UTC REPORT: GRASSROOTS ENGAGEMENTS ON EFFECTIVE LAND GOVERNANCE FOR INCREASED ACCESS TO ADEQUATE HOUSING AND PUBLIC OPEN SPACES IN THE CITY

Title of the Campus: Land and The City: Grassroots Engagement on Effective Land Governance for Increased Access to Adequate Housing and Public Open Spaces in the City

Organizer(s) Name(s): Uganda Community Based Association for Women and Children Welfare (UCOBAC)
Partner Organization(s): Friedrich Erbet Stiftung (EFS), Slum Women Initiative for Development (SWID)
Date and Location: 27th September 2017 to 28th September 2017 / Kampala, Uganda

Urban Thinkers Campus in Figures:

Executive summary:

Uganda Community Based Association for Women and Children welfare (UCOBAC) in partnership with by Friedrich Ebert Stiftung (FES) organized a two days Urban Thinkers Campus (UTC) in Kawempe Division to facilitate effective participation and engagement of grassroots communities and affected persons in the conversation on responsive urban land governance for an effective and transformative urbanization process. The UTC provided a platform for critical exchange and dialogue between urban stakeholders who included researchers, professionals, civil society actors, academia, decision makers and grassroots men and women who believe that urbanization is an opportunity that can lead to positive urban transformation. Through the dialogue process, stakeholders built consensus on addressing key existing and emerging urbanization challenges related to land, housing and access to public open spaces (POS) and collectively proposed solutions for the urban future. The dialogue focused on promoting pro-poor and gendered urban land governance in order to promote security of tenure and equitable access to land and housing and access to POSs in cities. Over 90 participants participated in the UTC done over 2 days.
Introduction to the Campus:

For the first time in history, more than half of humanity lives in urban areas. By 2050, this proportion will reach nearly 70%, making urbanization one of the 21st century's most transformative trends. Like in most developing countries in sub-Saharan Africa, Uganda is experiencing rapid urbanization, with a high urban growth rate of 5.2% per annum. The Greater Kampala Metropolitan Area has the highest urban population representing over 50% of Uganda’s total urban dwellers (Uganda Bureau of Statistics (UBOS), 2014). It is projected that by the year 2035 Uganda’s population will have grown to 68.4 million of which 30% will be in urban areas. (UN Habitat, 2016).

Urbanization presents massive challenges to sustainable urban development. The growing population in cities increases pressure on limited land resources, resulting in a number of challenges including for example; disparities in land ownership and access, illegal evictions, displacements and land grabbing resulting from increasing demand for land for investment, under utilization of land due to poor urban land use planning and land fragmentation, lack of public open spaces in the city, inadequate land administration and management especially in land service delivery and dispute resolution, weakened land systems prone to fraud and forgeries, landlessness, proliferation of informal settlements and slums, homelessness and lack of adequate housing for urban dwellers.

In efforts to realize Sustainable Development Goal 11 – “Make cities and human settlements inclusive, sustainable, safe, resilient, and sustainable”, the New Urban Agenda (2016) makes a transformative commitment to promote sustainable urban development. It affirms a vision of cities for all, referring to the equal use and enjoyment of cities and human settlements. It seeks to promote inclusivity and to ensure that all inhabitants of the present and future generation are able to inhabit just, safe, healthy, accessible, affordable, resilient, sustainable cities and human settlements without discrimination of any kind. It aims to achieve cities and human settlements where all persons are able to enjoy equal rights, freedoms and opportunities in ways that foster prosperity and quality life for all. The New Urban Agenda focuses on Land and Housing as one of the key drivers of change towards realizing “The City We Need”. It envisions cities and human settlements that fulfill their social function, including the social and ecological function of land, with a view to progressively achieve the full realization of the right to adequate housing as a component of the right to an adequate standard of living without discrimination.

It further commits to promote the development of urban spatial frameworks, including urban planning and design instruments that support sustainable management and use of natural resources and land in a manner that protects and improves the urban eco-system and environment. It further commits to promote the creation and maintenance of well-connected and well distributed networks of open, multipurpose, safe, inclusive, accessible, green, quality public spaces, to improve resilience of cities to disasters and climate change, improve physical and mental health, promote ambient air quality and promote attractive and liveable cities, human settlements and urban landscapes. The Government of Uganda in the same spirit appreciates the significant contribution of planned urban development, effective management of land resources and housing development as critical engines in driving the country's socio-economic transformation. Government policies and laws including the National Land Policy, the National Urban Policy, and the Housing Policy underscore Government's commitment to a transformative and sustainable urban development. There is however a great disparity between what the policies provide and the actual practice/reality on the ground.

