively. It should also be noted that only 2% of the Institutional Land in Yumbe have not been registered as compared to the 12% in Kei Sub County and 11% in Odruvu Sub County respectively.

4.3 District Institutional Land by Survey Status

The Report sought to find whether all the institutional lands that were registered or not registered were surveyed or not surveyed. It should be noted that most of the Institutional Lands under the District were registered on *Free Hold Land Tenure System with exception of Midigo Health IV that has both Free Hold and Lease Hold.*

4.3.1 District Institutional Land by Surveyed Status

Surveyed	Frequenc y	Percent	Valid Percent	Cumulative Percent
Head Quarter	8	3.8	25.0	25.0
Primary School	10	4.7	31.3	56.3
Secondary School	4	1.9	12.5	68.8
Tertiary	2	.9	6.3	75.0
Health Facility	4	1.9	12.5	87.5
Others	4	1.9	12.5	100.0
Total	32	15.1	100.0	
System	180	84.9		
Total	212	100.0		

The table above indicated that a total number of 32 District Institutions had lands which were surveyed with 10 out of 127 Primary Schools having lands that are surveyed representing 31.3% of the Institutional Lands surveyed. 8 out of the 28 Lower and Higher Local Government Head Quarters Had Surveyed Institutional Lands representing 25% while 2 Tertiary Institutions out of the 3 had their Institutional Lands surveyed. This implies that most of the Registered Institutional Lands were actually not surveyed.

4.3.2 District Institutional Land by Not Surveyed Status

Not Surveyed	Frequency	Percent	Valid Percent	Cumulative Percent
Head Quarter	23	10.8	12.8	12.8
Primary School	117	55.2	65.0	77.8
Secondary School	8	3.8	4.4	82.2
Tertiary	1	.5	.6	82.8
Health Facility	23	10.8	12.8	95.6
Others	8	3.8	4.4	100.0
Total	180	84.9	100.0	
System	32	15.1		
Total	212	100.0		

It can be noted that 180 of the 212 District Institutional Lands have not been Surveyed representing 83% with 65% being the Primary Schools with Kei Sub County have the highest number of 13 Primary Schools and only 3 Primary Schools in Yumbe Town Council not being Surveyed. The Head Quarter and Health Facility Lands represented 12.8% respectively and only one out of the three Tertiary Institutions has land that has not yet been surveyed.

Therefore, the general implication is that the safety and security of Government Investments on unregistered land and untitled land is at stake

4.4 Correlation Analysis

The Report aimed at examining whether there was a significant relationship between the Location and the Registration Status, Survey Status of the District Institutional Lands. The main aim was to find out whether location of these Institutional Lands had a significant influence on the Registration and Survey Status of these District Institutional Lands in the District

The Chi-Square Analysis was ran for the data and the result of the outputs are as below;

4.4.1 Institutional Land Location and Registration status of Institutional Land

The Report aimed at finding out whether the Location of these institutional lands had a significant impact on their registration status as shown below

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	58.329 ^a	45	.088
Likelihood Ratio	47.112	45	.386
Linear-by-Linear Association	1.091	1	.296
N of Valid Cases	32		

a. 60 cells (100.0%) have expected count less than 5. The minimum expected count is .06.

In the table above, since the P-Value (0.088) is greater than 0.05, we can conclude that the Location of the Institutional Lands does not have a significant impact on the Registration Status of the Institutional Lands. Therefore, there are other factors and actors that should be exploited to know why the institutional lands are registered or not registered.

4.4.2 Institutional Land Location and Survey Status Institutional Land

The Report aimed at finding out whether the Institutional Land Location had an impact on whether the Institutional Land not being registered

Chi-Square Tests

	Value	Df	Asymp. Sig. (2-sided)
Pearson Chi-Square	50.087 ^a	60	.816
Likelihood Ratio	55.194	60	.652
Linear-by-Linear Association	2.884	1	.089
N of Valid Cases	180		

a. 66 cells (84.6%) have expected count less than 5. The minimum expected count is .02.

