

# DRAFT REPORT

## PROCESS EVALUATION OF THE EFFECTIVENESS OF THE UGANDAN LAND POLICY REFORM



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## 1. INTRODUCTION

Land is a key pillar of economic and human development. There is growing evidence on the positive impacts of tenure security on agricultural investments and productivity, women's empowerment, poverty alleviation, food security and sustainable natural resource management (Higgins et al. 2018; Lisher 2019). As a result, land tenure security ranks high on the global policy agenda, as reflected by the inclusion of tenure security (formal or perceived) within the Sustainable Development Goals (SDGs).

Given the importance and complexity of the policy area, evaluations of land tenure interventions are required. Evidence is particularly needed to guide policy reforms in Africa, where former land titling programmes had mixed impacts (Lawry et al. 2014), in order to avoid unintended effects such as evictions that would further hurt vulnerable groups (Rugadya 2009; van Leeuwen 2014). This need is particularly pressing as increasing land pressures exacerbate land conflicts and tenure insecurity (Bomuhangi et al. 2011; Deininger and Castagnini 2006; Mwesigye and Matsumoto 2016). Furthermore, the region faces specific challenges due to the co-existence of various land tenure systems.

Land resources are particularly valuable in the Ugandan context. Land constitutes the main capital available to Uganda's population accounting for 54% of the country's total assets, which is mainly used for crop production, pasture lands, protected areas, forests and wetlands (Twinomuhangi et al. 2015). As the country's single most important asset, the question how land is used and managed will have a defining impact on the achievement of sustainable development over the coming decades. Agriculture occupies the largest portion of Uganda's land (43.6%) (UBOS 2019). Approximately 63.1% and 44.9% of Uganda's households own agricultural and pasture land, respectively, as household assets, while 38.8% of the households own non-agricultural land. Agriculture employs around 64.6% of the population and contributed 21.9% to the GDP in 2018/2019 (UBOS 2019). These figures reflect the significance of land as Uganda's main production factor and demonstrate that insecurity of land tenure bears the risk of adversely impacting on Uganda's agricultural, and hence, the whole nation's development.

The Ministry of Lands, Housing and Urban Development (MLHUD) is mandated to ensure rational and sustainable use, effective management of land and orderly development of urban and rural areas as well as safe, planned and adequate housing for socio-economic development. In order to ensure rational use and effective management of land, a number of policies, institutional and legal frameworks have been adopted. The major adaptations are the Land (Amendment) Act (2010), the National Land Policy, (2013), and the Land Sector Strategic Plan (2013-2023). Key policy goals of the Ugandan Land Policy are to achieve security of tenure, to strengthen women's land rights as well as to improve service delivery related to land administration services. An important means is the formalization of land rights as well as joint titling for both spouses. Currently, only few parcels are formally registered and even less are co-titled (Bomuhangi et al. 2011 citing Sebina-Zziwa et al. 2003). These frameworks gave rise to the institutional establishment of the Ministry Zonal Offices (MZOs), which duplicate the services of the MLHUD, but are established in each cadastral zone, bringing the services closer to the people. The MLHUD in collaboration with the office of the Prime Minister has identified the need to evaluate the performance of the MZOs, in order to understand and consolidate lessons regarding their efficiency and effectiveness in terms of service delivery. Currently there is a scarcity of information available on the performance of these MZOs. This evaluation will fill this information gap by assessing the extent to which MZOs

have served their purpose. By carrying out a process evaluation of the MZOs, the evaluation seeks to understand key barriers to land registration and transactions, as well as the perceived quality of service delivered by the MLHUD through its zonal offices. The goal of the study is hence to inform key actors in land administration, in particular the MLHUD, about barriers to increased tenure security, potential ways to address these, and how to improve land administration services.

More specifically, the purpose of the evaluation is, therefore, to determine whether the design of the MZO services is appropriate to address the identified challenges and whether the implementation is sufficiently close to its design – assessing hence the so-called *implementation fidelity*. The process evaluation documents and analyses the implementation of the reform, by focusing on how activities were turned into outputs that can facilitate the achievement of the programme's overall objectives. Since the Government of Uganda plans to improve land service delivery by making land registration more efficient, reduce corruption tendencies, make all land services accessible and by reacting to complaints from the public, a process evaluation is a suitable tool to detect areas for adjustments.

The evaluation sheds light on the current role of different land-related institutions and the Ministries part of the process. The analysis involves a desk review of the programme documents, ministry referendums, Memorandums of Understanding (MoUs) and official decrees. Additionally, qualitative interviews with ministry officials and staff who worked on the conceptualisation and institutionalisation of the MZOs are taken into consideration. Collecting primary data from stakeholders and staff working directly on land registration and transactions enables the evaluation of the registration process and investigation of its components. The data provides insights on how the process was planned and implemented, drawing on institutionalisation experience and the staff intake on the strength or weaknesses of the process. Finally, qualitative data from the target population, i.e. landowners, that the process is serving, include their experiences with the system, identifying whether the intervention is relevant in meeting the population's needs and providing lessons learned and suggestions for improvements. The evaluation also includes land-owners not yet using the MZO services in order to identify how their needs could be better responded to. The qualitative data base consists of a total of 36 interviews and 16 focus group discussions conducted in March and April 2021.

The report is organised as follows: Chapter 1 gives an introduction. Chapter 2 outlines the background of the intervention, including a literature review, a detailed project description and the project's Theory of Change, which leads into the problem analysis and formulation of research questions in line with the OECD DAC's evaluation criteria. Chapter 3 describes the research approach and methodology. Chapter 4 presents the evaluation results including recommendations and lessons learned and Chapter 5 closes the report with concluding remarks.

## 2. BACKGROUND AND PROBLEM ANALYSIS

In this section, we analyse the underlying problem, the intervention aims to respond to including shedding light on the context and subsequently give a detailed description of the project as response to the problem. This section includes the cross-country academic evidence, the country context and project specifics including the Theory of Change.

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### 2.1. CROSS-COUNTRY ACADEMIC EVIDENCE ON LAND TENURE REFORMS

This sub-section gives an overview over the effects tenure security may have according to the academic literature. The literature on tenure security focuses on economic outcomes, while other outcomes of interest have received comparatively little attention (Lisher 2019). Most of the evidence relates to agricultural investments, which do not always result in greater productivity and income. Evidence on access to credit as well as on social outcomes remains weak (Higgins et al. 2018). To our knowledge, only one study, in Bolivia, evaluates the impact of a land tenure intervention on conflicts and fails to find an impact. Evidence on environmental outcomes essentially consists of positive impacts on soil conservation investments (e.g., (e.g., Ali, Deininger, and Goldstein 2014; Goldstein et al. 2018). A few studies explore gender-differentiated effects, most of them comparing male and female-headed households and focusing on agriculture investments (e.g., Ali et al. 2014; Goldstein et al. 2018). A better understanding of the impact of these reforms on intra-household allocation of rights over land is still needed (Goldstein and Udry 2008; Meinzen-Dick et al. 2019) and process evaluation may be a suitable tool here. Little is known on how to increase women's land security and access to land, with existing evidence focusing on programmes explicitly targeted at women, such as an improvement of inheritance rights and joint titling (Brulé 2010; Glavin, Stokke, and Wiig 2013; Santos et al. 2014). Regarding factors accompanying the actual intervention, Deininger et al. (2008) find a strong impact of legal knowledge on economic outcomes in Uganda. Further insights, which this evaluation aims to provide, may be of major relevance for policy guidance. In general, past experience of eviction and the nature of the existing institutions (e.g., the presence of corruption, contradictions between customary and state regulations) are crucial determinants of the ability of land reforms to affect tenure security (van Leeuwen 2014; Higgins et al. 2018) and hence need to be in focus of any evaluation. Furthermore, a better understanding of households' reluctance to land registration can provide guidance to the implementing agencies to adapt its activities and communication.

An important debate in the literature regards the importance of formalization of customary tenure in Sub-Saharan Africa. On the one hand, Byamugisha, author of World Bank report (2013), argues forcefully that informal customary tenure with its male-biased social norms is at the root of poverty and the vulnerability of women. Consequently, formalization would pave the way for shared prosperity – as in other parts of the world, such as China. On the other hand, based on a systematic review of the available evidence, Lawry et al. (2014) find less positive impacts of formalization interventions in Africa than in Asia and Latin-America. They speculate that this may be due to an effect specific to contextual factors on the African continent: customary tenure may in fact already provide relatively strong tenure security so that formalization cannot yield high additional benefits. By contrast, titling may backfire for women and poor households – if not carefully done – because it can eliminate the social basis for claiming land rights. In a recent review of the literature, Singirankabo (2020) argue along the same lines and further emphasize the role of the process of land registration and updating of land information, including the methods used

to demarcate, adjudicate and record land information. Context, therefore, matters and shows the importance of qualitative work to understand it better.

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## 2.2. CONTEXT

The 1995 Constitution of Uganda and the Land Act, 1998 state that all land in Uganda is vested in the citizens and shall be owned under four basic land tenure regimes, namely, customary, mailo, freehold, and leasehold and that Ugandans have the liberty to manage their land under these tenure systems, either individually or communally.

The **customary land tenure system** is the dominant tenure system in Uganda and covers approximately 80% of land parcels in the country. Land use under customary tenure is governed by customs, rules, and regulations of the community, clan or family (Uganda, Ministry of Lands, Housing and Urban Development 1998) in accordance with specific norms and practices. Before the colonial period, and prior to the Buganda agreement of 1900, all land in Uganda was under the customary land tenure arrangement, characterised by communal land ownership where the village chief or king's agents were in charge of allocating and administering land use among community members. Community, clan or family members were regarded as tenants at sufferance who only had use rights (West, 1965). Today, under customary tenure, landholders do not have a formal title to the land they use, although Article 237(4a) of the 1995 Uganda Constitution stipulates that all Ugandan citizens owning land under customary tenure may acquire certificates of customary ownership in a manner prescribed by parliament.

The **mailo land tenure system** was established in 1900 by the British colonial government in order to reward colonial agents who advanced British interests with large estates of land. Under the 1900 Buganda Agreement, 19,600 square miles of land were divided into blocks measured in miles (hence the name *mailo*) and given to chiefs and other officials. The system resembles a quasi-freehold tenure system, in which the holders of the registered land own it in perpetuity. The mailo land tenure systems is found in the Central Region (Buganda) and some parts of Central Western Uganda. The former peasants who were cultivating this land did not receive a share, but became tenants instead, obliged to pay rent to title holders, i.e., mailo owners, according to Busuulu and Envujjo law of 1927. Therefore, much of mailo land is used under *kibanja* (peasant) tenancy system, which may or may not be documented with *kibanja* certificates. Tenants do not hold full ownership rights and they face restrictions on how to use and dispose of the land. This creates conflicting interests and overlaps in rights on the same piece of land between the tenant and the mailo landowners. However, reforms under the Land Act Amendment in 2010 have strengthened tenants' rights by limiting the rent they must pay to a nominal amount and have made it more difficult for mailo owners to evict the tenants (MLHUD 2010).

A much smaller proportion of land in Uganda is held under the freehold and leasehold tenure compared to the customary and mailo tenure systems. Under **freehold**, owners of land have a title deed that allows them to hold the registered land in perpetuity. Landowners are given complete rights to use, sell, lease, transfer, subdivide, mortgage, and bequeath the land as they see fit, as long as consistent with the laws of Uganda. Freehold land was given by the British government and later by the Uganda Land Commission to a small category of selected individual kings, notables, and chiefs; academic institutions; large-scale agricultural estate developers; and some

special interest groups such as church missionaries of the protestant and catholic churches (Bikaako and Ssenkumba 2003). However, individuals can also buy and own freehold land.

Under the **leasehold** tenure system, the owner of the land grants the tenant exclusive use of the land for a specific period of time. Land may also be leased from the state to individuals for typical lease periods of 5, 45, or 99 years. The tenant is issued with a leasehold title and full ownership rights such as use rights, transfer rights and the right to bequeath over the tenure of the lease. In return, the tenant usually pays an annual rent or service under specified terms and conditions. Leaseholders are not required to be Ugandan citizens, while the other forms of tenure are available to Ugandan citizens only.

Not least due to the complex land tenure system outlined above, the country experiences high levels of land disputes, whose adequate management and resolution still seems elusive: The National land Policy (NLP) 2013 reveals that “inter district boundary disputes and conflicts, ethnic land conflicts, conflicts between pastoralists and agriculturalists, as well as evictions on registered land between land owners and occupants are on the rise” (MLHUD 2013). In Acholi sub-region, land disputes are affecting between 33% and 50% of landholders, with many of them escalating into violence (Mercy Corps 2011). The high level of informality found in urban areas, with about 60% of the urban population living in informal settlements, is one of the symptoms of an insufficiently functioning land use planning system. Building on numerous past efforts to reform land administration, the Cabinet of Uganda adopted the NLP in 2013 as part of the second Land Sector Strategy Plan 2013–2023 (LSSP II) to strengthen tenure rights, promote sustainable and efficient use of land and to guarantee more equal access to land rights. Part of the NLP is the establishment of MZOs, which are the particular focus of this evaluation. The exact intervention under evaluation will be described in the following.

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### 2.3. PROJECT DESCRIPTION

This section describes the MZO establishment and services for land registration, being the intervention under evaluation. In order to understand the full scope and purpose of MZOs, it is important to first explain how they are embedded in the NLP. Subsequently, we turn to MZO specifics including the institutional and structural set-up of the intervention locating all stakeholders involved.

Uganda has a history of strong and progressive laws concerning land rights. Examples include the 1995 Constitution, which grants “every person [...] a right to own property either individually or in association with others”, and the 1998 Land Act, which promotes women’s land rights, along with the decentralization of land administration and the establishment of land tribunals for land-related dispute resolution. However, implementation and enforcement of the law prove difficult for reasons of inefficiency, corruption and a lack of transparency (LSSP II; Competitiveness and Enterprise Development Project (CEDP) project appraisal).

