

MEASURES TO IMPROVE ACCESS TO LAND RESOURCES AND RELATED BENEFITS IN UGANDA

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1.0 Introduction

Despite obstacles posed by a post colonial legacy of neglect at all levels, Uganda has been working strategically to overcome many of the obstacles constraining the land sector by undertaking to implement a comprehensive Land Sector Strategic Plan (LSSP). At the core of the LSSP is a search for greater efficiency in a decentralized land administration system and the desire to improve market access and related benefits in Uganda. The first major initiative to implement the LSSP is a pragmatic revision of the existing land policy environment and the drafting of a new National Land Policy. This process which started in 2004 is currently nearing completion. The exercise has not only provided a forum for discussing issues pertaining to land rights, but is attempting to shift policy emphasis towards land access and development. The second motivation derives from the Government's resolve to modernize the land administration infrastructure by supporting the development of a parcel based land information system through the Land Component of the Second Private Sector Competitiveness Project (PSCP II). Initiated in 2006 with funding from the World Bank, this project is designed to improve access to land and real estate through secure property rights, backed by reliable land information and permitting processes. This paper draws extensively from these two ongoing LSSP events to identify and evaluate measures to improve land access in Uganda.

2.0 Land Access

Land access is defined by the availability of land with the required security of ownership, desirable physical and economic attributes, reliable credit and property information and the level of transparency and fairness of transactions. The absence of reliable information to guide rapidly expanding land market is, by far, the most persistent bottleneck undermining long-term development in most African countries. Equally important is how access to land is secured and how inclusive ownership of land can be documented especially in customary tenure areas. A recent USAID report examining institutions,

economic conditions and social dynamics of doing business in Uganda concluded that, among other impediments noted, difficulty registering property remains a severe impediment to the economic fortunes of most citizens¹. Although investors have other needs to consider, long delays and difficulty identifying legitimate owners, negotiating a fair price for land and acquiring all the required permits for development creates a significant competitive disadvantage.

In advanced economies where the role played by the land and real estate in stimulating economic prosperity is well understood, the land administration services provided by public agencies; including surveys and mapping, land use planning, rural and urban development, housing and market information service providers are well established. Unfortunately, in newly developing countries, including Uganda, most public and private sector participants in the land market have little knowledge of the services provided by the land sector and operate with limited understanding of how the land and real estate market works. This paucity of information about the laws, procedures and/or information required to safely and legally complete land and real estate transactions creates uncertainty and discourages investments. In effect, the land and property market economy in Uganda is information inefficient.²

2.1 Land Tenure and Access Concerns

Land tenure is the institutional structure that determines the political, economic and social framework by which individuals and groups secure access to land and associated resources. Tenure systems also have both spatial and temporal dimensions and typically define, either by statute or by customary rules, the duration and conditions under which individuals can hold land. Currently, the three dominant tenure systems in Uganda are: (a) Customary tenure, (b) Mailo and Native Freehold tenure and (c) Freehold. Although the land administration environment affects access to freehold land, land access is most significantly affected by constraints posed by land held under the customary.

2.2 Customary Land Access Restrictions: By definition, customary land is all land held, occupied and used under customary law. This definition recognizes the geopolitical location and the total area of land claimed by lineage groups as “customary communal land” subject to rules grounded in prevailing customs that are applicable to particular communities. Furthermore, the tenure system encompasses the sum total of the right to own, use or dispose of use-rights over land. The system does not rely on the exercise of force, nor on the evidence of rights guaranteed by statute, but on the fact that they are recognized as legitimate by the community, enforced in the customary courts, or even merely by social pressure and generally known though not normally recorded in writing.