Effective and meaningful stakeholder engagement, participation and collaboration is critical to accelerate well-coordinated sustainable urban development. Therefore, FES in partnership with UCOBAC, are creating stakeholder engagement platforms also referred to as Urban Thinkers' Campuses where urban thinkers including government actors, private sector, civil society, land professionals, academia and grassroots communities can engage on the existing and emerging challenges and collectively identify and recommend sustainable solutions to address the challenges.

Organizers employed a multi-stakeholder approach to promote inclusivity and to create space for grassroots communities and affected persons to engage with the power holders including government, private sector, academia and civil society. Community friendly methodologies were used, for example use of local language (Luganda), where necessary to promote high participation of members.
Summary of all session:

The specific objectives of the dialogue were:

(i) to broaden and strengthen engagement of grassroots communities with key actors on urban land, housing and POSs in the city,

(ii) to discuss the community challenges related to accessing land and housing, security of tenure and access to POSs,

(iii) to share existing national urban land and housing legal and institutional frameworks and plans with the grassroots communities,

(iv) to clarify individual stakeholder commitments, roles and responsibilities,

(v) to share existing strategies, practices and mechanisms in promoting pro-poor and inclusive land governance.

The dialogue sessions were organized around the target objectives. Four major sessions were held on each day. The sessions included discussions on:

(i) Current land, land and POSs situation in Kawempe Division; challenges in land administration that affect the local community's ability to have security of tenure and access to adequate housing in the division (ii) Existing frameworks, plans and practical solutions for increasing security of tenure and access to adequate housing for the urban poor

(iii) Current state of urban spaces in Kampala/informal settlements; existing legal and institutional frameworks and plans for development and maintenance of public open spaces in the city

(iv) Importance and benefits of POSs in urban communities; challenges in the development and maintenance of POSs; possible solutions

Session one entailed a discussion on the current land, housing and POS situation: Kawempe division population composition is 59% women and 41% men. The predominant land tenure systems include mailo and free hold. Slums cover 25% of the total area of the division and the most common type of housing is tenement. There are very few POSs and the available ones are sub-standard and in poor condition. The challenges faced by community in accessing land and adequate housing in Kawempe Division in summary include;

(a) Urbanization leading to increased pressure on available resources like land, infrastructure and services due to population pressure
(b) Eviction threats that vary from settlement to settlement. Some of these evictions arise as a result of appreciation of land value and fraudulent land sales.

(c) Deterioration of the environment leading to increase in poverty because urban dwellers exploit existing natural resources for urban agriculture, informal production and trade to support their livelihoods.

(d) Lack of consistent and viable physical planning schemes

(e) Lack of proper enforcement of urban planning regulations

(f) Uncoordinated private sector Initiatives

(g) Limited capacity of the formal private sector to respond to the housing needs of middle income groups (weak housing finance mortgage systems, legal dualism regarding tenure, centralized and over-complicated procedures for obtaining administrative approvals, corruption and illicit practices

(h) Inadequate, obsolete inheritance laws coupled with gender biases

Session two involved reviewing of the different sections of Uganda’s 1995 Constitution relating to land and housing such as objective XIV (b) which provides that all Ugandans shall enjoy rights and opportunities and access to descent shelter, health services, clean and safe water among other entitlements. Article 237 of the Constitution vests land in Uganda to the citizens of the country. Various laws, policies and strategies put in place by the government were discussed. Some of these include; the land Act, Local Governments Act, KCCA Act, Physical Planning Act, Condominium Properties Act, etc. and policies such as the National Land Policy, National Housing Policy, National Urban Policy and national Slum upgrading strategy. Institutions in charge of regulating and managing the land sector and dispensing land justice services and their respective roles were highlighted. The institutions include; Ministry of Lands, Housing and Urban Development (MLHUD), the Uganda Land Commission (ULC), District Land Boards (DLBs), District Land Office (DLOs) and Area Land Committees (ALCs).

Sections of the Constitution relating to POSs were reviewed. Among these were objective XVII- on recreation and sports which provides for the promotion of recreation and sports for the citizens of Uganda; environmental objective XXVII (IV) mandates the state to create and develop parks, reserves and recreation areas and ensure the conservation of natural resources. Laws such as the Physical Planning Act (2010), which regulates land use in Uganda, were reviewed. Institutions with a mandate to create and protect POSs include MLHUD, Ministry of Education and Sports (MoES), National Environment Management Authority (NEMA), Kampala City Council Authority (KCCA) and district local governments.