The NLP is a comprehensive framework establishing an in-depth reform of the Ugandan land administration with the goal to “ensure efficient, equitable and optimal utilization and management of Uganda’s land resources for poverty reduction, wealth creation, and overall socio-economic development.” A central component to this endeavour is to strengthen the legal framework through the revision of existing laws and the adoption of new bills, all aimed at improving land rights security while clarifying land acquisition transactions and ensuring proper

enforcement. For instance, the Land Amendment Act of 2010 addresses the issue of illegal evictions of tenants under mailo tenure, by complementing the 1998 Land Act and providing unlawful occupants of registered land with a grace period of six months before an eviction order can take effect.

Within the NLP (and the LSSP II), important efforts are made for the recognition of customary land tenure and the proper registration of such land. Among other, this is of particular relevance for the promotion of women's land rights. The latter was indeed an important focus of the 1998 Land Act, with, for instance, "provisions for spousal consent in all matters relating to land from which a family derives its subsistence" (LSSP II). However, given that about 80 percent of land in Uganda falls under customary tenure, which, because of patrilineal norms, greatly favours men in all matters relating to land, women's land rights including rights to own, inherit and dispose of land is still very weak. Furthermore, while women are estimated to contribute up to 80% of agricultural labour, only 30% of women control the proceeds from land and even fewer formally own land ("Food Security and Land Governance Factsheet Uganda" 2016). Proper registration of customary-tenured land with the issuance of certificates of customary ownership that formally acknowledges the rights of women may be paramount for the land-rights security of women and the most vulnerable parts of the population.

One of the overarching goals of the NLP is to enact the LSSP II vision by ensuring the legal and logistical feasibility of the countrywide surveying, mapping and registering of every land parcel, including customary-tenured land. These processes have been slow in the past with only around 20% of land surveyed to date and full cadastral only exist for parts of the capital city (LSSP II). A major reason for this was that many land-related services were centralised with the formal land related institutions at the district level only acting as a bridge between the population and MLHUD at the national level. Therefore, to improve land service delivery, the government of Uganda has undertaken the decentralization of land administration through the establishment of MZOs in all cadastral zones of Uganda (see Figure 1 below). MZOs are decentralized institutional establishments with replicated Ministry services specific to the location of their establishments. Their general objective is to ensure transparent, accountable and easily-accessible land rights administration and strengthened capacity for effective delivery of land services. The specific goals are to improve the efficiency of land registration processes, reduce instances of corruption, make land services more accessible and address increasing complaints by the public. The services offered at the MZOs include land management, land valuation, surveying, land registration, physical planning and, partly, housing. In particular, MZOs are to facilitate land registration processes through the use of the national land information system (NLIS) infrastructure and shall bring ministry services geographically closer to the community.

The NLIS is a geographic information system for cadastral and land-use mapping designed specifically to contain spatially referenced land-related data for a defined area and procedures and techniques for the systematic collection, update, processing and distribution of this data. The NLIS was established in Uganda under the DeSINLISI Project and configured to support first, subsequent and miscellaneous land registration in the MLHUD to replace the current manual system of land allocation, deed plan preparation and land registration.<sup>1</sup> The MZOs are in charge of

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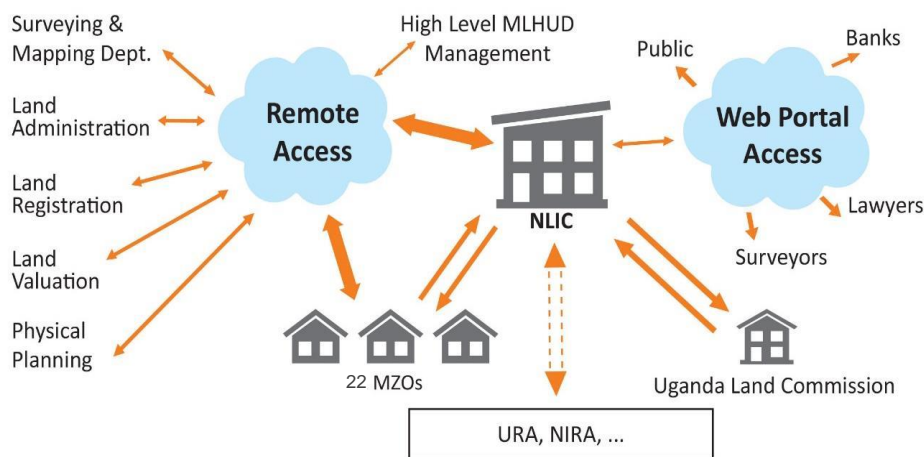
<sup>1</sup> <http://ugnlis.go.ug/what-is-nlis/>



## INSTITUTIONAL SET-UP AND STAKEHOLDERS

The reformed land registration process involves several stakeholders beyond the MZOs. Figure 2 below about the NLIS integration of different land management actors gives an overview over the interlinkages and general institutional set-up.

Figure 2: NLIS Integration of Primary Statutory Land Management Actors<sup>3</sup>



The land reform involves the different MLHUD departments (Surveying and Mapping, Land Administration, Land Registration, Land Valuation and Physical Planning) and management, the individual MZOs, the Ugandan Land Commission, the Uganda Revenue Authority (URA), the National Identification and Registration Authority (NIRA), as well as the ones using the system like the general public, i.e. land owners, banks using land as collateral, surveyors surveying land to register and lawyers as witnesses to land transactions and are involved to draft land sale agreements or in case of court deliberations in relation to land conflicts. The NLIS links and integrates all these actors through one digital system with remote or web portal access.<sup>4</sup>

Beyond the actors linked through the NLIS, also District Land Boards and Area Land Committees play a role in the land registration process. The Land Act 1998 provides for the establishment of a District Land Board in each District. The Board handles land issues in the district. The board can hold and allocate land in the district that does not belong to any person or authority, facilitate the registration and transfer of interests in land and make surveys, plans, maps, drawings and estimates among others. Similarly, the Land Act 1998 also provides for the creation of Land Area Committees at sub-county or division levels. The Committee assists the District Land Boards in an advisory capacity on matters relating to land, including ascertaining rights in land. Land area committees recommend to the district land board, upon doing due diligence over land anyone

<sup>3</sup> Santoni, Alexius, Viability of integrating land rights in Uganda. Presentation at the National Land Forum organized by Ministry of Lands, Housing and Urban Development (MLHUD) and LandNet, Africana Hotel, Kampala, 14 November 2018.

<sup>4</sup> <http://ugnlis.go.ug/wp-content/uploads/2020/02/The-NLIS-as-a-Catalyst-for-The-Greater-Integration-of-Spatial-Data-in-Uganda-R.-Oput-P.-Stimpson-A.-Milledrogues-A.-Santoni-and-C.-Burke-March-25-29-2019.pdf>.

who needs to acquire or register land. They make physical inspection of the land to be registered to ascertain ownership, size and confirm that the land has no encumbrances.

As MZOs currently offer services for leasehold, mailo and freehold only, but not for customary land tenure, many parts of the population – in particular the poorest – will not be reached by the reform. Furthermore, land registration bears significant monetary costs (specified with UGX 500,000 to UGX 1 million Ugandan Shilling (more than USD 100) according to the project team), which will prohibit land registrations for poorer parts of the population, unless subsidized (programmes to subsidize land registration exist, but are not part of the evaluation).

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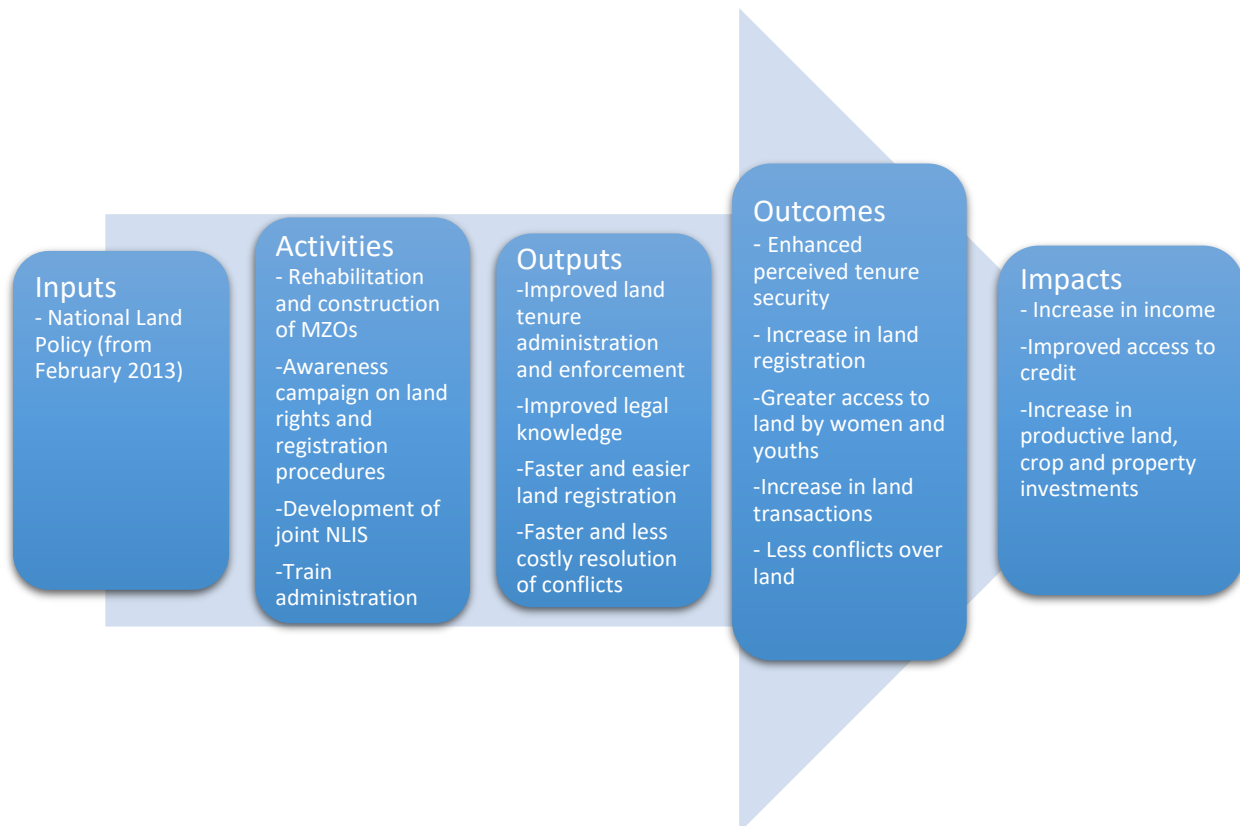
## 2.4. THEORY OF CHANGE

This section specifies the Theory of Change (ToC) of the intervention and clarifies the actual mechanisms how the intervention is assumed to reach the final goals. The ToC was developed based on the project documents, available public information and discussions with the project team.

The main underlying assumption of improved land registration services administered by MZOs leading to actual change, is that the population is well informed about these services. The NLP and all related programmes (e.g. the LSSP II and CEDP) officially internalize this need and formally state that the decentralization of land administration is to be accompanied by comprehensive awareness campaigns. Indeed, although close to 50% of the Ugandan population know there is a Land Act, accurate knowledge of its contents is scarce, and misconceptions are common regarding procedures to register land or the actual role of existing institutions (LSSP II). Information needs to be communicated efficiently to all parts of the population (especially the most vulnerable) in order to clarify their rights and duties, as well as to advertise new and more cost-effective registration procedures and to present the five-layer system put in place by the NLP for the administration of matters relating to land, including registration and dispute resolution (e.g. about the role of District Land Boards). We hence also include the activity of information campaigns in the ToC as a means to meet the assumption.

Improved information and more transparent processes may be capable to empower women and youths as well as to increase land used as collateral, less conflicts over land and enhanced ease of doing business. The theory of change of the selected interventions uncovers the causal chains linking the interventions to these end goals and is illustrated in Figure 3. In the following, we describe the causal pathways and their underlying assumptions.

Figure 3: Theory of Change of selected interventions of the National Land Policy



The activities linked to information campaigns and MZO establishments are expected to affect the outcomes of interest through different channels. Awareness campaigns aim at clarifying households' land rights and legal procedures. This is expected to increase land registration, land transactions and perceived tenure security (Deininger et al., 2008). Better knowledge on land rights and registration procedures may overcome some of the fears present within the population towards measurement and registration of land. This informing component appears crucial in order to reach women and youths, whose access to land has traditionally been limited. By getting these groups to claim their rights, awareness campaigns may lead to a reduction in inequalities between and within households. As such, Glavin et al. (2013) show that joint titling leads to greater involvement of spouses in household decision-making in Peru. By clarifying land rights, information campaigns are expected to reduce land conflicts and ease their resolution. The main underlying assumption here is that the recent changes in land legislation lead to clear definitions of land ownership and user rights under the different land tenure systems. Additionally is assumed that these campaigns effectively reach the target populations and that messages are trusted and understood.

The digitalization process of land information takes place through the development of a NLIS. Suggestive evidence exists that the NLIS reduces the time needed for registration and for land transactions (The World Bank 2013), lowers opportunities for corruption and increases accountability (Oput et al. 2018). An increase in the ease of registration and in administration transparency are both expected to lead to an increase in land titling and transactions. However, this effect may be limited as the MZOs only address mailo, freehold and leasehold tenure systems, which jointly account for around 20% of Uganda's land. The NLIS component may nevertheless address part of households' mistrust and the fear of vulnerable groups of

discriminatory treatment. An increase in land governance transparency may also directly affect perceived tenure security. Finally, the NLIS may clarify current land rights and, as such, ease land conflicts' resolution. These channels rely on the efficiency of the NLIS, local knowledge on the benefits and use of this new technology as well as its buy-in by the population.

As outlined above, the development of MZOs is part of a national decentralization process of land administration in order to bring land services closer to the population. This greater proximity is expected to ease land registration and, hence, encourage titling and spur land transactions. The main underlying assumption is that a decrease in the commuting time to register land was a major barrier to land registration. Indeed, both the costs and length of the procedure appear as important obstacles in the Ugandan context (Van Leeuwen 2014). Furthermore, households' perception of easier registration may also enhance their feeling of tenure security in itself. Finally, proximity may lead to improved access to land rights' information, contributing to reducing land conflicts and to making their resolution easier. However, this component alone may not be able to overcome other constraints to land registration and tenure security, such as the costs of surveying land, fear of additional taxes and of land grabbing, mistrust in governmental administrations, a lack of legal knowledge (Deininger et al. 2008; Van Leeuwen 2014) and social norms that forbid treating land as an individualised asset that can be bought and sold.