In its unadulterated form, access to customary land governance is defined by community, lineage and family membership specific to a function or group of functions. and trans-generational rights to land are protected through rules of exchange and transmission designed to keep land resources within communities’ lineages and families. However, this framework for land access has been severely weakened, although the system has shown a remarkable capacity to evolve and adapt to changing economic and social circumstances. In a recent (2008) study in the Acholi and Lango regions of Uganda, the authors reported that

most customary land holders attach a much higher value to land today than was previously known.³ At the same time, the study found that tenure security has worsened and there is an increasing number of land conflicts. The findings show that 85% of the respondents have experienced threats to tenure security to the extent that 59% feel these threats are significant. On average, the trend of occurrence of land disputes has been steadily rising from a previous benchmark of 12.8% to the current prevalence at 16.4%. The main sources of disputes and insecurity are obscure boundary markers (34%) and (perceived) land scarcity (15%). The system is moving rapidly to individualize land rights based on de-facto allocations and also rigorously restricting non-member access and use rights to common property resources such as wetlands.

2.3 The Mailo Tenure Access Constraint: The Mailo and Native Freehold⁴ tenure systems dominant in Buganda, Ankole and Tororo regions of Uganda, has effectively locked out large and prime areas of land from the development process. This appears to impede the growth and orderly planning of land in general, but more so in and around fast growing metropolitan areas. Despite being titled, access and direct investments is difficult for Mailo / Native Freehold owners because the tenure is frozen. In Buganda, studies reveal that over 80% of rural Mailo land is tenanted and therefore cannot be easily sold in the open market or mortgaged. As such the land falls outside the credit system. The owner cannot effectively utilize the land without evicting the *bibanja* holders. However, eviction requires the payment of compensation to all “lawful or bonafide” occupants, as guaranteed by the Land Act. The *kibanja* holder has option to purchase and, thus, become the Mailo / freehold title holder. The Act also guarantees statutory protection to the *kibanja* holder and his/her successors against arbitrary eviction or harassment as long as the prescribed ground rent is paid.

At a very fundamental level, recognizing the power of markets in reducing transaction costs is crucial to the efficient utilization of land resources. The existence of overlapping rights in the case of Mailo land, have created a land use deadlock between the statutory tenants (*kibanja* holder) and the registered land owner (Mailo / native freehold owner) as provided for under the Land Act 1998. In fact a recent study by Deninger and Ayalew (2006) affirmed that Mailo land holders’ economic opportunities as well as patterns of growth are positively influenced by changes in relative transaction cost attributable to information that help clarify their property rights.⁵ However, the definition and protective rights accorded to *bonafide* occupants in the 1998 Act are seen by landlords as too restrictive, resulting in rampant forced evictions.

2.4 Failings of the Land Registration System: Currently, most land in Uganda has never been demarcated or surveyed and have no documentary evidence to support ownership claims. Only 18% of land owners have registered titles or certificates of ownership. The existing records in the land registry are manually managed and in very poor state. As a result, service delivery is very slow and cumbersome, and title searches and/or verification of claims is frustrating. The process is prone to mistakes and occurrences of fraud, which makes land assets unreliable and risky as collateral security for loans. The Land Registration business process fails to provide the economy in handling information that majority of rural land holders and urban market participants need to make informed decisions.

These failings of the land registration system in Uganda and most African countries have been identified as a significant barrier to investment and the development of the land market. The private sector has to deal with substantial transaction cost due to the absence of clear and reliable information in the form of title, certificate of occupancy or ownership that can transform land into a tradable asset or capital. The high transaction cost associated faced by land market participants are a function of inadequate legislative framework, archaic land information management systems, low administrative capacity and apathetic mindset of local land officials.

From the perspective of land developers and private investors, the existing land tenure restrictions and the failures of the land registration system indicate land sector reforms are needed to secure property rights. This will improve access by introducing transparent land administration procedures that developers need to efficiently assess market risk and to prioritize investment options that comply with private as well as public development aspirations.

3.0 The Uganda Land Market Shortcomings

In Uganda, where the land market is only beginning to develop and where the surveying, land management and real estate professions are not well established, the absence of reliable land information makes land transactions difficult, risky and prone to principal agent problems. The current state of affairs is partly due to a long history of underfunding public agencies responsible for land administration and the production of land informational. This has significantly contributed to the creation of an unregulated land market environment that allows graft and opportunistic brokers to operate with impunity.