In the table above, since the P-Value (0.816) which is greater than 0.05, it can be concluded that the Location of the Institutional Lands does not have a significant impact on the Survey

Status of the Institutional Lands. Therefore, there are other factors and actors that needed to be exploited to why the institutional lands are either surveyed or not surveyed

Therefore, the report requests that other factors such as Financial Capacity, the Urban and Rural nature, and knowledge of Land Rights of some of the Lower Local Governments needed to be exploited for further analysis.

In line with this analysis, the board noted that most institutions like primary schools, health facilities, Markets, water sources and secondary schools located in bidibidi refugee settlement have been established on customary land without any formal document. In an event of repatriation of refugees, such heavy public investments will become source of litigation for Yumbe District Local Government and OPM since there no evidence of ownership of land for institutions.

Chapter Five

The Discussions and Recommendations.

5.0 Introduction

The report on the performance of District Land Board for the Financial Year 2021/2022 was prepared based on the secondary data analysis. This chapter presents the Summary, Discussion, Conclusions, Recommendations and Suggestions for policy making for the District Council and other key stakeholders in Land Administration and management. It is therefore a synthesis of earlier discussion, reviews and findings of this annual report. The discussion and recommendation are guided by specific objectives of this annual report

5.1 Recommendations

The Objective of this report is to report the progress on the implementation Land Board activities in the Financial Year 2021/2022. The Board has had a challenges in fulfilment of the requirement of Section 60(3) of Land Act CAP 227 in Yumbe District. In order to achieve the performance targets of land Board at 100%, the Board recommends that clear strategy is needed to address the root causes of conflicts and disputes beyond the use of courts of Law besides the following options:

- a) The leadership of Lower Local Government should coordinate with the District Land Board to update Land Asset inventory to enable District track records of Public Institution Land asset. This will prevent the rampant cases of community encroachment into Public Institutional land including false claims for land compensation.
- b) The Land Board observed that there are many parcels of land acquired by the newly created administrative units and old ones which have not been captured in the District Land Inventory. The Board recommends that all Lower Local Governments should provide information on such parcels of land to enable the office of the Chief Administrative Officer to formalize land transaction processes with the said land owners. This is also true with primary schools, secondary schools and health facilities sitting on customary land in refugee settlement without agreements.

- c) The Board registered 50% performance in the implementation of her Mandate in the District. The Board is required by law to meet at least twice in every two months and this was not achieved due to inadequate budget allocation to the board by District Council. The Board therefore recommends an increased resource allocation for effective performance of Board functions in the subsequent financial years

5.2. In order to promote safety and security of Public investments consistent with objective number two of the annual report which is to assess the safety and security of Land Asset in the provision of social service delivery in Yumbe District, the District Land Board recommends the following:

- a) The Board in reviewing the stock of land asset in the Sub counties and the District, the Board observed that only 32 out of 212 Public Institutional Land was registered and titled representing 15%. The implication is that 180 Public institutional lands have remained unregistered and have become insecure for public investment. The Board recommends that Yumbe District and Lower Local Governments should prioritize registration and titling of Public Institutional land for purpose of reducing litigation against Government which can cause financial loss to the District. This will provide safety and security for public Investments for continued service delivery across sectors.
- b) The Board also observed that 180 of 212 Public institutional Land were not surveyed representing 85% while only 32 parcels of land was surveyed. This implies that the 32 parcels of land have reached advanced stage of titling. The Board therefore recommends that District Leadership and Sub County leaders should allocate additional funds for Land Board and Natural resources department to conclude the process of registration for acquisition of Freehold land title certificate
- c) During the review of secondary data of land asset inventory, there was evidence that some institutions of Government do not have land agreement as a proof of ownership. There is likelihood that service delivery in these institutions may be affected should the community claim for ownership through Courts of Law. The Board recommends that Sub counties should ensure that such institutions under their supervision should have land agreements signed and their land titles processed including those located in Bidibidi refugee settlement.