Taking these assumptions into consideration, direct or indirect impacts of these interventions on tenure security and, when relevant, on greater access to land, are expected to affect outcomes along three dimensions: economic, social and environmental.

Based on a systematic review of the literature, there is evidence of an increase in land investments following land tenure interventions (Higgins et al. 2018) – though the results are mixed for the two included studies from Africa. These effects are attributed to secure access to the returns of these investments. This channel relies on the assumption that households have sufficient capital to make these investments. Thus, we may expect different effects depending on the type of household. When land can be used as collateral, we also expect greater access to credit, which can in turn enhance investments. If time was spent trying to protect the land, this may be reallocated to more productive activities. Improved access to credit and an increase in the land transaction may lead to a better allocation of land and stimulate business creation. However, this channel may be weak in Uganda where other factors restraining access to credit, such as credit supply and market access, might be more prevalent than land documentation (Petracco and Pender 2009). From a social perspective, greater access of disadvantaged groups to land may empower these groups, leading to greater social and political inclusion.

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## 2.5. EVALUATION PROBLEM AND EVALUATION QUESTIONS

Given the background and contextual knowledge provided in this chapter, the underlying evaluation problem refers to the question whether the described intervention indeed leads to increased land registrations and transactions. Following the OECD DAC evaluation criteria *relevance, efficiency, impact, effectiveness* and *sustainability*, the evaluation will address the evaluation problem with main evaluation questions that are based on the ToC and listed below. Relevance and efficiency will be subsumed under the evaluation of the implementation fidelity, which focuses on the extent to which the MZOs are established as intended in their design.

Effectiveness, impact and sustainability will be assessed as part of identifying the general success and barriers to success of the project.

### *Relevance*

1. To what extent do the goals of the Ministry Zonal Offices (MZOs) fulfil the needs of the target group and beneficiaries?
2. To what extent do the goals of MZOs address context-specific structural barriers in the cadastral regions?
3. To what extent are stakeholders and their goals integrated in the implementation of MZO activities?

### *Efficiency*

4. How were the activities of the MZOs implemented? Could the implementation be more efficient (time/cost/participation)?

### *Impact*

5. What unintended impacts (positive and negative) on outcome variables did the intervention produce?

### *Effectiveness*

6. To what extent have the MZOs achieved their goals? To what extent are the MZOs likely to achieve their goals?

### *Sustainability*

7. Which MZO activities are most likely to be continued for a longer time and for what reasons?
8. Will the achievements of the MZOs be maintained over time? Will activities be maintained/continue to be practiced (and by whom)?

The next chapter will outline how the qualitative component of the process evaluation will respond to the evaluation questions. Results are presented in Chapter 4.

### 3. QUALITATIVE APPROACH

The study design is purely a qualitative process evaluation with empirical data collected and triangulated with a desk study. The process evaluation of MZOs aided the understanding of the extent of their effectiveness with the aim to fill in policy gaps.

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#### 3.1. SAMPLING

The primary sources of empirical data were MZO customers, MZO non-customers, private surveyors, Area Land Committee staff, District Land Board staff, MZO staff, MLHUD staff and international donors. The interviews were carried out in March and April 2021.

Apart from the expert interview with an expert representing the donor perspectives regarding land policies and activities in Uganda, all data collection was conducted face-to-face through our local research partner, Center for Basic Research (CBR). Through purposive sampling, we identified and selected MZO cadastral zones where we carried out data collection. The main selection criteria was to capture the cultural diversity of the country as well as the four land tenure systems. This selection procedure enabled us to include contextual and cultural barriers to land registration. It was hence necessary that the selected cadastral MZO zones covered all regions of the country (Northern, Western, Eastern and Central) which, to varying degrees, have different cultures and exercise different forms of land tenure systems. While all the four regions have leaseholds and freehold tenure systems, central region is characterised by mailo tenure system while Northern and Eastern have largely customary tenure systems. Western region has customary tenure with large parts of land under communal customary tenure systems. Integrating all four regions would therefore enable us capture contextual challenges and opportunities of implementing MZO activities. Figure 1 above illustrated Uganda's cadastral zones, each of which being covered by the services of at least one MZO.

At a second level, from each of the four regions, we purposively selected two MZO cadastral zones. Given the limited time for data collection, the two MZO cadastral zones were next to each other to enable easy access by the data collection team. This ensured that data was collected time efficiently, reducing the risks faced by the corona pandemic to the maximum. In total, we selected eight cadastral zones, two per region.

#### SELECTION OF RESPONDENTS FOR KEY INFORMANT INTERVIEWS (KIIS)

After having selected the MZO cadastral zones, we aimed at having a variety of respondents selected within each cadastral zone. Various officials dealing directly or indirectly with land policies, their implementations and outcomes were interviewed. We included one official from each of the selected MZOs. Mostly, the head of the MZO was selected as this person was assumed to, not only have more in-depth knowledge regarding land policies, implementation and their outcomes than the rest of the staff, but also deep insights into the objectives of the MZOs and further details about services the MZO delivers to their customers. We triangulated this data with Key Informant Interviews of land committee and land board staff at the district and sub-county levels as well as with information from private surveyors whom, given their practice, we assumed might have deep but also independent insights about the various institutions implementing land policies in a district. The districts selected were those within which the headquarters of the MZO offices are located. This was to ease access to both the key informants and land users. At the

national level, we interviewed staff members at the MLHUD and an expert from an international organisation working on land governance in Uganda. These provided us with a national overview of the MZOs especially regarding their sustainability (see Table 1 on sampling) as well as the donor perspective, respectively.

### SELECTION OF RESPONDENTS FOR FOCUS GROUP DISCUSSIONS (FGDS)

To qualify the extent to which MZOs have brought services closer to the people, and to assess barriers to land registration as well as the extent to which MZO services supported eliminating these barriers, it was necessary to talk to both MZO customers and non-customers who owned and, or used land. Given that this was to reflect a public perspective, Focus Group Discussions (FGDs) became an essential method for data collection. FGDs involve gathering people with similar backgrounds to discuss a topic. Unlike other methods, focus groups encourage discussions amongst group members on their views and opinions, perceptions, beliefs and attitudes about certain topics and thereby highlight public understandings of a theme. Applying this method was intended to help us understand the views of beneficiaries and non-beneficiaries; why they use or do not use MZO services; what challenges they face in trying to use these services; if the objectives of the MZOs meet their needs and priorities; and if and how they plan to start or continue using the services of the MZOs. It was also intended to shed further light on the relevance, impact and sustainability of MZOs.

Within each cadastral zone, the research team conducted two focus group meetings, one with MZO customers and the other with MZO non-customers. MZO customers were intended to share reasons why they became customers and their experiences of being MZO customers. Through their narratives, we can identify if changes in their behaviours towards land registration and transactions are directly linked to services from the MZOs. They also shared what challenges they face and opportunities they enjoy which, respectively, limit or enhance their access to MZO services and how they wish MZOs and MLHUD would deal with these challenges, while further supporting the opportunities. They also shared their future aspirations and behaviour in using MZO services. This enabled us to get deep insights regarding the effectiveness, impact and sustainability of MZOs. On the other hand, focus groups with MZO non-customers were intended to highlight reasons why people decide not to use MZO services or what challenges people face in trying to access MZO services. This information sheds light on whether MZO objectives meet the needs of the community and give deeper insights of the barriers to using MZO services. The analysis hence contributes to the lessons learnt and recommendations on how and in which thematic and geographical areas MZO service provision can be improved.

Each focus group was a mixed-gender focus group (see Table 1 below) between 6 and 8 participants (8 participants most of the times). We endeavoured to have equal numbers of men and women in each focus group to create a balance of voices between the different genders. No two people were, however, from the same household. Therefore, where clear differences exist, results are disaggregated between MZO customers and MZO non-customers. With the help of MZO officers and local council leaders, we purposively selected MZO customers for the discussion. These customers were those who had used MZO services longest and therefore, must have accumulated rich experiences, which they could share with us. Through snowball sampling with local village leaders and local land committee members, we selected the people who are non-customers of MZOs.

Table 1: Sample of FGD respondents

Characteristics 1	Characteristic 2	Number of FGD (per cadastral zone)	Total number of FGD
Mixed gender	MZO Customers	1	8
Mixed gender	MZO non-customers	1	8
Total		2	16

Source: C4ED elaboration

According to the selection criteria and respondent requirements outlined above, we suggest the following qualitative sample outlined in Table 2.

Table 2: Qualitative sampling

Region	Cadastral zone / MZO	FGD	KII						Total
			MLHUD	Donor	MZO	District Land Board	Area Land Committee	Private surveyor	
Central	1	2			1	1	1	1	6
	2	2			1	1	1	1	6
Eastern	1	2			1	1	1	1	6
	2	2			1	1	1	1	6
Northern	1	2			1	1	1	1	6
	2	2			1	1	1	1	6
Western	1	2			1	1	1	1	6
	2	2			1	1	1	1	6
National			3	1					4
Total		16	36						52

As outlined above, all four regions, including all tenure systems, were covered via the selection of the MZOs in the cadastral zones from the respective regions. We had a total of 16 FGDs with MZO customers and non-customers as well as 36 KIIs with the different stakeholders to make a total of 52 interviews.

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### 3.2 DATA COLLECTION SPECIFICS

All C4ED staff is trained in the core principles for ethical research and evaluation and the implications for research conduct. In addition, CBR staff were trained on ethical research principles and the rights of the target population prior to data collection.

C4ED and associated staff commit to “do no harm” in their research endeavours. They further commit to comply with local legislation and international ethics standards. Therefore, all field staff hired by C4ED must conduct themselves professionally and ethically. All C4ED staff and hired subcontractors obliged to and acted in conformity with Uganda’s national laws and respected local socio-cultural norms, traditions, and practices in the conduct of research. We urged our researchers at CBR to be neutral and impartial in terms of interests, ideologies, relationships, and beliefs at all stages of the data collection.

We provided for gender sensitivity in data collection by ensuring that half of the data collectors were women, and the other half were men. Interviews were conducted in the local language to encourage the building of trust and rapport between interviewers and respondents, as well as to foster spontaneity in the respondents’ responses.

C4ED followed a procedure of informed consent for participation in the research so that respondents could make a well-informed decision about their involvement. During recruitment, the objective of the research and the purpose of the research activity was explained to respondents. Respondents were given the opportunity to ask questions about the project and their participation prior to giving their consent. Respondents were told that their participation was on a voluntary basis and that they could terminate the interview at any time without any repercussions.

The evaluation gathered information on land registration, which is a contentious issue in Uganda. The data was recorded via audio and video recorders. We ensured that the data was uploaded by CBR directly onto the C4ED server, which is secure.

Respondents’ safety and privacy was maintained during the whole data collection and will continue to be maintained after the evaluation process has ended. All data has been and will continue to be treated confidentially. No research participant is identified in the report, unless they have explicitly provided their consent. The cleaned dataset submitted to 3ie will hence, be pseudonymised. De-identified data and results of the study will be published for public access.

Before embarking on data collection, our joint assessment with MLHUD and CBR concluded that the COVID-19 risk for respondents and staff could be controlled. Field teams adhered to strict guidelines on hygiene measures during the data collection. Field staff were provided with information about COVID-19 symptoms during the training (e.g. cough, chills, fever, loss of taste or smell). Teams were asked to check themselves for symptoms at least daily. Field teams were equipped with soap and/or hand disinfectant as well as masks and thermometers and were asked to practice social distancing wherever possible during training and data collection. Field teams were given a field protocol to follow in the event that one or more team members would start displaying Covid-19 symptoms. Interviews and focus group discussions were mostly conducted in open spaces with at least 1.5 m distance between the interviewer and the respondent.

## 4. RESULTS

The following section describes the results of the qualitative analysis linking process evaluation principles to the OECD DAC evaluation criteria and research questions of interest.

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### 4.1. IMPLEMENTATION FIDELITY

As the logical first step to assessing the implementation fidelity, we start analysing the institutional structures and processes by combining a desk review of all available project documents with information from the qualitative informants. The underlying objective of this section is to analyse, whether the planned intervention was complied with, which barriers the project set-up faced, leading to an assessment of the general relevance and efficiency of the project and project implementation. These different aspects will enable the identification of the necessary conditions, the project needs to meet in order to yield the expected outcomes identified in the problem analysis, i.e. increased titling.

#### 4.1.1. INSTITUTIONAL STRUCTURES AND PROCESSES: EFFICIENCY AND RELEVANCE

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This section details the institutional structures and processes involved for land titling based on the available official documents as well as on the interviews with implementing staff, MZO officials and international donors and customers. The section hence outlines the official information the public has access to for land registration procedures and compares it to the reality on the ground outlining internal dynamics and deviations from the planned titling processes. The assessment of the institutional structures coincides with the OECD DAC evaluation criteria efficiency and relevance, responding to the main research question on how the activities of the MZOs were implemented and whether implementation could have been more efficient (RQ4) as well as to what extent stakeholders and their goals would be integrated in the implementation of MZO activities (RQ3). In the following sub-sections, we shall outline the mandates of MZOs and the remainder of the chapter will assess the extent to which this mandate has been achieved.

#### CHALLENGES OF DISTRICT LAND OFFICES AND THE MANDATE OF MZOS

MZOs are mandated to bring land services closer to the population enabling people to register or transfer their land more easily. Registered land should increase land security, reduce land conflicts and corruption, facilitate the empowerment of women and other vulnerable groups and boost agricultural and national economic development. This mandate arose from the challenges of land management in the districts, which manifested in three main areas. These are:

1. Shortage of qualified professionals: The LSSP-II 2013-2023<sup>5</sup> reports a huge shortage of qualified key staff like land surveyors, quantity surveyors, land valuation surveyors, physical planners and registrars of titles at the District Land Offices. According to the report, the reason for this shortage was not only the lack of qualified staff nationwide but the low remunerations of civil servants, hence the few qualified staff opting to work in the public sector. Because of this shortage, more than 70% of land management functions

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<sup>5</sup> GoU. 3013. Land Sector Strategy Plan 2013 – 2023. Ministry of Lands, Housing and Urban Development Republic of Uganda.

were centralized at the MLHUD headquarters. Registration of all title was done at the Ministry headquarters with the consequence that each physical planner at headquarters at the time was responsible for at least 20 districts, according to the report. This translated into delays but also increased costs for the beneficiaries.