Intermediaries such as banks and mortgage finance institutions, real estate agents, land developers, solicitors and other land related businesses who are expected to play an important role by facilitating all manner of land transactions are forced to assume higher levels of risk that ultimately undermine their competitiveness. These specialized intermediaries form a conduit through which the land information gap between public sector land administration institutions and land owners and private sector participants in the land market can be resolved. However, in spite of these observations, how to improve access and delivery of land services in a manner that is inclusive and improves the overall efficiency of the land market remains elusive.

3.1 Difficulty Using Land as Collateral for Investments: Given the state of affairs outlined above, there is little opportunity for exploiting the collateral value of clear and secure title to land and buildings in the country. Financial intermediaries face high risk in lending and high loan administration cost. High cost of financing and limited access to credit, therefore, rank high on the list of hindrances to business enterprise development.

Recent financial sector reforms have enabled competition in the financial market to improve with commercial banks becoming more interested in small and medium scale construction and trade finance. However, these improvements have not led to marked increases in lending to the private sector. This has been attributed to several factors, including high land collateral insecurity and a business culture that does not penalize non

payment of obligations. The uncertainty created raises the cost of lending and is reflected by higher bank spreads. Currently, most Ugandan firms are forced to finance about 80% of their working capital from internal sources; vast majorities (85.4%) of firms are financed with entrepreneur savings. Commercial Banks finance only about 7% of new investments and trade credit finances only about 5%.⁶

3.2 Closing the cost of borrowing gap: The large gap in the borrowing cost and the quality of financial information available to prospective lenders is much more severe for local firms. Average borrowing cost in real terms for small and medium enterprises in Uganda is 20% over the last three years. The average for large local and foreign firms operating in Uganda is 2% and 4.7% respectively. This is a reflection of poor quality of collateral among small and medium size firms, and in the case of land-based investments, significant tenure insecurity and archaic bankruptcy and foreclosure laws. A situation that is often complicated by local politics that tend to make negotiations cumbersome and more prone to corruption. Thus, although land (real estate) constitutes one of the most important assets for most households and a base for creating and establishing enterprises, ownership insecurity and inadequate investor access to suitable land along with limited access to financial services have all combined to critically constrain enterprise growth in Uganda.

Access to land without adequate security and transparency is of little value to investors. As was noted by Russell Muir and Xiofang Shen (2005), poorly defined property rights in countries similar to Uganda stem from lack of developed land cadastres and of registration systems that record legal ownership.⁷ A situation that is further exacerbated by a legal and regulatory framework for land administration that is still defined by an archaic patchwork of laws originating from the colonial era and in need of radical reforms. Failure to harmonize these systems has delayed the adoption of modern land management approaches and information technology systems to improve access.

4.0 Measures to Improve Access

The ability of the government to provide institutions, structures and services that support land administration – often referred to as land governance – but are also essential to the development of broad-based markets is driving the development of a new National Land Policy. This desire to improve access is further illustrated by Uganda's commitment to develop a parcel based information system that will enable the interplay between competition and regulation of the land market to operate effectively and in a manner accessible to all.

4.1 Land Policy Reform Aspirations: Land Policy is a tool generally utilized to outline national goals and strategies for achieving objectives related to land tenure, property rights, land use management, and the role of land administrative institutions. Given the dominance of the Customary and Mailo tenure systems in defining access to 80% of the land in Uganda, Mailo and Customary tenure rules are being re-examined through the on-going land policy reform consultative process. The process aims to ensure that land resources are transformed for social and economic development in Uganda.