- d) Whereas Public investments in Institutional land face threat of ligation from community, the customary nature of land ownership poses a big source of land conflict in the entire community of Yumbe and loss of customary land to the land grabbers. Some clan leaders have exploited the ignorance of their clan members on Land rights to sell customary land using un registered Clan land association contrary to the Regulation 76 of Land Regulations, 2004 on communal Land Association. The Board therefore recommends that District Council should enforce the registration of customary land under Certificate of Customary land ownership to safe guide the right of Poor households in the District against land Grabbers. Besides, the informal Clan Land Associations like Kiranga Clan Land Associations, Okubanga clan land associations and Jombo Clan Land Associations that exist in the District, should be encouraged to register as communal Land association to attain legal status.
- e) The Board's analysis of institutions according to sectors indicate that only 10 Primary Schools in the District have the Lands registered representing 31.3%, 8 of the 28 Lower and Higher Local Government Head Quarters have their Land registered representing 25%, 4 Secondary Schools, 2 Tertiary Institutions, 4 Health Facilities, and 4 Other District Institutions have Lands registered representing 12.5% respectively. Of other institutions residing on the District Institutional Land included; The Uganda Red Cross Society, Okubani Market, Yumbe Regional Referral Hospital and Lodonga Market. The Board therefore recommends that registration and titling of Primary school land, Health Facility lands, sub county HQ lands and secondary school lands should be given priority by the District Leadership and the Sub County Leaders for the protection and safety of Government investments on those parcels of Land

5.3. The Board identified a number of challenges in the performance of her function in the Land administrations and management. The Board therefore makes the following recommendations to the District Council in making policy toward improved service delivery in Yumbe District

- a) Yumbe District has 26 Lower Local Governments with vast area land coverage which requires the Board to transverse during awareness creation and sensitization

of community on land rights and ownership as well as resolving rampant land conflicts. These Lower Local Governments have not been covered during community dialogues organized due to transport challenges. The Board therefore recommends that a vehicle as transport equipment should be allocated by the District or implementing Partners to Land Board to effectively coordinate land related matters with community

- b) Modern Land administration and land management requires highly skilled professional staffs that are in high demand in the private sector. The Board has observed that District lacks Government Valuer to undertake property and land valuation. This has affected and delayed some of Land Board decisions since this service is sought from Arua District Local Government whose schedules have never been favorable. Besides, the surveying equipments are lacking for staff surveyor to perform his functions of mapping and surveying in the District. The District Land Board recommends that the District Should recruit Government Valuer as well as procure survey equipments to improve the performance of Land Board and Land subsector.

5.4 Conclusion

In the preparation of this Report, the Board found out that Yumbe District Local Government has a total number of 212 Land Institutions with the highest number being registered in Odravu Sub County represented by 27 counts taking 12.7%. This was associated to informed leadership of those primary and secondary schools. The Lowest number of District Land Institutions was registered in Yumbe Town Council and Kerwa Sub County with a total of 11 representing 5.2% respectively. Romogi SC, Kuru SC and Midigo SC all had the same number of District Land Institutions of 13 in number represented by 6.1% respectively. However, cases of un-update land Asset Inventory was noted indicating that more parcels of land was acquired by new administrative units without being brought to the attention of District and Land Board. The Report examined whether there was a significant relationship between the Location and the Registration Status, Survey Status of the District Institutional Lands. The main aim was to find out whether location of these Institutional Lands had a significant influence on the Registration and Survey Status of

these District Institutional Lands in the District. The Chi-Square Analysis was ran for the data and the result of the outputs.