2. An overload of work at the headquarters: Building on the previous point, the report details that the key activities related to land registration, for example, physical planning, surveys and mapping, land valuation and registration were done at the Ministry headquarters. Given the high mounts of work and a limited number of experts addressing demands of land services across the country, overwork ensued leading to costly errors, and delays for clients and the government. In our data collection, interviews with Ministry officials indicated that before MZOs became operational, complaints of corruption, lost files, multiple titling and high costs became rampant.
3. Limited facilities and resources: shortage of staff was worsened by shortage of technical structure for effective operation in the district local governments. It became difficult for districts to maintain up to date records related to land registration according to the LSSP-II 2013 report. This resulted in challenges associated with missing land records, forgeries and grafts as well as backdoor transactions. Essentially, most of the land management functions were deferred to or taken up by the Ministry headquarters.

The district local governments were not suited to adequately facilitate district land boards and district land offices, forcing the Ministry to come in and remunerate these offices, and, at the same time, centralising land services at the Ministry headquarters was not any more efficient. Hence, a strategy to bridge this gap was the establishment of MZOs.<sup>6</sup> With support from the World Bank, 6 MZOs were created between 2013 and 2015 and later scaled up to 22 between 2016 and 2020 (Oput 2019). These institutions, established at sub-regional levels (cadastral zones) are intended to provide services including physical planning, survey and mapping, land registration land valuation, land administration and land information system. This would cut the bureaucratic costs, as distance for communities far from headquarters would be shortened. A well-staffed sub-regional office would increase efficiency and reduce the work burden at headquarters. An updated technical structure would ensure effective operation, ensure faster resolution of land conflicts by providing timely and accurate records, and reduce or eliminate opportunities for forgeries, grafts and corruption. Overall, inefficiencies would be reduced while increasing transparency (Obaikol 2014).

Using interview data and results from a desk study, the remainder of this section will assess the extent to which this goal was met. We shall begin with an overview of the land registration process and later show the extent to which the process has been successful. We then examine if the programme targets the right population and empowers women. The subsection after will assess

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<sup>6</sup> GoU. ND. The relationship between Ministry of Lands, Housing and Urban Development (MLHUD), Ministry Zonal Offices (MZOs) and District Land Offices (DLOs).

the levels of organisational capacity for the programme. A final note will address the extent to which the necessary conditions have been met.

## OFFICIAL LAND REGISTRATION AND TRANSACTION PROCESS

The process and steps to register or transfer land seem to be specified clearly. Depending on the land tenure system and type of transaction, the steps involve a title search, filling out certain forms<sup>7</sup>, organising a few more documents, paying the costs of processing the documents and picking up the title. This should be affordable and fast (see Box 1 and 2 below). The evaluation examined these procedures regarding transfer of mailo land<sup>8</sup> and acquisition and transfers of leasehold and freehold<sup>9</sup> land. We expound on these processes below.

### ACQUIRING AND TRANSFER OF FREEHOLD AND LEASEHOLD LAND TITLE

To access a freehold land title, the applicant picks Application Form 4 from the District Land Office (DLO) and Area Land Office (ALO), fills it out, attaches four passport-size photos and submits after paying the required fee, UGX 10,000. The ALC issues a notice for public hearing using Form 10. The ALC then visits the site and together with neighbours to the land being acquired, they fill out and sign the Demarcation Form 23. The ALC compiles an inspection report and submits the documents to the DLO. The DLO prepares the technical report and forwards the documents to the DLB for approval (see Box 1 for further description). The DLB then forwards the documents to the MZO for preparation of the land title. A similar procedure goes for issuance of a leasehold land title except that the applicant fills in Form 8 instead of Form 4 before presenting the form to the ALC.

#### Box 1: Processing a freehold or leasehold land title

Under **freehold and leasehold tenure**, the registration of customary land involves different steps that take at least 30 working days to complete. Applicants need to: (i) fill in the application form ("Form 4" for freehold<sup>7</sup> or "Form 8" for leasehold<sup>7</sup>), which captures general information about the persons applying for the title and the plot they want to register; (ii) fill in a form on authorized public notice ("Form 10"<sup>7</sup>), in which the applicant authorizes the government to inform any other possible claimants or affected people about the land being registered; (iii) fill in a form on the freehold offer ("Form 19"<sup>7</sup>), which states the other fees to be charged; (iv) provide a demarcation form ("Form 23"<sup>7</sup>), which entails a description and demarcation information of the plot, as well as a letter requesting the freehold title, which is signed by the District Land Officer. In addition, the applicant has to submit three authenticated deed plans (i.e. demarcation plans in this case), three passport photographs, and proof of having paid the registration fee of UGX 10,000, the assurance of the title for UGX 20,000 and the issuance fee of title with UGX 20,000.

<sup>7</sup> Form 4: Application for conversion from Customary tenure to Freehold / Grant of Freehold

Form 5: Application for Conversion of Leasehold out of former Public Land to Freehold

Form 6: Application for Consent transfer of sub lease public land

Form 8: Application for a Leasehold

Form 10: Notice of Hearing of Application for Grant of Freehold / Leasehold

Form 19: Freehold Offer

Form 23: Demarcation Form

The mentioned Landforms are available on the Ministry website ([www.mlhud.go.ug](http://www.mlhud.go.ug)) and at District Land Offices free of charge

<sup>8</sup> Given the nature of mailo land described in the introduction of this report, the evaluation was concerned with its transfer i.e., subdividing mailo land into a kibanja or buying and selling a kibanja.

<sup>9</sup> This largely meant converting customary land into freehold land.

The applicant presents a set of original documents in duplicate jointly with a photocopy of the documents. Once received, the photocopy is stamped “received” and returned to applicant. The applicant then checks in person after 10 working days with the Department of Land Administration (DLA) in the MZO. After approval, the documents are forwarded to the Department of Land and Registration within the MZO for issuance of the title and the applicant checks again in person after 20 working days. In order to collect the land title, the applicant needs to present the photocopy stamped “received” by the DLA and an identity card. If the title is ready, the applicant signs and receives the title, and a copy of it is stamped “returned”.

To transfer a freehold or leasehold title, the applicants complete the Transfer Form and two Consent Forms, prepare a photocopy of the duplicate Certificates of Title and two passport size photographs of the buyer and seller. The applicant presents the documents to the valuation division for the valuation assessment for the stamp duty which is one percent of the value of the land assessed by the Chief Government Valuer. The process takes three days and the applicant proceeds to pay the stamp duty and registration and consent fees in the bank. The registration fees is UGX 10,000 and consent fees is UGX 10,000 as well. If it's a company, an additional fee of UGX 5,000 is paid. Once the receipt of transfer is embossed, the applicant gets consent from the controlling authority of the title, submits all the documents together with the duplicate Certificates of Title and receipts and photocopies of all documents to the office of titles. The photocopy is stamped “received” and returned to the applicant who is then asked to check after ten working days. The applicant can then pick the title.

### TRANSFERRING MAILO LAND

Given the nature of mailo land, this evaluation was more concerned with its sub-division, i.e., acquiring a kibanja (see Box 2). This transaction seems clearly defined as well. The procedures and fees are similar to the procedures and fees of transferring a freehold or leasehold title.

#### Box 2: How to transfer mailo land

##### *Step 1*

The Applicant must have in his/her possession:

- A Transfer form;
- Two Consent forms;
- Photocopy of the duplicate Certificate of Title;
- Two passport photographs of the buyer and seller.

##### *Step 2*

The property or land is assessed at market value for purposes of the Applicant paying stamp duty which is 1%. The Applicant checks after 3 working days to collect Assessment.

##### *Step 3*

The Applicant pays the stamp duty and registration fees in the bank and gets a receipt and transfer form embossed by the Ugandan Revenue Authority (URA).

##### *Step 4*

Submit all documentation together with the Duplicate certificate of Title, Receipts and Photocopies of all documents to the Office of Title. The photocopy is stamped 'received'. The applicant is asked to check after 10 working days to collect the title.

##### **Documents Required:**

- Duplicate Certificate of Title
- Set of passport photographs
- Embossed Transfer Form and Consent Form duly witnessed and dated.

##### **General receipts of payment**

Fees paid at the MZO/District Stamp Duty=1% of the value of the land registration fees UGX 10,000 (extra plots UGX 5,000 each). Company seal attracts additional UGX 5,000.

Source: Adapted from PELUM Uganda and MLHUD 2012<sup>10</sup>

Our data, however, indicates that this process can be more costly and time consuming compared to what is in official documents, and is not as clear as it appears, hence, reducing the efficiency of MZOs.

### COSTS INCURRED BY APPLICANTS

Many customers and non-customers complained that the costs of titling property were too expensive – and well beyond most people’s means. A few respondents gave specifics of the charges they had to pay – these would be in addition to all their transport and other costs associated with journeying to the district centre and making their applications. While some respondents indicated a cost under 1 million UGX, others stated 1-2 million UGX. The most cited amount, however, was around 3-5 million Ugandan Shillings. These costs are higher than one would expect following the information in the official documents (see document review Box 1, 2 above). Three main reasons account for the upsurge of costs related to titling, which are costs arising from land surveys, costs set at the District and Area Lands Offices and costs related to fraud.

The Registration of Titles Act (CAP 230) specifies that to register or subdivide land, a plan that distinctly delineates all roads, streets, passages, thoroughfares, squares or reserves and the like should be availed to the land registrar after verification by a surveyor. The cost of this process is, however, borne by the applicant. This cost varies depending on the distance of the survey firms from the parcel, the charges of the survey firm and compensation of witnesses. An MZO official reported that MZOs charge UGX 10,000 for each title deed. However, in comparison he also stated that *“Surveyors can charge people 1 million shillings. People don’t know what they are paying for. Which is for MZO and which for surveyors.”*

It is also clear from the interviews that besides the MZO charges for services, customers also had to pay the Area Land Committees and District Land Boards for their services to review and approve their applications – prior to getting to the MZO titling processes. These costs ranged from UGX 100,000 to UGX 150,000 for the ALC. It is not clear if all the DLB’s also charge the customers, but at least one of these DLBs did charge UGX 20,000 – UGX 50,000 per application. Another respondent reported the following DLB charges:

*The District Council of [...] chaired by LC5 at the time decided that a total UGX 150,000 be paid to the 5 member as transport meaning each person gets UGX 30,000. Unlike before when they would charge UGX 300,000 or even UGX 500,000. The rate is uniform whether in the urban or rural setting in [...] the standard is set but in other areas, I am sure people are still overcharge (KII-with DLB official)*

A number of the ALC officers indicated their lack of resources to travel and undertake their work for customers, because they were not paid government officials and had no budget for their work for instance to pay the necessary transport. They consequently relied on financial contributions from the customers.

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<sup>10</sup> PELUM Uganda and MLHUD 2012. Do you know the land registration procedures and fees? A guide to the land administration services in Uganda

Therefore, although there are officially set charges, the district local governments can still formulate extra charges to help them operate their activities. To the applicants, these charges seem arbitrary, as they vary from district to district. And, like seen in the quote above, they can be extremely high for people in the rural areas.

Similarly, the costs for a search for titles seem equally arbitrarily set. The first step to register land is to request a search and consent form where you fill out details regarding the parcel to be searched. The land registry office provides a Bank Advise Form which is used to pay the search fee in the bank.

Furthermore, insufficient information about the process of land registration may provide opportunities for fraud. This is particular in bigger towns and cities where demand for titles is high, but the process is still unclear to the applicant. Tricksters pose as MZO officials or officials related to a department from a Ministry of Lands institution trying to help the applicant. They lure the applicant to pay a higher amount than the actual official cost for a service. In one of the focus group discussions, a respondent articulated the trickery in this way:

*Some of them [applicants] complain that we charge them a lot of money, [W]hen we investigate who has charged a lot of money; you find that they are brokers involved. (KII-with MZO official)*

*I explained to you that there is no one who didn't want to get title. But when the [MZO] office came, the [...] **Kadeyi deyis** (deal makers) frustrate those who want to get titles when they cannot raise the amount of money they ask for [...]. When you want a title you go to the Registrar, he will tell you to pay [...] money. But one who doesn't know the system, will find these people (deal makers) outside. He [deal maker] will ask "madam how can I help you?" You reply, "I want to get a title but I don't know where to begin from". He (deal maker) will take you by the hand, he knows the valuer, and they always work together, but he (valuer) has never shown the deal maker the land value figures in the book. The deal maker asks "where is the land?" And you tell him. If the valuer tells him UGX 100,000 he will come back to you and say UGX 1,000,000. This 1,000,000 the valuer doesn't know, so when you try to negotiate the deal maker might reduce for you to UGX 800,000. So you give him the UGX 800,000 to go and pay and he pays UGX 100,000. These are the Kadeyi deyis I have been telling you about. Unless the Ministry fights to remove these fraudsters from the verandas so that a person can enter directly and go to the Registrar who can show him the book of taxation values that one can read and ascertain, which you cannot now do ... that is where the problem is. Everyone wants to get a title (FGD, Customer).*

Fraudsters take the opportunities of the applicants' lack of information to get hold of their money. In some cases, they steal documents from the unsuspecting applicants deepening the frustrations. The critical consequence of these perceived and accumulated 'high' costs of acquiring land title, is that it discourages people from applying for titles, limits the demand for such services and, in turn, limits the potential for the government to expand the programme. An ALCs succinctly summarized the effects this way:

*“But now if someone hears of (that) they need three million to buy a title, (and) has around ten gardens in different positions, it will be expensive. It will be around thirty million. Where will someone get that kind of money? Like for instance you are a peasant, you do not even have anything, you earn annually.” (KII with ALC official)*

## CLARITY OF LAND REGISTRATION PROCESSES AND BUREAUCRACY

Interviews with ministry officials revealed that the extent to which MZOs would be successful in bringing land services closer to the population would depend on the extent to which the intended beneficiaries were aware about the institution and its activities. This would include the roles and responsibilities of MZOs in relation to other land service agents, and processes and requirements of processing land title. This subsection therefore examines the extent to which landowners and users are aware about the responsibilities of MZOs and processes and requirements of processing land titles.