However, land as property necessitates the design and general application of a system of tenure that would instill confidence in individuals, communities and institutions that own or desire to accumulate land as an asset. As such, the principles' guiding the formulation of land policy in Uganda has in principle, acknowledged that:

- (i) Land must be productively used and sustainably managed to ensure increased contribution of land to economic productivity and commercial competitiveness
By shifting policy emphasis from land ownership to land development;
- (ii) As has been demonstrated throughout the world, land is at the centre of poverty reduction in Uganda and must be secured in order to encourage investments that contribute to sustainable poverty eradication;
- (iii) Access to land must reflect concern with equity and justice; access, control and management of land is an important human rights and social justice issue; and
- (iv) Managing land resources must contribute to democratic governance, through development of mechanisms for efficient, transparent and participatory management of land resources.⁸

To actualize these land policy principles require putting in place, measures that guarantee security of tenure and access, ensure equity in the distribution of ownership and transmission, and makes reliable information available to support land management and development decisions.

These measures are embedded in a number of land sub-component activities under the PSCP II designed to review, pilot where necessary and extend;

- i) the legislative framework for orderly development and evolution of access to customary land in response to social, economic and cultural change and market developments,
- ii) the use of systematic documentation, demarcation survey and ownership registration of customary land rights throughout Uganda,
- iii) the installation of land information management structures and administrative mechanisms for allocation, use regulation and dispute resolution that form an integral part of the mechanisms for the enforcement of community land management decisions by local government and higher state institutions.

4.2 The Land Component of the PSCP II: The Land Component of the PSCP II was designed with the goal of creating an efficient and corrupt-free land administration system and a parcel based Land Information System, which will facilitate the generation of large quantities of high quality data, enhance transparency and increase access in order to positively impact land transactions. The project will also develop procedures for systematic demarcation, surveying and first registration of customary land holdings and encourage Mailo title holders in rural communities to upgrade their registered land assets.

The PSCP II was approved by the World Bank in September 2004 and was declared effective in June, 2005. However, implementation of the Land Component did not start until May 2006 and is expected to be completed in 2012. The overarching goal of the project is to create an enabling environment that will contribute to enterprise growth and also eliminate key constraints to access and operation of the private sector in Uganda; it

has the added objective of helping to reduce the cost of doing business by enabling participants to better respond to opportunities in the market.

The Land Component

The Land Component has three principal sub-components and a number of specific sub-component activities:

1. Rehabilitation and modernization of existing Land Registry records and operations. This includes the following activities:
 - Construction of new purpose built land offices and renovation of some existing offices to deliver land services closer to local communities.
 - Rehabilitation and installation of electronic document management systems to secure existing records and to accelerate the computerization of registration workflow and operations.
 - Up-grading of un-surveyed Mailo sub-division titles, and
 - Re-establishment of the national geodetic-referencing framework and to help rectify overlapping surveys.
 - The development of a Storage and Archival Centre for land records.
2. Development of a Land Information System (LIS) and expansion of cadastral information access to all districts. This sub-component includes the following activities:
 - Design and develop a National Land Information System and expand LIS coverage to all parts of Uganda by linking cadastral information centers located in 21 strategically selected districts.
 - Refine a methodology for systematic adjudication, demarcation, surveying and first registration and pilot the process to secure the land rights of customary land holders.
 - Develop an inventory of all Government land that includes the demarcation, survey and registration to the government in order to secure such properties from encroachment and to facilitate proper management, development and disposal by Uganda land Commission.
3. Strengthening the capacity of the land sector, including the rehabilitation of a School of Surveying and Land Management. The capacity building activities include:
 - A comprehensive revision of the legal framework for land administration including the revision of existing laws.
 - Enactment of new Title Registration Act, Survey Act, Estate Agents Act and Act, Mortgage Act and Government Land Act.
 - Development and implementation of an all inclusive public information, education, and communication strategy, products and messages.
 - Numerous human development opportunities including training to acquire new skills, management, customer service techniques, workshops and study tours all designed to eliminate capacity gaps in the Land Sector.