The minimum expected count is .06. In the table above, since the P-Value (0.088) is greater than 0.05, we can conclude that the Location of the Institutional Lands does not have a significant impact on the Registration Status of the Institutional Lands. Therefore, there are other factors and actors that should be exploited to know why the institutional lands are registered or not registered. Hence there is no justification for District and Lower Local Governments for not prioritizing land registration for Public Institutions despite guidance provided by the Ministry of Local Government and Ministry of Finance, Planning and Economic Development in a number of Circulars to the Local Governments

Reference

Land Act CAP 227 as amended 1998

The Constitution of Republic of Uganda (1995) as amended

Uganda National Housing and Census Report (2014),

Yumbe District Development Plan 2020/2012-2025/2026

Regulations 72 and 95 of the Land Regulations, 2004

Yumbe District Local Government: Approved Budget Estimates for 2021-2022

Annex 1

i. The District Land Board Planned Activities Vs the Achieved Activities for Financial Year 2021/2022

S/ N	Objective	Key Activities	Performance		Perfor mance to Date	Comment, Location/Cat egories of Participants	Cost	Source of Funds	Status
			Planned	Achieved					
01.	To give technical backstopping to LG and lower LGs	Development of terms of references for Surveying and titling of East Legu P/S, Locomgbo P/S, Obero P/S, Obero West P/S Swinga P/S, Romogi S/C Hqrs, Kiiri Market, Barakala TC Hqrs, Barakala TC Market,	13	13	100%	The contracts awarded to two contractors	87,000,000	S/C funds	Completed

		Kuru S/C Hqrs, Amanyiri H/C III, Dramba H/C II, and Kei S/C Hqrs							
02.	To investigate and dispose of land disputes	Dialogue meetings to investigate and dispose of land disputes	20	12	60%	The conflicts investigated and disposed at the moment,	0	LR	No IPF to handle the activity
03	To dissemination of legal instruments	<ul style="list-style-type: none"> • Carrying out of sensitisation and awareness on land matters, • Refresher training for ALC members • Radio 	26 S/Cs 26 S/Cs 12	13 4 4	50% 15.38% 33.33%	<ul style="list-style-type: none"> • Raised awareness in 13 S/Cs • 2 S/Cs and 2 TCs ALC Members • Fixed during Police and RDC Time on Ribat FM 	2,000,000 2,000,000 0	Statutory funds DDEG 0	Done Done

		Talkshows							
04.	To Prepare offer documents	Preparation of offer documents	60	58	96.67%	Freehold offers for Individuals and Government institutional lands	-	Statutory	Completed
05.	To mobilize land related local revenues	Levying and collecting fees according to regulations 72 and 95 of the Land Regulations, 2004	25,000,000	17,000,000	60%	Application fees, premium	variable	LR	Deposited in District Account
06.	To coordinate the day to day activities of the District Land	Scheduled and facilitated District Land Board meeting	8	2	25%	Did not sit as mandated two in a quarter	5,000,000	CG Boards & Commission	Limited funds

	Board								
07.	To submit quarterly progress reports to the MLHUD	Travel to Kampala to submit the minutes of 34 th DLB meetings to MLHUD	4	2	50%	DLB minutes submission	500,000	CG Boards & Commission	Inadequacy of funds
08	To coordinate the activities of the land office	Operational costs met	4	0	0%	Small office operational costs not procured	0	LR	Inadequacy of funds
09	To Survey and title YDLC institutional lands	Surveys done and coordinated for titling of the District Council lands	8	10	137.5%	10 files being processed for title deeds	-	Bijo S/C funds	On-going
10	To coordinate the activities of the	Follow of leasehold title extension with	02	02	100%	Files of Okuti Nasur and Chere mixed farm	0	LR	Limited resources to handle

	land office	MLHUD-Kla							
11	To Compile and maintain Compensation rates	Development of Compensation rates for the district	1	2	200%	Rates of developed and again moderated half a year later as requested by MoLHUD	0	Statutory	Submitted in the MLHUD

ii. Members of Yumbe District Land Board

Name	Designation	Photo
Bandaru Patience Daisy	Board Chairperson	
Azikuru Dina Molly	Board Member	
Delu Ahmed	Board Member	
Bodoga Mark	Board Member	
Ajaga Nuru Kambason	Board Member	
Ojoatre Rashid	Secretary DLB	