## AWARENESS AND KNOWLEDGE ABOUT MZOS AND THEIR WORK

*“There is a problem revolving around awareness. If you could randomly select people from the street and asked them if they are aware of MZO, 4 out of 10 would tell you they are aware.” (KII with Private Surveyor)*

This quote captures the impressions regarding awareness of MZOs by the population in the country. All interviews revealed that the level of awareness about MZOs and their activities among the population was still very low. However, as expected, the customer respondents were aware of the MZO offices and services, while the non-customers were not. Most of these non-customers were from customary tenure areas which are generally not serviced by the MZO offices.

It was also clear from the responses that people were not well able to distinguish between the roles of the various land servicing agents, and to be able to differentiate the MZO offices from the DLB, ALC and other landlords or land authorities such as the mailo landowners. This was particularly the case for the non-customers.

When asked what they knew about land titling services and MZO, a number of respondents (particularly non-customers) mentioned land surveying and compensation processes linked to large infrastructure developments (e.g. roads and powerlines) and other commercial developments (e.g. mines). These development projects were often their first experience of the process of surveying their land holdings. Most of these people were unaware of the MZO offices and services. Moreover, there was still confusion whether these projects fell under the jurisdictions of DLBs or MZOs as all these institutions were perceived to be involved especially in the process of determining compensation rates for the affected households for these projects.

## CLARITY ABOUT PROCESSES AND REQUIREMENTS FOR PROCESSING LAND TITLES

On top of the confusion of what an MZO is and what it does, there were confusions regarding clarity in processes even from MZO customers. The quote below shows that because of the plurality of land institutions, people might not know the institutions to go to hence get suspicious of the land institutions.

*“Right now in this village there are many people who want to process land titles but they don't know the process and how to go about it [...] Therefore, most people in this area seem*

*to be confused on who is the genuine land official. In fact, we are thinking that now we might be dealing with fake land officials and that has contributed to the reason why I haven't started the title process.” (FDG Non Customers)*

Moreover, even where some people are aware of where to go, they might not be aware about the processes at the MZO making them vulnerable to trickery as the quote below shows.

*“[District] is not an easy place for those who have gone there to get services. In the first place it is overcrowded with the deal chasers. Now when a person who goes there requiring services, it's not easy because these people capture you enroute (to the offices) and ask you this and that and confuse you. At the end of it all, you have not seen the official you had come to see. Then you start swinging back and forth.” (FGD Customers)*

The lack of clarity might therefore frustrate the effort to bring services closer to the people.

### STAKEHOLDER ENGAGEMENT AND AWARENESS RAISING

Interviews with Ministry officials revealed that when an MZO is operationalised, the MZO officials inform the district lands officers and other heads of the district about the MZOs and ask them to inform the communities. MZO officials themselves seldom carry out any direct information campaigns with the community.

Most MZO officials did indicate that there have been irregular (often annual) public outreach and awareness raising events and activities undertaken by the Ministry and the MZO staff members. They did, nevertheless, indicate that there was a need for far more such activities and that budget and other resource constraints made it difficult to undertake as much of these kinds of activities as is needed. One of the strategies they mentioned they had applied to expand the sharing of information was to use interviews and discussions on radio talk shows, which was much more cost effective.

The interviews with customers, non-customers and other land service officials also indicated a strong need for public information sharing and awareness raising events and activities. The most common recommendation made by customers and non-customers was for more information and communication services from the MZO centres. This included requests for information to be clearly displayed at MZO offices on the charges for different services, the details of the MZO officials responsible for various tasks and services, staff identifiers, and reception staff who could advise people on where to go and who to see for different types of services. These were advocated as means to reduce confusion and the need for customers to rely on often disreputable brokers and agents who knew the system, what to do and how to exploit it.

### TIME AND DELAYS

Customers and officials from the ALC and DLBs complained about the lengthy delays with processing applications. Officials expressed concern about the slow pace of processing applications, the many steps and approval agents involved (including associated fees) and the tendency for applications to get stuck in the process and not move forward. The reasons inferred to by the respondents included the process of surveying their plots and going through the ALC and DLB approval processes as well as the MZO processes.

For instance, in a focus group discussion with MZO customers, the respondents associated the delays to the limited number of meetings the physical planners and District Land Boards held where approvals of applications would take place. The District Land Board has two meetings a year where land approval is done before forwarding the approved applications to the physical planners committee that also holds approval meetings only three times a year. In the case where one misses the submission deadline or their documents are rejected in one of the approval stages, it would be likely that the person would wait at least a year before their application could be approved for the next step. The sentiments are captured in a focus group discussion in the following quote:

Participant 3, female: *Now like now, currently, the last sitting minutes (from the District Land Board) are already out. But the Physical Planning has not yet sat, there is no way the file can move [overlapping speech – participant talking]*

Participant 6, female: *Yet they are waiting for the Physical Planning minutes to be attached to the Land Board minutes to come here (at the MZO). What is that? (FGD Customers)*

This is in chorus with the ALC and DLB staff. A general perception that processing a land title takes long is prevalent. However, there are acknowledgements that when one follows the right steps, the process is faster than it was before the establishment of MZOs. And for others, the presence of the MZO in the region not only saved costs but was relieving and increased confidence.

Participant 1, male: *For me, the changes that I have observed after that Office (MZO) was opened here [pause]; even before I could reach that level (of processing for a land title), I was just fearing that I don't even know Entebbe, how will I start to move up to Entebbe (where titles were processed)? Even those who previously processed their titles; they could take 3 – 4 years without getting their titles.*

*But after the MZO Office was extended near, the change that I have observed is that within a short time of a few months or one year; like that you will have got all those things including the title and the deed plan. That is to say, those things all come at once. It isn't that they again come separately. That is to show that, services have come closer here. And because it's now near, it's now going to encourage many people to see to it that they also get those things because services are nearer. (FGD Non Customers)*

Such changes were acknowledged by both customers and non-customers and will be discussed further under impacts. An often-mentioned timeframe is between 6 months and years. In places where the NLIS is operational, it is as well acknowledged that searching for a title deed has tremendously improved. Given that the intention of the MZOs is to speed up processing of the land registration and titling, to a few weeks, it appears that this is still far from being achieved. However, what is clear is that compared to the time before MZOs were operationalized in the country, the pace of processing has indeed improved, despite slightly.

#### 4.1.2. BENEFICIARIES OF THE PROGRAMME: ARE THE RIGHT BENEFICIARIES TARGETED?

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The section seeks to assess who benefits from the programme and if the right people are targeted. We shall particularly focus on the land tenure systems targeted by MZO services as well as the integration of women in the clientele.

##### LAND TENURE BENEFICIARIES OF THE PROGRAMME

One problem in terms of MZOs targeting is the lack of clarity where customary land falls in terms of the beneficiaries of MZO services. The MZO officials generally indicated that their targeted beneficiaries were the general public within their districts of operation who wanted land services. These included anyone who had land including banks, valuers, land buyers and sellers, land agents, lawyers, people applying for caveats as well as companies, churches and schools.

At the same time it appears that the MZO services have been targeted at customers in freehold, leasehold and mailo land tenure areas. Customary tenure areas appear not to be serviced by the MZO offices. This is confirmed by the interviews with non-customers/users who were largely from customary tenure areas. Most of these respondents either had no knowledge of the MZO offices or had only heard about them and never made use of them. As reported by one MZO official:

*“We are basically handling two types of land tenure systems, the leases and freehold. However, our current system doesn't handle customary land tenure, though it is recognized in the law, but it is not being captured by the land information system” (KII with MZO)*

Another MZO official confirmed this and indicated that customary tenure was dealt with at a sub-county level (presumably by the Area Land Committees (ALC) or local authorities).

However, there were some MZO officials who indicated that customary tenure right holders could apply for titles. One MZO official indicated that they had registered a Communal Land Association through engagement with the community. He also reported that in this area, most of their customers were coming to register their titles for the first time (rather than applying for mortgages or transfers). Some MZO officials indicated that these persons were being given the opportunity to acquire title deeds, while others stated that this was not at all the case.

*“When you go to the Constitution of the Republic of Uganda, 1995, it recognizes four tenure systems – Freehold, Leasehold, Mailo and Customary Tenure. Customary is not done here, because it is done at sub-county level; Mailo and Leasehold are done here. This MZO being in Buganda, over 80% of work is on Mailo land”. (KII with MZO official)*

In this same region, it is also clear from the interviews with some of the ALC and DLB officials, that there is an expectation that people from customary tenure areas can apply to get titles and must go through the necessary approval processes with the ALC and DLB before it can be submitted to the MZO offices for titling. However, it seems that most of these applications have not been processed by the MZO offices. These officials alleged that only 20 of around 400 such applications have been processed by the MZO offices. This was creating much frustration and anger, given the expectations and the considerable expenses customers incur employing the surveyors and then going through the ALC and DLB approval processes.

Certain is that the customary land tenure system benefits from MZO services, when customary landowners decide to convert their land into freehold or leasehold tenure. However, since customary land makes up to eighty percent of the land tenure system in Uganda, and the amended land act and subsequent land policies recognise and have approved the award of certificates of customary ownership, it would be beneficial to include customary landowners as direct beneficiaries of MZO services. From the responses of non-customers, it appears their lack of knowledge of the MZO offices and services has excluded them.

### WOMEN AS BENEFICIARIES AND EFFORTS TO EMPOWER THEM

The Land Act (CAP 277) strengthened the rights of women by making it mandatory for women to be consulted and to consent to the sale or transfer of family land. Subsequent legal amendments recognise joint or common ownership of land by spouse in the event of evictions. Strategic plans like the LSSP II call for advancing the objective of strengthening women's land rights by mainstreaming gender in land activities and strategies.

However, within the implementation of MZOs, there does not appear to have been any particular strategy to target women as beneficiaries. When asked about this fact, most MZO officials said their targeted beneficiaries were the general public and anyone with an interest in land issues and rights, not women in particular.

The responses from all stakeholders indicated that women seldom get involved in land titling and transfer processes, except when they inherit land from their deceased husbands. This is recognised as a cultural factor that continues despite the introduction of legislation to enable women to obtain access to land and to share ownership and decision making around property in cases where the owners are married.

#### 4.1.3. ORGANISATIONAL CAPACITY FOR PROGRAMME IMPLEMENTATION

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The assessment of the abilities of MZOs to efficiently deliver their services involved assessing how they are organised and if challenges identified in relation to district lands offices still existed today. We hence investigated on questions regarding MZO staffing, autonomy and relation with district lands offices. This subsection presents the results.

### STAFFING

A major challenge at the national and district levels that led to the establishment of MZOs was the shortage of staff that affected both planning and implementation of land related services. The challenges related to registration and transactions described above, reflect indirectly the challenges related to staffing of the lands offices including MZOs. The evaluation sought the views of MZO officers, officials from the Ministry headquarters and other stakeholders in order to assess whether the staffing of MZOs has overcome staffing-related challenges as intended.

The staff required for an MZO office include the following: Head, Principal Administrative Secretary, Surveyor, Registrar of Titles, Physical Planner, Land Officer, IT officer, Valuation Officer, Cartographer, Records Officer, Scanning Clerk, Dispatch Clerk, Customer Care Officer (front desk), Secretary, Stenographer, and Security Officer. These staff members were usually grouped together in three divisions within an MZO office: 1) Surveys Department, 2) Land Management and 3) Land Registration. Some MZO offices in larger urban centres also had Housing and Urban Development divisions.

There were a number of staffing issues raised by MZO officials. The general view was that the number of staff at the MZOs was insufficient. Many posts still remained vacant despite the MZOs having existed for long already. MZO heads interviewed reported that this resulted in workers being overburdened with work and in turn delays. Moreover, if one staff fell sick, there was no provision for someone to fill in their position as these required specific skill sets. The application process, for instance, was hence severely delayed in case a planner or surveyor in an MZO office fell sick.

The number of staff per MZO office also seems to vary considerably and some offices like Kampala tend to be much busier than others. In the Kampala case, the MZO has two registrars, but still cannot cope with the volume of work. There were also indications that MZO staffing was already a challenge during the early stages of their establishment. As a consequence, in some cases, new staff were appointed for short periods only, which was not sustainable nor conducive to the effective functioning of the office. The shortage of staff was triangulated with customer voices, who were concerned about MZO staff not always being available during office hours to deal with the customers. The main reasons for the shortage of staff was the shortage of budget. Interviews with staff from the MLHUD headquarters revealed that the budget for the Ministry is too low to afford running the necessary services of MZOs including the hiring of enough qualified staff.

## PLANNING

MZOs were meant to have considerable autonomy in planning their activities as long as they work within the framework designed by MHLUD. This includes developing a budget to diligently carry out their activities. MZO officials indicated that the MLHUD headquarters does the planning and makes directives without consulting them. Only one official said they were consulted with regard to planning. Another official mentioned that their MZO offices develop annual budgets and forward these to MLHUD headquarters to decide. Others indicated that they operated on a very scarce budget for office administration costs (specifically 15 million shillings (34,500 Euro)). Interviews at the national level confirmed the shortage of an adequate budget for the MZOs. Moreover, as one Ministry official commented, “50 to 75% of this proposed budget goes to fuel”. He elaborated that many of the MZO officials who are upcountry have to drive every weekend to Kampala or other parts of the country to visit their families since they tend to be posted to areas which are not necessarily their home districts but rather where there is a need. Moreover, since some services might still be centralised, these MZO officers have to often drive back to MHLUD headquarters in Kampala. The officials at the MLHUD headquarters indicated that, despite MZOs being responsible for generating a lot of revenue, it has been difficult to fund these institutions by reinvesting parts of the revenue. All collected revenue is channelled to the congregated funds under the Ministry of Finance, which then redistributes during the national budgeting. Funds flowing back into the MZOs are only a small, and in fact, a too small fraction. This existence of this challenge was similarly referred to by the respondent representing the international donor perspective.

## EVALUATION AND MONITORING

Like indicated earlier, MZOs have the role of providing technical assistance to the DLOs as well as to monitor their work. On the superior level, MLHUD provides an operational framework to the MZOs and monitors their work for quality. It is hence useful to check how these interrelating monitoring and evaluation activities are carried out.

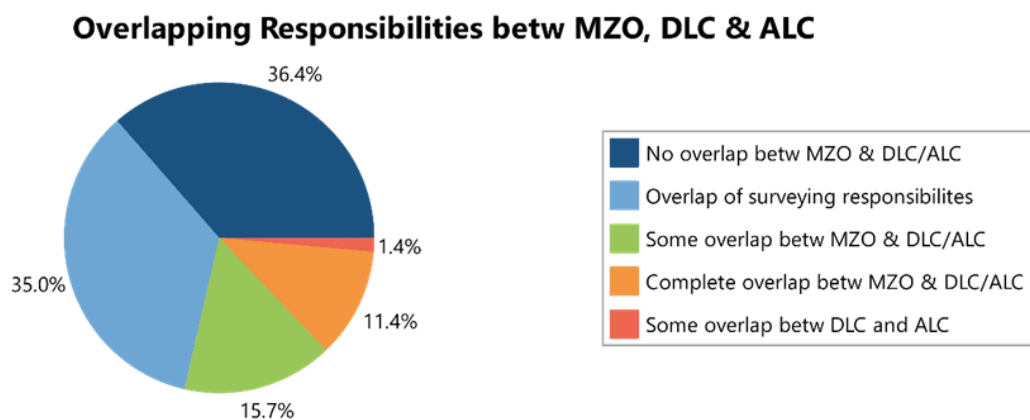
Except for some reports of meeting and exceeding revenue generation targets set by the MLHUD and the World Bank, the interviews with the MZO officials provided no information on any processes of monitoring and evaluation of the performance of the MZO offices, their service delivery and the results of such processes. At the same time, due to the general lack of resources, the MZOs showed no attempts to monitor their own activities especially in terms of service provision for the beneficiaries. Essentially, most MZO officials were not able to say whether their services were benefiting all the targeted beneficiaries.

#### RELATIONSHIP BETWEEN THE MZO OFFICES AND THE DISTRICT AND AREA LAND COMMITTEES AND PRIVATE SURVEYORS

One of the questions asked of the ALC and DLB officials were the extent to which their responsibilities overlapped with MZO's. The pie chart below provides an indication of the percentage of respondents who indicated various degrees of overlap or non-overlap between the different land service agents.

While the stakeholders did indicate a clear understanding of their various roles and responsibilities, there was some concern about overlap. The most common area of overlap concern was related to the surveying (see Figure 4 below). Private surveyors are hired by customers to survey their land. The surveyed plots then need to be reviewed by the District Surveyors and Planning Officers and the MZO Surveyors, which appears to be an unnecessary and costly duplication.

Figure 4: Overlapping responsibilities between MZO, DLB and ALC



#### 4.1.4. MZO PERFORMANCE AND ACHIEVEMENTS

The above sub-sections have offered details about MZO implementation and dynamics of their works. When looked at from a micro-perspective, it seems clear that MZOs fall short of their promise. However, their shortcomings should be juxtaposed with their achievements before drawing a conclusion. In this sub-section we focus on the achievements of MZOs. We structure these achievements under the following topics: costs of transactions, times of processing titles, clarity in registration and transaction processes, perception in increase in clientele (registration), and reduction in corruption. These achievements are assessed as a comparison between services provided before MZO establishment and now.

As already discussed, the costs of titling and transactions are high especially for the landowners and users in the rural areas. The reasons for this vary, but main factors concern survey costs. Our data reveals that most respondents, from poor landowners and land users to top government officials agree that costs of surveying land is what makes the cost of registration high. This is in line with the literature and sources like Baikol (2014) who pointed out that survey fees were deterrent to those who wished to have their land registered.

Moreover, in combination with high costs, perceptions showed that there are constant delays regarding time of processing land titles. Nevertheless, our data also indicates that there are perceptions that costs and time of transactions have reduced compared to the time before MZOs. The reasons mentioned included the titling services being geographically closer to the customers and having shorter processing or response times. In one of the MZOs it was reported that:

*“Transaction at our station takes little time compared to the past. What we call backlog, and delays have been cleared, we have tried to cut down on corruption. We are able to capture people’s land system and safeguard it. We no longer have these cases of files getting lost time and again. We have tried to guard against that. We think we are on the right track.”* (KII with MZO official)

Bringing land registration services closer to the people should result in an increase in clientele for land registration and transaction services. Many of the MZO officials indeed reported that the number of customers using their services and titles issued had been increasing over time. In one MZO, the respondent reported as follows:

*“My first goal was to increase on clientele turnover and at least now am glad to say ... when I came here we were receiving about 3 to 5 people a day but now I think we can receive about 20 to 30 a day. The number of people registering their land has increased. The titles we are issuing out have increased. By the time I came here, this MZO would issue out about 7 to 10 titles in a month but now we issue about 100 in a month.”* (KII with MZO official)

Another MZO office from the same region reported producing 50-150 titles per month, while a third office from a different region reported that the volume of their work had increased tremendously, and this was reported to be linked to urbanisation. The process evaluation was not in the position to test if there were third factors other than MZOs services that potentially contributed to this increase.

Regarding the fight of corruption, the insightful account below indicates initiatives the MZO officials have implemented to reduce corruption or the risk thereof:

*“Given that corruption is one of the other challenges that this Office face, as the Head I have tried my best to see how to reduce and eliminate corruption and one way I have done is to make land transaction rates much more transparent and clear [shows price chart] for each transaction. I have also issued a guideline on submission after realizing that one of the avenues that people were using to get money was loss of files that would force people to do continuous follow-up; so I have streamlined our records keeping and movement of records within the Zonal Office by introducing a file movement register and every staff handling a file must sign as a way of acknowledgement to enable us trace the file movement as well. The system works on the basis of first in first out and allows file*

*movement online which also is the aspect of corruption and delay and has brought in transparency.” (KII with MZO official)*

In terms of other MZO achievements and reasons for the achievements, we found indications of increased ability to reduce land related conflicts, MZOs collecting more revenue for the government than during times before MZO establishment, and that women being able to purchase land, which was also not possible before. We discuss these points further under impact. The single best reason for change that was pointed out was the introduction of the National Lands Information System (NLIS) in the MZOs.

MZO officials were particularly proud of how the NLIS was enabling them to reduce corrupt activities and resolve land disputes – especially in cases where there were overlapping titles or more than one title issued for the same property, or simply disagreements regarding land boundaries. For example, one MZO official reported:

*“Even issues of boundaries, some people do not know where their mark stones pass but because of MZO’s presence, they can get data from the Office to solve conflicts as regarding trespassing. Because, this looks like a simple matter but people have injured themselves, but ‘When they come to the MZO, it’s all put in one basket and solved because we monitor everything’. It is easy for us to solve those challenges like legal issues, survey issues and land registration” (KII with MZO official)*

Another MZO respondent further reported:

*“We have also computerised our work, this mean that we are able to trace a file and know at what point the file is. There are unfortunate incidences that used to happen like files getting lost; such cases are no longer here. Even if a file is misplaced there is a soft copy that we can be able to retrieve.*

*We have also made a linkage between land registration and land surveying. ... For instance, If I had a problem now, I would pick the deed plan and produce several land titles for the same piece of land, which is what someone would use to defraud banks. This has been stopped .... If a property already has a title nobody is able to produce another title on that land.*

*I think the MZO is actually doing well. Before, titles would be produced before payments are completed, but these days, payment are made as they are also linked to URA. With this we are able to know that this payment has been made and one cannot come with a forged receipt here; this means that we are collecting more money now for government than what we used to do.” (KII with MZO official)*

## 4.2. ADDRESSING THE NEEDS: RELEVANCE

The relevance section focuses on the extent to which the goals of the MZOs fulfil the needs of the target group. We examine this by assessing the extent to which MZO services were demanded, the general satisfaction levels of customers and to what extent context issues were met.

### DEMAND FOR MZO SERVICES

Based on the responses from all the key informants and the customers and non-customers there is a very large and growing demand for MZO titling services. This seems to be particularly the case in the rapidly urbanising areas where many land holders or users are feeling pressured to get titles in order to protect their land rights. There is considerable concern and fear of illegal land grabbing and increasing land conflicts. Non-customer respondents indicated there would be a huge demand for customary land holdings to be converted into freehold titles, particularly in the rapidly urbanising areas around cities and developed areas.

Rapid population growth and the consequent need to sub-divide the land into shares for each child is also likely to contribute to the increasing demand. In addition to this, the MZO officials indicated that their public outreach and sensitisation efforts, though limited, have also contributed to increasing the demand for their services by making people aware of the opportunities and processes.

### UPTAKE OF MZO SERVICES DUE TO GEOGRAPHIC PROXIMITY

One major argument of the establishment of MZOs was to increase geographic proximity for the people, hence reducing the costs of getting the title. This assumed need seems to be confirmed in the evaluation and intervention's relevance in terms of proximity validated.

Many of the respondents, particularly the customers, indicated that they appreciated the MZO decentralisation initiative and that this has made it easier for them to acquire titles and engage in land transactions of which they had already made use. Various statements made by officials and customers also indicated there was a growing demand for these services, particularly in the rapidly urbanising areas. This information may hint at the fact that the number of customers may increase with time, once more information about MZO services spreads.

### CONTEXT: CUSTOMARY TENURE ISSUES

In the contexts of which land tenure system receives the services of MZOs, the needs of most people are not met. As discussed above, the demand for MZO services is high even among customary landowners albeit in the form of certificates of customary ownership. MZOs are not mandated to issue these certificates.

There were some cases reported by ALC and DLB officials, where applicants in customary tenure areas had been waiting for up to 10 years for their applications to be processed by MZOs. These applications, apparently up to 400 of them, had been approved by the DLBs and sent to the MZO offices for titling, but they have not gotten the titles since then. The MZO official in this area indicated that they do not service the customary tenure areas or applications, which points towards a misunderstanding and disjuncture between the expectations of the public, the ALC and DLB officials' information and the scope of work of the MZOs. This created a large bottleneck in the processing of these applications and much public frustration. No respondent was able to

clarify why these applications could not be processed. The example clarifies how miscommunication and insufficient information can foster mistrust in MZO services, which is, however, a necessary requirement for the intervention to be successful.

### COUNTRY NEEDS AND PRIORITIES

Finally, MZOs services and goals align with various national and international frameworks, as already discussed or hinted upon in the different sections, especially Section 4.1. MZOs adhere to the constitution of the country but specifically respond to the NLA and the LSSPII 2013-2021. These documents set goals and strategies to enable provision of land related services to Uganda's population. These services, as argued, apart from empowering the population and enhancing their rights to property, would boost national economic development.

Given these points, we can conclude that the MZOs are relevant and meeting to a large extent the needs of the population and interests as well as priorities of the country. For a future outlook, it would be beneficial for the MZO strategy to target their direct services to customary land owners as well.

Based on the Section 4.1. above and 4.2. presented here, we can identify the following necessary conditions to be met for the intervention to be successful, which would be first, the awareness about the services provided and by whom, second, reliable information on how the procedures work and third, trust in the services provided. These necessities would reduce uncertainties of the beneficiaries related to the programme. From a supply side perspective, sufficient funds would also be necessary, as well as sufficient staff and ownership in planning, albeit, within the frameworks set by the MLHUD.

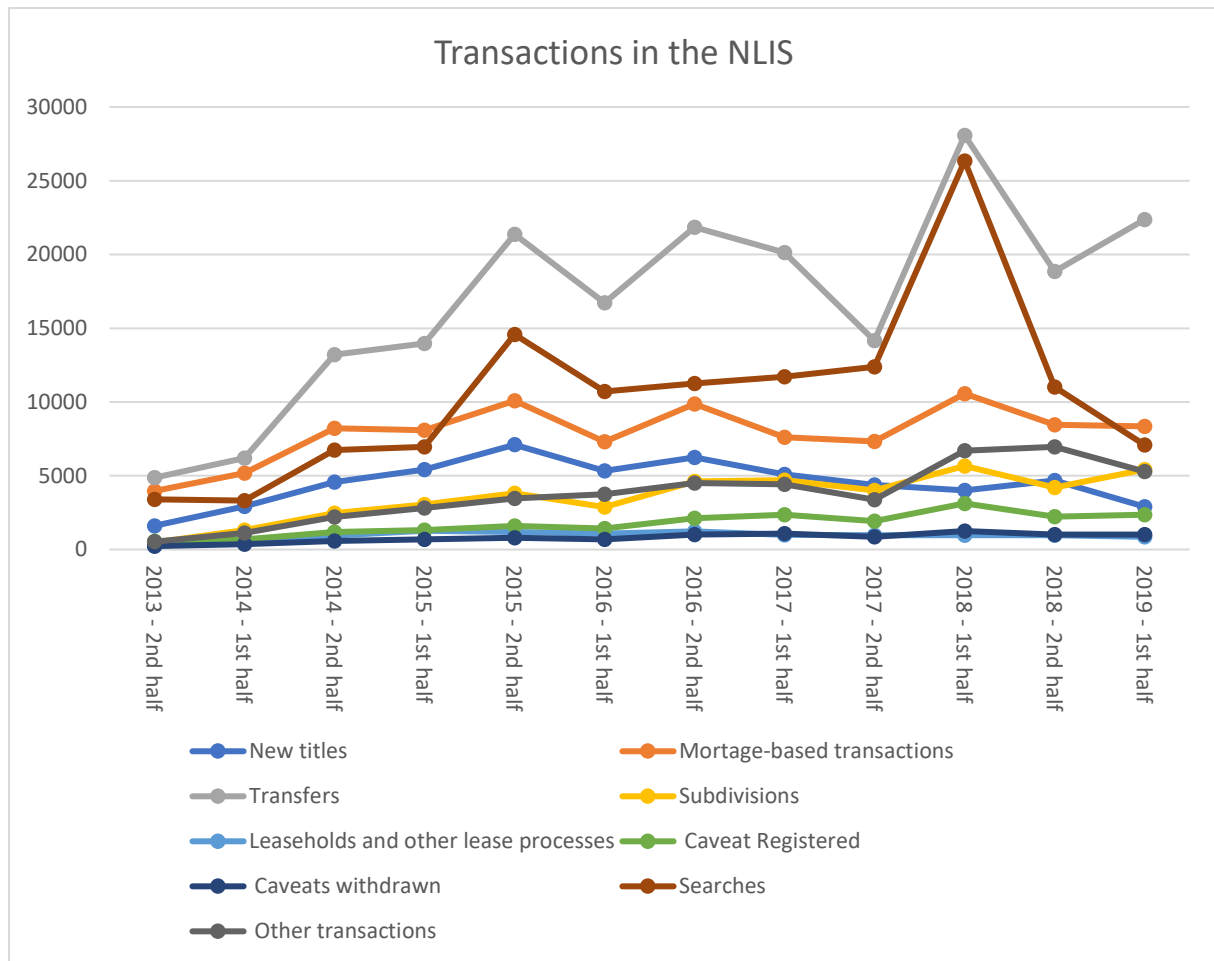
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### 4.3. PROJECT SUCCESS AND BARRIERS TO SUCCESS: IMPACT, EFFECTIVENESS AND SUSTAINABILITY

In the following section we will assess the project's success as well as barriers to success incorporating the DAC evaluation criteria impact, effectiveness and sustainability.

We first look at the aggregate statistics on how the NLIS has been used. As is apparent from Figure 5, registered transactions increased over the course of the rollout of the NLIS and the MZOs.

Figure 5: Transactions registered in the National Land Information System



Source: C4ED elaboration based on data from the MLHUD

The NLIS was mainly used for transfers and searches. The increase in transfers seems to show that a deeper land market developed over time – though it is not clear how many sales happened outside the NLIS, as informal sales are only recorded on hard copy. Regarding new titles issued, while there seems to be an increase in the first two years of the NLIS rollout, this increase has levelled off and possibly decreased afterwards. Overall, the number of newly granted titles, in form of mainly conversions from customary land to freehold titles, is still low. Over the course of the six years for which we have data available, the total number is around 55,000, which represents an increase of around 10% compared to the start of the programme, when an estimated 50,000 titles were registered (Oryema 2016). While this increase is non-negligible, it does also not present a transformative change in Uganda’s land formalization. This slow pace of titling may not be surprising given the aforementioned high effective cost of titling. Mortgage-based transactions – which would be evidence for the credit-channel in the Theory of Change – have also only increased in the first two years of the programme and remain at a relatively low rate compared to the overall number of titles registered. Registered caveats also increased over the course of the programme. Whether this is a sign of increasing land conflicts or that parties now rely more on the formal system to solve conflicts is difficult to say, but qualitative evidence suggests that the latter is the case.

#### 4.3.1. PROJECT SUCCESS: IMPACT

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The section focussing on the intervention's impact captures the main evaluation question on whether the intervention produced the intended impacts (RQ5) as well as what potential unintended positive and negative impacts. As the chosen method of evaluation is process evaluation, rather than impact evaluation, the extent to which the question on impact can be responded to is limited.

#### THE IMPACT OF THE MZO SERVICES

There was general appreciation of the efforts to bring land services closer to the people through the establishment of MZO offices at the district level. This was seen as a major improvement from the previous situation where people had to travel long distances to Kampala and Entebbe to apply for titles. The process made it financially unfeasible for most people to apply for and access services. Most customers felt that this was an improvement and that the processing times were now shorter and the costs lower. Many however, including non-customers indicated there was little change or improvement. This may also have much to do with the various barriers to uptake of the services (under Section 4.1). The most significant improvements appear to have occurred in the Central region and the least change or impact in the Northern region.

#### LAND CONFLICTS AND RESOLUTION

Although one or two MZO officials indicated some involvement in conflict resolution linked to boundary disputes and other conflicts, it appears that conflict resolution is a primary role of the ALCs, but they are assisted from time to time by the DLB and MZO. As indicated in Section 4.1 above, the MZO NLIS system has proved useful to customers in terms of clarifying legal rights holders and resolving land disputes over boundaries and titles, which can be seen as an important accomplishment and success.

#### 4.3.2. DRIVERS AND BARRIERS TO SUCCESS: EFFECTIVENESS

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In terms of the effectiveness assessment of the intervention, we will look into the extent to which the MZOs achieved their goals, including their drivers and barriers. Given that MZOs intend to reduce costs of transactions, reduce corruption and delays, improve the information system and tackle gender issues, we shall examine the extent to which these goals were achieved. As most of these points have been extensively discussed under 4.1, we will only offer an assessment on whether the goals were achieved or not.

#### HIGH COSTS

While the official costs of processing a land or transferring land is relatively affordable, the actual costs that end up affecting service delivery is still very high as discussed in 4.1. However, in comparison to the time before MZOs, costs of transactions have reduced, though not significantly. This mainly relates to the cost of travel to MLHUD headquarters to process land titles. The overall goal of affordable land services seems, hence, not to have been fully achieved as the impressions on costs show that they are still relatively high.

## CORRUPTION AND DYSFUNCTIONS

The MZOs also aimed at reducing corrupt activities related to land transactions. One of the strong cross-cutting themes running through all the interviews was the concern around corrupt and illegal activities, including officials soliciting bribes, brokers overcharging and misleading people (extortion), and lawyers and surveyors using their powers and access to personal land information to steal land and sell it to others. Below are stories from different respondents that illustrate these practices.

*“The official rate for a search is about 15,000 Ug. Shs. [Euros 3.43] though the earlier respondent said he paid 38,000 Ug. Shs. [Euros 8.70]. If you want the official search you go to the Bank and pay and you are given one week for results. But for most people, one week feels like a long delay time. The person on the computer will say you can go to the Bank and pay but you will wait a whole week. But if you pay 40,000 Ug. Shs. [Euros 9.15] you can go with your search results. That search has no receipt, he will only check the computer and tell you to whom Block XX Folio XX belongs as per details you have given him.” (FGD, Customer)*

### Officials Soliciting Bribes

*“For me, I have observed that people are not aware of the proper steps of payment for a land title. That is why physical planners are not always in office unless you promise to give them something small [smiles] like a bribe. So that is why they keep on dodging meeting the population. Even at the community level, even these Area Land Committees, if you do not bribe them, you will not be able to get the required services.” (FGD, Customers)*

*“People who follow the normal procedures or guidelines take forever to get their titles unlike those who have money and are corrupt. They will pay the official dues but also pay the corruption fees. I have a resident in my village who also cleared all the required dues and got his files signed by all local leaders and neighbours but up to now his title has never been given to him. He thought he would get the title so soon but up to now he hasn’t. Why? I hinted to him and told him that they want a bribe if he is not yet aware.” (FGD, Non Customers)*

These circumstances are worsened by other illegal activities. People reported instances where surveyors stole their land titles, or as discussed in 4.1, dealmakers charging exorbitant prices to the unknowing MZO customer. The NLIS is attempting to reduce corruption as shown in 4.1, hence moving towards achieving the goals of reduced corrupt activities in the processing land titles and other land transactions.

## MISPERCEPTIONS AND LACK OF INFORMATION

A lack of awareness about the MZO offices, staff, services, processes, charges and requirements, combined with confusions about the different roles and responsibilities of the different land service agents (i.e. MZO, DLB, ALC, Surveyors as well as Traditional Land Authorities and mailo land owners), together with the prevalence of corruption creates a fertile ground for distrust and negative attitudes. It is clear that much of the disappointment and anger is not appropriately directed at the MZO programme. Much of it has to do with other agencies and actors involved in land issues, including all the resentments around paying rents and other charges related to mailo, King’s land and leasehold land, but also private individuals referred to as *dealmakers*, who try to

exploit the customers, and thus the system. In addition, the long history of bribery in Uganda and people's expectations in this regard may be influencing their interpretation of the outcome of their title applications with MZO.

### LIMITATIONS OF THE NLIS SYSTEM

The MZO and other land service agents (i.e. DLB) also indicated that there have been some challenges with the Land Information System and some adjustments that have been made to it. Apparently, it is still in the process of being further refined. Furthermore, some transactions cannot be processed through the NLIS yet (most importantly land that remains under customary tenure). A number of customers also expressed frustration with being told that "the system is down" when they arrived at the offices with their queries and their files could not be checked.

### GENDER INEQUALITIES

As already mentioned in Section 4.1 there appears to have been no specific efforts to protect or support the land rights of women through the MZO programme, although the legal reforms do guarantee equal rights. As indicated in the statements below, the traditional practices and customs, however, vest land rights mostly with men and women seldom participate in or acquire land rights.

*"I can't say women (use these land services) because the men use more of the service than women. I have seen [more] men registering here than women because of our cultural imbalances where people believe that land belong to men. Even families believe that land is for boys because girls are going to marry so they cannot share their father's land to be sold by their husbands and some believe that lawyers confuse them. [Laugh]" (KII with MZO official)*

*"The law comes in, of course like family land, family property, which is called matrimonial property; the law has come in to protect it. These days you cannot just come out to mortgage home property, your matrimonial home without the consent of your spouse. All laws that are land-related protect women" (KII with MZO official).*

*"(Man) I would want to add the following. You know I read the Bible a lot. GOD created women to be helpers of men. But we men we meander a lot. Even Mohamed the prophet had eight wives. Now if I have 8 wives, and you who is one, you want me to give you a land title of which I have only one, what will the others do? So how can I give it to you? So ladies please forgive us but we are not going to give you the land titles. (FGD, Customers)*

The quotes reiterate the concern of the government expressed in the NLP that women's rights to land is being trampled upon hence the need to apply gender sensitive implementation strategies to empower women and strengthen their rights. Unfortunately, it does not seem MZOs have specific strategies that seeks to empower women.

#### 4.3.3. LIKELIHOOD OF CONTINUED SUCCESS: SUSTAINABILITY

Finally, in this section, we want to evaluate the sustainability of activities and impacts (RQ7 and RQ8). We, however, focus on economic sustainability as an important factor given that

institutional and social sustainability of the MZOs will depend on their continued existence and funding.

When asked about the sustainability of the MZO initiative into the future, a number of the MZO officials were very positive, particularly with regard to its financial viability. While these offices depend on funding from the MLHUD, they are also expected to generate revenue for government through charging fees for their land titling services. The stated objective of the programme was to raise sufficient funds from charges to cover the costs of the MZO offices and services, and presumably its further development. This was one of the World Bank requirements. As indicated below, a number of MZO officials reported they were doing well in this regard and have been improving over time as their efficiency has improved and demand has increased. There is a clear appreciation amongst the MZO staff of the need to increase the number of customers they service in order to generate the funds needed to continue providing the services and improving them. Becoming self-sustaining is recognised as an important objective as expressed in the quotes below.

*"The (XX) Zonal Office is ... an income generating arm of Government. ...in the half of this financial year from July-December we generated .... 275 million Uganda Shillings. Our quarterly budget is only 45 million Uganda Shillings meaning that our collection alone can make us self-sustainable" (KII with MZO 1)*

*"That is going to be easy in the sense that, the (XX) MZO collects more than what it consumes in a year; this means it is already sustainable by itself" (KII with MZO 2)*

*"We (XX MZO) raised more revenue than any other MZO; statistics are there. The revenue that was generated was enough to pay back the loan that we got to establish these MZOs. The loan was I think seventy million dollars; in the first three years we generated eighty-eight million dollars, so we passed that test. In the roll out, they gave us an additional fifty-four million dollars. This was for rolling out the LIS across the twenty MZOs. If you are to call it a condition, I will call it revenue. Because government was losing a lot of revenue prior to the establishment of the MZO. There were a lot of loopholes in the revenue system. We didn't have an integration with URA, and we did not have a system of verifying payments, stamp duty, land fees, we had a lot of forgeries, a lot of frauds. There were a lot of linkages in terms of revenue. All those were bridged, we lose less now. We are still looking out for loopholes, but we are at least generating what we are supposed to generate" (KII with MZO 3)*

However, as discussed in 4.1, MZOs have a budget shortage and struggle to fund some of their activities. Interviews with Ministry officials and with an expert from a donor institution revealed that this money is collected in a central pool under the Ministry of Finance which reappropriates it to the different ministries during the annual budgeting activities. The interviews with Ministry officials, however, also indicated that MLHUD is in communication with the Ministry of Finance to allow them keep a bigger part of the revenue and reinvest it into the MZOs.

#### 4.4. RECOMMENDATIONS, AREAS FOR IMPROVEMENT AND LESSONS LEARNED

In the following, we outline recommendations given by the respondents as well as areas for improvement and lessons learned.

The respondents interviewed made a wide range of recommendations that were grouped and categorised as summarised in the tables below. Amongst customers and non-customers the most common recommendation (34%) was for more information on processes, charges, roles and responsibilities of the different agents. This was followed by a recommendation to reduce the costs of titling, and in many cases to make it affordable and based on the size of the land. However, it is worth keeping in mind that when respondents spoke about costs they spoke about the overall costs, not just the official MZO charges, which probably form a rather minor part of the eventual cost of securing title (particularly given the cost for private surveying and all forms of corruption that appear to be taking place). In addition, the intervention plan had already taken into account a degree of proportionality by adding a final charge of 1% of the parcel's value. This reasonable approach was never mentioned neither by the customers, nor by staff, hence, it may either be unclear to the people, not applied, or overseen in the entirety of costs being requested by customers.

The next most common recommendation was to reduce corruption, which would automatically lead to cost reductions for the customers. It is worth noting again that if the costs and corruption could be reduced, then the demand for MZO services would likely increase substantially and increase the generation of income for the maintenance and further development of the MZO titling programme.