The project is clearly, intended to focus on land administration processes that are critical determinants of costs normally associated with land market transactions. To that extent, it will (a) affect the ease with which land assets can be used as collateral for credit, (b) determine the extent to which land could serve as a major source of revenue for local governments, and (c) the degree to which land information can inform the spatial planning of economic activity.

4.3 Implementation Progress: The computerization of the land registry is a vital input to having a complete and efficient land information system (LIS), which is expected to deliver fast and timely information to the people and as a result, expedite land transactions and enhance access. Although previous attempts at computerization have been attempted, no serious financial commitments were ever made prior to the start of the PSCP II. Since November 2006, an Interim Records Rehabilitation Process (IRRP) has been used to secure existing records and to capture, store land information in a simple database. IRRP activities include the reconstruction of missing records, indexing and reorganization of the storage and retrieval systems.

The rehabilitation process, although on going, is an essential input to developing a complete and efficient land information system LIS, which is expected to help expedite land transactions. The IRRP has significantly reorganized and restored the integrity of most of the records in the Mailo Registry using local contract workers at a comparatively low cost. So far, the results of IRRP have justified the pre-emptive reorganization strategy. The time cost of doing business has improved significantly (see IRRP Service Delivery impact in Table 1.0 below) and Mailo records have been reorganized and the strong-room completely transformed. Total number of transactions recorded from July 2006 – Jan 2007 was 7,325. Once the records reorganization under IRRP took hold, the Kampala Mailo registry transactions completed from February – Dec. 2007 jumped to 28,078. The reorganized access to land records, rehabilitation of the strong room and data entry reduced the time required to complete most of the key services performed by the registry.

Table 1.0: IRRP Service Delivery Improvements: 2007 Monthly Average

Item	Type of Transaction	Average Number of Transactions recorded	Average Time required before IRRP Rehabilitation.	Average Time required to complete transactions
1.	New title Certificates	1,237	3 weeks	1 day
2.	Land Transfers	1,368.5	3 months	1 day
3.	Mortgage of Land	356	2-3 months	1-3 days
4.	Mutations / Subdivisions	467	1 year	2-3 days
5.	Caveats (Withdrawn)	75 (28)	2-3 days	1 day /1 day
6.	Probate / Administration	84	Sometimes 1 month	1 week
7.	Other transactions	47.5	---	1-3 days

4.4 The Land Information System: Implementing policies in the land sector, in support of economic growth has been difficult in the absence of a serious public investment in land information. Land information is a public good that is core to the functioning of other government sectors, making it an automatic contributor to economic growth and poverty eradication.

The parcel based land information system being developed for Uganda is spatially referenced information concerning the physical, economic, administrative, and tenure attributes of land. The aim of this sub-component activity is to develop and sustain a complete, integrated spatially referenced database, which will serve the needs of investors, banks and mortgage finance institutions, planners, decision makers and citizens alike for years to come. The primary beneficiaries of such a parcel-based information system are private land holders, developers and investors. However, among the many potential uses of this type of land information are: physical, economic, and social infrastructure planning, identification of land for allocation, land conflict resolution, land use planning and management, strategic plans e.g. environmental plans, disaster management plans, and land or property taxation. Furthermore, land information is a public good that is core to the functioning of other government sectors, making it an automatic contributor to economic growth and poverty eradication. Research has shown that in areas where considerable information exists, the rate of land transactions is higher.⁹

First, a preliminary plan for the design, development and implementation of a Land Information System was developed in 2008 and used to guide the preparation of bidding documents and to refine the strategy for developing the LIS. In Stage 2, the firm hired, as mentioned above, will be expected to, first, carry out fully operational pilots in selected areas and to refine the final design of the LIS and a strategy for Securing of Land records. In Stage 3, the Roll Out phase of the LIS development, the full scale installation will be completed. Stage one of the LIS developments; including the preliminary bidding to select a short list of suppliers has been completed and is awaiting a final evaluation report to determine the success of the bidding process.

4.4 Land Sector Capacity Building: The establishment of a decentralized land administration system in Uganda has been constrained by a serious lack of capacity (personnel, transport, buildings, furniture and equipment). Local authorities do not have sufficient resources to recruit, train and deploy qualified staff. The project has provisions to upgrade the skill of existing management and professional staff including support for post graduate training, skill upgrading and professional refresher courses, and to provide training opportunities for junior and mid-level technical staff by rehabilitating and retooling the Surveying and Land Management School.

The curriculum of the former Surveying School will be expanded to include Land Management disciplines to address critical land sector human resource development shortfalls, particularly in (a) Land Economy and Valuation, (b) Land Use and Physical Planning, and (c) Land Administration (d) Lithography and Photogrammetric techniques. These critical land management skills are needed by the public sector for managing the

pace of urban and rural development planning, for monitoring and enforcing building and land use regulations and to support land delivery services. But more importantly, they constitute an essential human resource for private real estate agencies, developers and investors, financial institutions and rapidly expanding business corporations involved in all phases of Uganda's economy.

As part of the capacity building program, a 7 member delegation from Uganda conducted a study tour of Thailand and Cambodia in October 2007 under the auspices of the PSCP II. This was followed in July of 2008 by a tour of the LIS and e-conveyance system developed by Ireland. The objective of these study tours was to learn from Thailand, Cambodia and Ireland's ongoing modernization of the land administration infrastructure and the use of systematic demarcation and titling projects to support the modernization of land registries and the acceleration of land titling. Of additional interest to Uganda is the development and operation of newly developed LIS and the utility of the system for enhancing the efficiency of the land registration system.

The lessons learned during these tours are being modified to suit Uganda. Procedures for ensuring fair, equitable, speedy and cost effective registration of land required to replace the ad-hoc mechanisms in use since registration of interests in land was introduced in 1906 have been adopted. These special study tours were also necessary for the Ugandan delegates to; (a) understand the level of political and financial commitment required to modernize the legal and institutional framework for mass formalization of customary tenure rights, (b) to evaluate techniques for mass regularization of land rights and for resolving land dispute and historical injustices, (c) to examine the design and technical specification for developing a comprehensive national land information system, and (d) to study sustainability issues with respect to (i) system management arrangements, (ii) technical capacity and operational requirements and (iii) fiscal sustainability with particular interest in expenditure controls, the scope and instruments of land based revenue sources, taxes and incentives for proper land stewardship.

5.0 Benefits Of PSCP II - Land Component

Land component activities outlined above are intended to add transparency to the rules of transmission under both Mailo and Customary land tenure by piloting adjudication procedures, systematic demarcation, survey and mass registration of land rights. The project provides substantial resources for legal aid to communities in order to assure gender equality, encourage joint ownership and to protect common property resources vested in communities and the government. The goal is to secure tenure and strengthen access through the implementation of measures designed to enhance both small and large- scale investments. The consequence may be a burst of land market activity that assures conformity with universal rules of market, efficiency and social justice. It will also support public policies and incentives to ameliorate labor and credit market constraints by emphasizing purposive ownership of land oriented towards development.

The benefits from a well designed and modernized land registration system and a fully functioning Uganda LIS anticipated from the realization of this project can be summarized to include the following:

- A. To the Ministry of Lands, Housing and Urban Development:**
 - a. A reduction in the time required to register, collect and compile land information, and to search the land registry for property transactions.
 - b. An improvement in the quality and consistency of land information available to support public and private investment decisions and planning functions.
 - c. A reliable access to current and archival records, efficient storage and maintenance of land information at a lower cost for the land sector.
 - d. A faster and fully decentralized delivery of all primary and secondary land services to the public.

- B. To the Construction and Real Estate Development Sector:**
 - a. An enabling law regulating real estate agents which will formalize and institutionalize the role of such agencies in accessing and managing land and real property information in support of Uganda's development;
 - b. An increase confidence in the real estate agents and mortgage finance organizations, private developers, brokers, etc.;
 - c. Clearly enhanced role for brokers, agents and property insurance companies and surveying and land management professionals as service providers in the land market.