Session three was a discussion on the current state of urban spaces in Kampala/informal settlements. The main discussant defined Public Open Spaces (POSs) and indicated that Kampala has 56 informal settlements. Only a few of the POSs in organized and formal settlements are recognized by the government and majority of those in informal settlement/slum areas are yet to be mapped out. Majority of the POSs are not in good condition while some have restrictions on access by the general public. Examples cited in this case include Sheraton gardens, Centenary park, the golf course sports grounds, etc. Private owners of open spaces do not prioritize their relevance and sometimes do not adequately plan for them. They tend to end up setting up permanent commercial structures in these places. Despite having few POSs, government and the implementing agencies like KCCA have not done much to improve their conditions and to upgrade the places to the appropriate standards. Some POSs are not safe and are abused by users who are in most cases ignorant of the use of POSs. For example drug dealers and users tend to frequent some of these places, prostitutes, some set up car washing bays or small stall business, which are not planned for by the authorities in charge.

Session four involved a discussion on POSs, norms and attitudes (i.e. culture) of Kampala city dwellers relating to POSs, challenges encountered in accessing and using POS and solutions to the challenges. Challenges noted include;

(1) Poor governance characterized by greed and self-centeredness of leaders has largely contributed to loss and inaccessibility of POSs;
(2) POSs have been utilized for commercial purposes i.e. permanent buildings for business have been set up in these places;

(3) Ignorance of relevance of POSs hence urban dwellers do not appreciate them and therefore do not protect them;

(4) Insecurity in POSs; they harbour drunkards and drug abusers which stops descent urban dwellers from accessing and using them;

(5) Restricted access i.e. institutions such as the police and KCCA assault and arrest those who try to use the POSs like the Constitutional Square;

(6) Condition of POSs in Kampala; they are sub-standard and poorly designed;

(7) High level of insecurity in POSs.

---

**Key outcomes:**

- The UTC provided an open engagement and consultative forum among leaders, authorities in charge of city management and the local populace to discuss key challenges affecting the people and jointly coming up with sustainable solutions to the challenges identified. This will facilitate responsive and gendered land governance.
- Sensitization of participants on existing frameworks and plans for land and housing sector and about POSs. It was noted that some of the leaders at local level cannot take appropriate decisions because they are not well acquainted with the laws and policies governing the sector. Some community members who are not leaders appreciated the campus as it was a learning experience for them which would facilitate informed decision making concerning their properties in the city.
- Clarification of different stakeholder roles and responsibilities.
- Strengthening of the working relationship and collaboration between the UTC organizers, local leadership and participants of the dialogue.
- Using the multi-stakeholder approach to involve all sectors and community members of varying caliber in the campus is an example of democracy at work.
- Development of a position paper with policy recommendations to be widely disseminated to policy makers and various stakeholders.
- Commitment from local leaders such as local council chairpersons and councilors to widely share information on the New Urban Agenda with their communities. This is aimed at stimulating community participation in the on-going urbanization processes.

---

**Conclusion & way forward:**
The UTC was successfully held for two days with a remarkable turnout. In the way forward, organizers (UCOBAC and FES) intend to;

• Hold more UTCs in the remaining four divisions of Kampala district because each location has unique urbanization challenges. This process is also aimed at promoting evidence-based advocacy on urbanization.

• Widely disseminate campus reports, policy briefs and position papers through different vehicles including national and community level meetings, organizers’ websites and social media pages and organization publications.

• Continue to monitor and participate in government programs and activities relating to land, housing and Public Open Spaces.

• Participate in other UTCs that may be organized by other partners.

**Recommendations:**

The following are the key recommendations to national governments and other stakeholders for effective contribution to the implementation of the New Urban Agenda;

An inclusive, participatory and gender responsive urbanization process: - There is a lack of comprehensive coordination between and among the various stakeholders – including affected citizens, government, private sector and civil society – working on urban land and housing sector, in that each is not adequately informed of, or engaged in the other’s activities, thus causing disjointedness in realizing organized urbanization.

For an effective, inclusive and sustainable urbanization process, there is need for multi-stakeholder coordination, engagement and collaboration in the urban planning and management process. This should include government, civil society, the private sector, professionals, academia and very importantly the ordinary city inhabitants in formal and informal settlements; including men and other marginalized groups like women, youth, the elderly, Persons With Disabilities, etc. This can be achieved through open multi-stakeholder engagement forums, dialogues and institutionalized consultations, led by government, with the help of civil society organizations, in a way that actively engages citizens and urban dwellers/communities. Ensure access to land Justice and land administration institutions: - Some of the land administration institutions such as the District Land Boards and Area Land Committees, Police, and Local Council Courts II and III are marred with corruption and bureaucracy. Clients’ cases are deliberately delayed or obstructed due to corruption in these institutions, and clients are required to pay off the responsible authorities to forward or work on their files. The poor cannot follow their cases through with court proceedings as some lack transport means to get to court; are ignorant of the procedures for solving a land or property dispute; or simply cannot afford legal services. There is a need to recognize corruption in urban land and housing, and to acknowledge that land corruption hits the poor hardest. Governments should adopt innovative approaches to mitigate corruption and enhance transparency. Such approaches can include:

(i) establishing effective and cheap Alternative Dispute Resolution mechanisms for the poor who cannot afford formal land justice institutions;

(ii) continuous sensitization on land and housing rights for citizens to be aware of their rights and thus not to be taken advantage of;
(iii) spontaneous monitoring and inspection checks should be carried out to check the performance of the land offices and to easily detect fraud.