The qualitative analysis of how often further recommendations came up during the different kinds of interviews gives us an indication for the emphasis people put on the different spheres and hence the urgency for improvement. We group the recommendations in different groups of emphasis (see Table 3 below)

Table 3: Recommendations from FGDs

Type of Respondents	FGD (all) Percent	FGD (all) (frequency)	FGD Users	FDG Non-Users
<b>Recommendations from FGM (Customers and Non-Customers)</b>				
Information & communication	34	134	77	53
Reduce costs and make proportional to land size	19	76	38	27
Dealing with corruption	17	66	44	9
Re-organisation and restructuring	13	51	37	12
Increase capacity - staff + Surveyors	5	18	11	7
Introduce ways to reduce & manage land conflict	2	8	3	4
Other Recommendations	2	8	4	2
Provide financial assistance for titling	2	7	2	3
Reduce processing time - shorten time to obtain titles	2	7	5	2
Improve IT functioning and automation	1	4	3	0

Type of Respondents	FGD (all) Percent	FGD (all) (frequency)	FGD Users	FDG Non-Users
& integration				
Introduce MZO staff performance appraisal & M&E	1	4	4	0
Need for more co-ordination between govt agencies + planning	1	3	3	0
Improve public relations and ways interact with public	1	2	1	1
Need for tenure reforms to improve security of tenure	1	2	0	2
Improving access for women	1	2	1	1
Research and plugging info gaps	0.3	1	1	0
Maintain reliable office hrs and staff availability	0.3	1	1	0
<b>SUM</b>	<b>100</b>	<b>394</b>	<b>235</b>	<b>123</b>

The pattern of recommendations does not vary much across the different regions (see Table 4 below), and hence, seems to be an indication to improve the general planning of the MZOs rather than displaying context-specific challenges. Corruption, however, seems to be of particular significance in the central region. Various recommendations to restructure the land service institutions also featured more prominently in the Central and Eastern regions than in the other two regions.

Table 4: Recommendations according to regions

Regions	Central	Western	Eastern	Northern
<b>Recommendations</b>				
Information & communication	39	19	48	28
Reduce costs and make proportional to land size	13	18	15	30
Dealing with corruption	43	15	7	1
Re-organisation and restructuring	17	7	18	9
Increase capacity - staff + Surveyors	7	7	0	4
Introduce ways to reduce & manage land conflict	3	3	1	1
Other Recommendations	5	0	1	2
Reduce processing time - shorten time to obtain titles	0	0	7	0
Provide financial assistance for titling	0	4	0	3
Introduce MZO staff performance appraisal & M&E	1	0	2	1
Improve IT functioning and automation & integration	2	1	1	0
Need for more co-ordination between govt agencies + planning	0	0	0	3
Improve public relations and ways interact with public	0	0	1	1
Need for tenure reforms to improve security of tenure	1	0	0	1

Regions	Central	Western	Eastern	Northern
Improving access for women	2	0	0	0
Research and plugging info gaps	1	0	0	0
Maintain reliable office hrs and staff availability	0	1	0	0
<b>SUM</b>	<b>134</b>	<b>75</b>	<b>101</b>	<b>84</b>

There are a fewer types of recommendations from the various land service officials interviewed (see Table 5 below), and in particular far less emphasis on the need for more information and communication. However, the need for more sensitisation was mentioned frequently by MZO and other officials and were included in their plans going forward. These officials prioritized the need for tenure reform and improving capacity, information and coordination between the various land service agencies. There were no significant differences in the kinds of recommendations made by officials from different regions.

Table 5: Recommendations from KIIs

Type of KII Respondent	KII (all)	Surveyor	DLB	ALC	MZO
<b>Recommendations</b>					
Need for tenure reforms to improve security of tenure	47	16	5	10	16
Maintain reliable office hrs and staff availability	44	15	7	11	11
Research and plugging info gaps	40	16	9	10	5
Need for more co-ordination between govt agencies + planning	8	1	3	4	0
Improving access for women	8	1	2	2	3
Improve public relations and ways interact with public	2	0	1	1	0
Reduce processing time - shorten time to obtain titles	1	0	1	0	0
Introduce MZO staff performance appraisal & M&E	1	0	0	0	1
<b>SUM</b>	<b>151</b>	<b>49</b>	<b>28</b>	<b>38</b>	<b>36</b>

Table 6 below provides an indication of the types of questions and information requests from customers and non-customers. The most common related to pricing/charges, application processes and the clarification on the roles and responsibilities of the various land service organisations. There were not clear regional variations in these information requests.

Table 6: Questions posed by different respondents

Types of Respondents	FGM (all) %	FGD (all)	FGD Users	FDG Non-Users
<b>Public Questions</b>				
Prices and costing	23	22	9	6
Process questions	22	21	7	11
Process - Roles of various land service orgs	12	11	6	5
Processing times and delays	9	8	7	1
Other-General	6	6	3	1

Types of Respondents	FGM (all) %	FGD (all)	FGD Users	FDG Non-Users
MZO Questions	3	3	0	3
Tech Questions	3	3	3	0
IIRR survey programme	3	3	3	0
Institutional roles	3	3	2	0
Institutional Question	2	2	2	0
Government Questions	2	2	2	0
Information questions	2	2	0	2
Corruption Questions	2	2	1	0
Access to services	1	1	0	1
Infrastructure Questions	1	1	1	0
Vulnerable people questions	1	1	0	1
Urbanisation Questions	1	1	0	1
Gender question	1	1	0	1
Performance Questions	1	1	0	0
<b>SUM</b>	<b>100</b>	<b>94</b>	<b>46</b>	<b>33</b>

In summary, the potential to expand the MZO programme and use funds generated to pay for this expansion is likely to be limited by the currently prohibitively high overall costs of the titling processes for customers with limited means to pay for these costs. Most of these costs are likely to be due to surveying costs, and costs paid to ALC, DLB, lawyers and all the brokers who get involved. The long-term development and sustainability of the programme could be improved if measures were taken to regulate and reduce these additional (non-MZO costs) as well as corruption. Making sure customers are aware of the costs and processes involved will help to reduce the potential for corruption – so investments in public awareness raising and sensitisation would be valuable.

Additional measures that could be considered include:

- Ensuring that all MZO offices have clearly displayed and readable notices about the charges for various services, the types of applications that can be submitted and where and information pamphlets on the required documentation. All this information should also be made accessible online.
- All MZO offices should have a front of house official who assists customers about general queries and can direct them as to the appropriate applications to use and officials to approach
- Ultimately, all MZO officials should have more than one of each of the key professional staff members responsible for processing and reviewing titling applications, so that the processing of applications does not get delayed due to staff members being away on leave.
- Instituting some kind of regulatory body for surveyors which standardises the costs and methods, ensures the surveyors are professionally registered, monitors their activities and have professional body which enables effective grievance management processes.
- Encouraging customers (and communities) requiring surveying of their plots to collaborate together to hire professional surveyors and share and minimise the costs.
- Investigate the bottleneck over the processing of title applications from customary tenure areas.

- Titling of customary tenure through the NLIS, e.g., in form of CCOs, would be needed in light of the goal of increasing formalization.
- The provision of funding for ALC officials so that they do not have to charge customers for their services, or alternatively the regulating of charges made by ALC and DLB officials to customers for approval services.

To complement the qualitative analysis, we purposefully reviewed the academic as well as the grey literature for examples from other contexts on how these challenges could be tackled. We found few examples of concrete interventions that may be applied in Uganda. Nevertheless, some general lessons may be learned.

First, reducing corruption would not only improve the quality of the land administration services; the reverse may also hold true. According to transparency international data, as presented in a World Bank report (World Bank Group 2014), a higher overall quality of land administration (with respect to reliability, transparency, coverage and dispute resolution) is associated with fewer reported instances of bribery. Plausibly, the better the land administration services works, the less “need” to “lubricate” them through bribery. Second, one important way of improving land administration services is precisely what Uganda is doing: computerizing its land registry. Since we only have a snapshot in time of the current perception of corruption in Uganda, we do not know whether it has already improved in the land sector due to NLIS and the MZOs. Overall, a change for the better is not visible according to the corruption perception index by Transparency International, which rates Uganda slightly lower in 2020 than in 2012.<sup>11</sup> Data from that time suggests that corruption was a severe problem.

A regional role model for land services may be Rwanda (World Bank Group 2016), which cut the time for transferring property from more than a year to around a month due to digitalization and ranks low in perceptions of corruption. Adam et al. (2020) note that in Rwanda, traditional leaders play only a minimal role in land-related matters and informal actors (such as local leaders and unlicensed brokers) are considered illegal. The latter group are also a likely source of corruption in Uganda. The experience from Rwanda therefore suggests to strictly regulate this group of actors.

A common recommendation to reduce land-related conflicts is to create or strengthen local dispute-resolution institutions (Muhumuza and Akumu 2019; Byamugisha 2013) such as land tribunals and alternative dispute resolution mechanisms (e.g. mediation and arbitration). This is in particular important because of the large back-log of cases. In Uganda, almost 4000 land dispute cases have been unresolved in the system for more than two years at the High Court in Kampala alone.<sup>12</sup> One can imagine that most disputes never reach the judicial system given the expected long delays plaintiffs face. With respect to Uganda, the “Commission of Inquiry into Land Matters” led by Justice Catherine Bamugemereire makes several suggestions in its recent report (as presented by Muhumuza and Akumu 2019). In order to improve dispute resolution mechanisms,

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<sup>11</sup> <https://www.transparency.org/en/cpi/2020/index/uga> (accessed June 6, 2021).

<sup>12</sup> <https://www.monitor.co.ug/News/National/Courts-fail-to-try-470-cases-over-10-years/688334-3429660-13bms8f/index.html> (accessed June 7, 2021).

the commission proposes to install an ombudsperson, revive and better fund land tribunals as well as better fund LCs and to make it mandatory for judges to visit land before issuing eviction orders should be implemented. Information technology such as video-conferences and digital handling of cases may reduce court back-logs. The commission also strongly vouches for formalization of customary land, through the introduction of “customary freehold” titles. As Byamugisha (2016) notes such titling interventions should be accompanied by the creation or strengthening of formal local institutions that manage them. These would be the Area Land Committees and the District Land Boards. This implies – as also noted above – a better funding of these institutions.

## 5. CONCLUSION

This report outlines the findings of a process evaluation of the establishment of Ministry Zonal Offices (MZOs) in Uganda, which form part of the National Land Policy (NLP) reform from 2013. The reform has the overarching goals to strengthen tenure rights, promote sustainable and efficient use of land and to guarantee more equal access to land rights. MZOs duplicate land registration and transaction services, which were previously centralized at the Ministry of Lands, Housing and Development (MLHUD) at Uganda's capital. Between 2013 and 2020, the MLHUD in collaboration with the World Bank established all planned 22 of these zonal offices in each of Uganda's cadastral zones. The process evaluation builds on qualitative primary data collected in a purposively selected sub-set of the MZOs with 36 key informant interviews from all relevant stakeholders as well as 16 focus group discussions with MZO customers and non-customers. The data was collected during March and April 2021.

In conclusion, and on the one hand, the MZO component seems like a relative success in terms of the population using land services and revenue created, compared to the situation previous to MZO establishments. This may mirror the strong perceived need of the population to register land and the valid assumption of the reformers that geographic proximity would largely facilitate land registration for the people and, otherwise, impose a significant barrier. Also, the capacity constraints in terms of insufficient staffing, which prevailed in land registration services prior to the reform and are still not fully solved, show the high relevance of the intervention responding to the population's need and demand. The reported perceived increase in land transactions and titling speaks in favour of this, for which, this report, however, does not provide sufficient quantitative evidence. Moreover, respondents who were supportive of the reform were particularly fond of the established land registry, the National Land Information System (NLIS), which helped increase transparency, reduce costs and was partly also linked to having decreased the potential for conflict over land.

On the other hand, the evaluation also reveals that the reform does fall short of promises and certainly also its potentials. In terms of implementation, the evaluation reveals that the different stakeholders were rarely consulted on their perspectives about the design and establishment of the zonal offices. A more inclusive approach in the design and implementation stage might have realized the capacity to better anticipate barriers evident today, with the potential to find preventive solutions upfront. This could have, for instance, been relevant for measures to prevent corruption. The report entails best-practices from MZO staff in this regard, which may be assessed by policy makers and could potentially be institutionalized across the board by the MLHUD.

Another barrier which evolves from the implementation stage refers to a prevailing lack in clarity about exact processes for land registration and transaction services as well as allocation of responsibilities between the different land actors. The lack in clarity leads to frustration among customers, non-customers and other stakeholders, as well as to costly misunderstandings. This finally leads to lacking trust in the MZOs as an institution, which would be an important pre-condition for the reform to be successful. The lack in clarity, moreover, opens doors to fraudsters, who act as middle-men leading customers through the lengthy process at a high and arbitrary cost surpassing the official revenue channels.

In terms of intervention design, the current set-up of the intervention does not allow equal access to land registrations and, hence, nor to land rights, which is a main goal of the reform. First, the

relatively high registration and transaction costs make land transactions only affordable to the relatively wealthy parts of the population. Second, certificates of customary ownership can currently not be issued through the MZOs. This excludes the dominant tenure system in Uganda with 80% of the parcels and the population owning customary land – unless willing and able to change the tenure system. Reducing the legal requirements for surveying towards fit-for-purpose technologies such as tablets – as it is already done in the demarcation of customary land – could considerably reduce the cost for private surveying and consequently make land titling more affordable.

Finally, the MZO system suffers from insufficient governmental funds. Given the relatively high revenue that the land registration and transaction system under the MZOs was capable to generate thus far, the small part that is channelled back into the system is perceived as unfair and harmful to the system's functioning. More funds are particularly needed in order to employ the necessary staff to keep the system running, with adequate salaries reducing the temptation of corruption and leading in the end to more reliable and satisfactory services for Uganda's population. In case the reform keeps being underfinanced, its merits are at risk, when potential customers lose trust by being confronted with fraud, corruption and unreliable services.

The method of process evaluation enabled the identification of the mechanisms at play and potentials for improvement of the reform. However, this evaluation method is not suited to assess the final impacts of the intervention, in terms of agricultural and economic productivity and welfare for the customers. A more quantitative impact evaluation could complement the findings of the report at hand in this regard.

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