- C. To the Banking and Financial Sector:**
 - a. Improved access and ability to utilize the LIS to verify property information for handling mortgages, loans, credits, etc.;
 - b. Better collateral security and efficiency in completing real estate transactions;
 - c. Improved working relationship with the Land Registry, Banks and other financial intermediaries operating in the land market.

- D. To Municipal and District Councils**
 - a. Physical planning process and land use zoning requirements can be easily verified and enforced.
 - b. Demographic data pertinent to managing local land developments and expansion can be combined with LIS to ensure plans and schedules are adhered to.
 - c. The creation of a fiscal cadastre containing valuation and property tax information, and other fees and taxes will enable equitable and efficient administration of taxes without duplication of data capture.
 - d. The process from planning to property formation will be accelerated.

All these potential benefits of the project are designed to work in direct and continuous ways to benefit the citizens of Uganda. The Land Registry and LIS serves as an important link between citizens, the private sector and municipal or district councils on the one

hand, and the central government and public authorities on the other. The commitment of project funds, the dedication and vision of the Ministry of Lands and the support given by the government for the Land Component of the PSCP II is commendable and once fully implemented, the rehabilitated Land Registry and LIS will serve the long term development needs of the country.

6.0 Conclusion:

Uganda is moving aggressively to strengthen her administrative infrastructure, regional trade and market competitiveness by embarking on measures to streamline access to business opportunities and by increasing public sector investments in the land sector. The central concern underlying these efforts is a search for greater efficiency in harmonizing private and public interest in setting and pursuing national development goals.

In tackling the constraining effects of inadequate access to land information and inconsistent delivery of land services, the government of Uganda has committed to implementing measures to improve access and thus reduce or eliminate the high cost of transacting in the land market. The sub-activities' of the Land Component of the Private Sector Competitiveness project aims to reduce the frustration of private citizens and investors who must negotiate for land with owners and real estate agents with unclear legal status, under conditions where transparency is lacking and graft and local politics adds to the cost of doing business.

Careful analysis of the specific requirements for developing an LIS and the associated conversion of the existing manual operations has initiate a total re-engineering of Land registry workflows. Due to the prolonged neglect, archaic procedures and limited access to new technology, extensive and sustained capacity building and a lot of hands-on staff training will still be necessary for successful conversion of the current manual operations of the Land Registry. The streamlining of land administration procedures for accessing land and the interim computerization of manual operations have already improved transactions in the Kampala Mailo Registry.

The need for a more transparent mechanism for securing customary land rights is firmly understood and most Ugandans now support the application of systematic demarcation approaches to improve security and access to customary land. Furthermore, the development of a parcel based LIS is expected to improve the cadastre and property registration system and clarify property rights for the majority of rural land holders. These measures are being developed in parallel with streamlined business registration systems and new planning and development permit approval mechanisms in a concerted effort to overhaul and modernize the entire land administration infrastructure.

Taken together, Uganda's current strategy for the facilitating market access focuses on "improving service delivery and the removal of impediments to private sector growth. The PSCP II focus on the rehabilitation and modernization of the Land Registry services will at the end of this project, create an enabling environment for the development of a vibrant land market. This is being made possible by efforts to make all land institutions

easily accessible, accountable, efficient and transparent. This comprehensive long term approach is consistent with international best practice and has often proved more successful not only in enhancing participation by the private sector. It also provides useful capacity building opportunities for other worthy national development initiatives.

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¹ World Bank. *Doing Business Report*, issued September 2008 ranked Uganda 111th, a decrease of six places from 2007.

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⁴ This resulted from three agreements; the 1900 Buganda Agreement, the 1900 Ankole Agreement and the 1901 Toro Agreement. For a complete discussion of access issues related to these agreements, see the National Land Policy Draft # 3, May 2007.

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