Adoption of unconventional pro-poor and participatory land recordation tools, including the Social Tenure Domain Model (STDM) which was developed by UN-HABITAT through the Global Land Tool Network (GLTN) to answer land related issues through recording, mapping and registration of both formal and informal land and housing claims or rights, to improve tenure security. STDM land tool application can improve relationships between tenants and landlords/land owners, increase participatory planning processes in slum dwellings, improve security of tenure, facilitate easier and quicker conflict resolution among claimants and it can minimize forced evictions. It is thus recommended that governments recognize and integrate non-conventional tools like the STDM in existing land registration and information systems because they are pro-poor, affordable and easy to use. Consistent sensitization of masses on land and housing policies and POSs. This will in a way facilitate communities’ uptake and support of government programs for the localization of the New Urban Agenda. This will result to building strong and sustainable cities. Stringent implementation of laws on land and housing: Governments should prioritize the implementation of land and housing laws and policies by allocating funds from the national budgets and increasing the human resource capacity in implementing agencies/authorities. Countries such as Uganda have not sufficiently and efficiently met the housing demands of their citizens in urban areas and resolving long running land related questions because of failure to translate the well written laws into practice.

Monitoring & reporting:

a) Use of rapid appraisal methods for UTC performance monitoring, assessment and to gather any relevant information for decision makers.  
b) Use of impact analysis to evaluate outcomes of the UTCs over time and inform future programming.  
c) Following up on leaders to check the fulfilment of their commitments.  
d) Monitoring of policy and strategy development and implementation from national to local level. This will be achieved through consultative meetings and participation in on-going policy implementation activities. However, these activities will largely depend on budget flexibility and availability of funds.

Results of the action plan will be shared through;

**Short term**

- Organizers' websites

- Respective organization publications i.e. annual reports, newsletters, activity reports, policy briefs, opinion pieces and position papers.

- Mainstream media such as newspapers which can be accessed locally and globally online

- Social media pages particularly Facebook and Twitter

- Sharing information through organization e-mailing list
• Continuous sensitization of communities on the New Urban Agenda and providing updates on any developments in the formulation and implementation of policies and laws relating to urbanization. This is aimed at promoting sustainability of initiatives.

**Long term**

• Strengthening partnerships and collaborations between communities, leaders and government institutions mandated to direct urbanization.

• Sharing of any findings relating to the cause on global forums through presenting papers.

• Creation of a local movement for advocates of inclusive, participatory and gender responsive urbanization processes. This platform will be useful for collective advocacy on challenges of urbanization and strategies to tackle the challenges. It will influence decision-making policies from national to local level.

---

**UTC key speakers:**

1. Ms. Frances Birungi, Director of Programs – UCOBAC, Uganda, Ugandan
2. Mr. Samuel Mabala, Commissioner for Urban Development - Ministry of Lands, Housing and Urban Development, Uganda, Ugandan
3. Mr. Emmanuel Sserunjogi, Mayor - Kawempe Division, Uganda, Ugandan
4. Mr. Ivan Katongole, Manager – Directorate of Physical Planning, Kampala Capital City Authority, Uganda, Ugandan
5. Mr. Anthony Mugeere, Urban Sociologist and Lecturer – Makerere University, Uganda, Ugandan
6. Mr. John Mwebe, land Rights Activist, Moderator of the UTC sessions, Uganda, Ugandan

---

**List of participants:**

**List of Participants**

---

**List of organisations represented:**

1. Kampala Capital City Authority
2. Local Government i.e local council I,II,III & Councilors
3. Uganda Housing Cooperative Union
4. Uganda Institute of Professional Engineers
5. Uganda Society of Architects
6. Makerere University
7. Together Uganda
8. Slum Dwellers International
9. Uganda Youth Network
10. Kawempe Home Based Caregivers Alliance
11. Kawempe Youth Center
12. Shibuye Community Health Workers
13. Huairou Commission

List of partner groups represented:

1. Local and Sub-national Authorities
2. Research and Academia
3. Civil Society Organizations
4. Grass-root Organizations
5. Older persons
6. Persons with Disabilities
7. Women

List of countries represented:

1. Kenya
2. Uganda
3. United States of America

Weblink:

- www.ucobac.org

UTC Photos: