

A woman with dark skin, wearing a blue and yellow patterned dress, is shown from the side, reaching up to harvest a large ear of corn from a stalk in a lush green field. The background is filled with tall corn plants and green foliage.

Situational Analysis On Women's Equal Access To Land Rights

In Nwoya District, Uganda.

**The
Hunger
Project.**

Introduction.

The Hunger Project Uganda, in partnership with The Hunger Project Sweden, combined efforts to undertake a situational analysis on women's equal access to land rights. The focus was specifically on Nwoya district in Acholi sub region, Northern Uganda. The aim of the project was to assess and understand the underlying problems or barriers faced by women in relation to land; what are the legal and policy gaps; what can be done and what could be the role of the key stakeholders. The findings are intended to guide the development and design of impactful interventions that would empower women towards equitable land rights that encompass (a) gender equality; (b) access for vulnerable and marginalized women; (c) harmonized customary and formal legal frameworks; (d) sustainability; (e) security of tenure.

Methodology

The project applied a Multi-Stakeholder Engagement approach. It covered 357 respondents (248 women and 109 men). It applied consultative meetings (47), survey questionnaire (187); focus group discussion (187); key informant interviews (31) and video documentation (21); document review (laws, policies, regulations on land). Geographically, it covered 8 sub counties, 3 town councils.

Objective

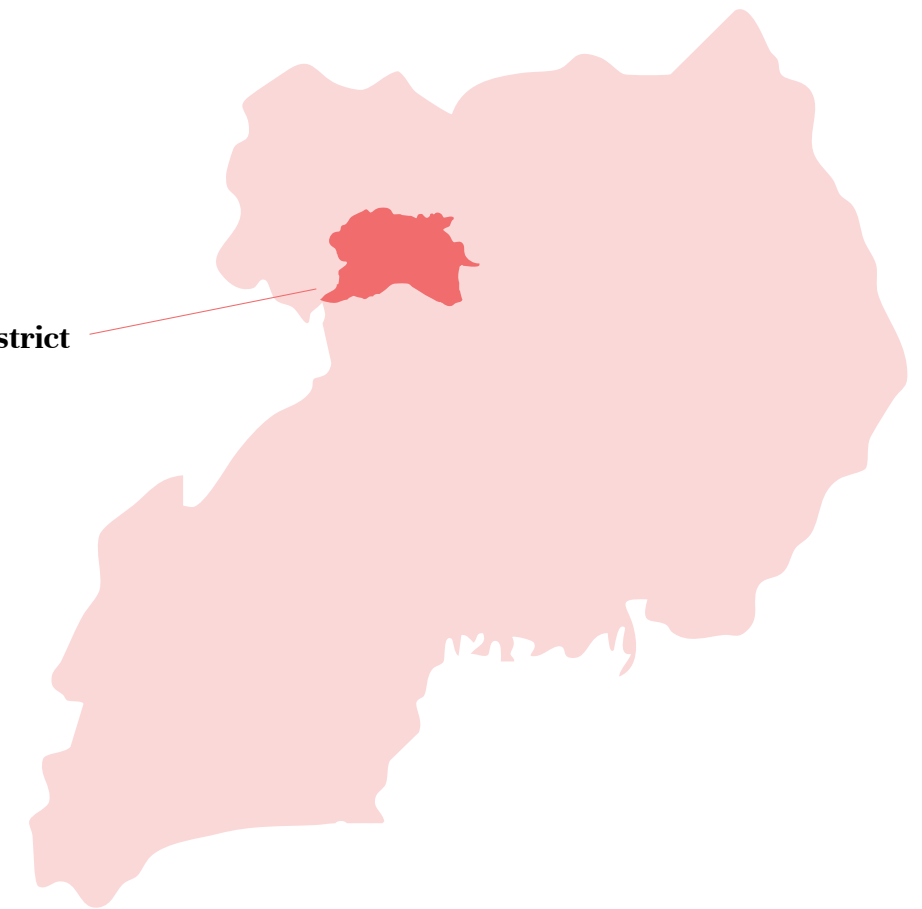
The study forms a pathway forward to address the problems surrounding women's land rights in Nwoya district. It aims to fill the information gap on what is needed to

reach real change on securing land rights for women. The study will obtain valuable information concerning the actual realities for women on the ground. It will be used to develop a larger cooperation project working towards addressing the deep-rooted systemic challenges towards achieving women's human rights of which land rights is key.

Area profile: Nwoya District

Geographically, Nwoya district is located in Northern Uganda. It forms part of the post conflict zones of Northern Uganda (Acholi sub region in particular). It's bordered by seven (7) districts namely Amuru district in the North; Omoro district in the East, Buliisa district in the South West; Masindi and Kiryandongo districts in the South; Oyam district in the South East and Nebbi district in the West. It also borders Murchison Falls National Park on the south. It has a total land area of 4,170.6 sq. km. It has a total headcount population of 133,506 people of which 51% (67,537) are female and 49% (65,969) are male. There are 26,211 households, of which 23.3% (6,113) are female headed households (UBOS Census Report, 2014). Nwoya district comprises of 11 lower local governments namely three (3) town councils (Purongo TC; Anaka TC; Koch Goma TC); eight (8) sub counties (Alero SC; Paminyai SC; Koch Goma SC; Anaka SC; Lii SC; Lungulu SC; Purongo SC; Got Apwoyo SC). The largest is Lii sub county (SC) with a total land area of 606.5 sq.km. There are forty four (44) parishes/wards and 124 villages/cells.

Nwoya District



History of land tenure system

The history of land tenure in Nwoya district has been changing over the years. Before British colonial rule, all land was governed through the Acholi clan system. During colonial rule, the land management system was altered with the introduction of public, lease and freehold tenure systems. After the end of the British colonial era, subsequent state governments made significant contributions to land management systems in Nwoya district. In the 1970s, the Amin government passed the Land Decree of 1975 where all land was nationalized. In order to acquire land ownership, one had to apply for leasehold through Uganda Land Commission (ULC). Several large chunks of land were leased out. Many of the leased lands were later occupied by squatters. Over the years, the same land was abandoned due to wars (1979; 1980-86; 1986- 2004). From 1980 to 2004, the area was ravaged by armed conflict between rebels of the Lord's Resistance Army (LRA) led by Joseph Kony and the Government of Uganda. During this period, population was pushed into internally displaced (IDP)

camps which were later disbanded after end of the war.

The returnee population (which was largely younger) were pushed back to original land. At time of return, the region had (and still) three forms of land tenure namely customary (the dominant), leasehold and freehold. Many could not trace where their families had lived before the war. This is one of the root causes of land conflicts.

By definition, customary land refers to land that is held in accordance with the "generally acceptable norms and practices of a particular community" (MoLHUD, 2021). It's owned as a family, clan and/or community where all persons have access rights (user rights) related to farming, grazing animals, collecting water, burying dead, collecting firewood, hunting and gathering, recreation, among other community activities. It's largely guided by traditional principles and practices of customary land tenure. There are no specific ownership rights of control vested in one individual.

Enabling factors for protecting women's land rights.

The protection of women's land rights is supported by a robust legal and policy framework. Other enabling factors ensure that women should have equitable land rights (access, own, use, and inherit land), promoting gender equality in land tenure systems (freehold, leasehold and customary) as explained below.

Supportive National Legal and Policy Frameworks: The national legal and policy framework is regarded as gender sensitive compared to other countries. The national laws include the 1995 Constitution of Uganda; Land Act (1998) and Amended; Marriage and Divorce Act; Succession Act; National Land Policy 2013 (under review); Illiterates Protection Act;

Localized Institutional and Governance Structures: There are localized statutory institutional and governance structures that are supportive of land administration and take care of women's land rights from the village up to district levels. These include Local Council Courts (LCs 1 at village / cell; LC 2 at parish / ward; LC 3 at Sub County / Town Council), Area Land Committees (ALCs), Court Committees (CC) and District Land Board.

Existing Systems for Legal Advisory, Dispute Resolution and Grievance Redress: These include courts of law, enforcement agencies and local government administration structures such as Court

Committees. The state judicial system include Magistrate Courts (Grade 1, 2, 3), High Court, Court of Appeal and Supreme Court. During a validation workshop, stakeholders were grateful that the Grade 3 Magistrate Court and the Director of Public Prosecutions had started operations in Nwoya district. The District Land Office is mandated to offer legal advisory services on matters related to land. Further to this, the Alternative Dispute Resolution (ADR) mechanisms is commonly used. It encompasses mediation, arbitration, conciliation and negotiation.

Social Awareness and Advocacy Campaigns: There are community sensitization and advocacy for land rights activities that are being conducted by both state and non-state actors. Although limited in scale and coverage, they are acceptable and impactful to communities. They involve community meetings and radio talk shows. The LC 5 Councilor for Anaka Town Council noted that "the communities actively listen to radio programs that focus on land matters.

Cultural Reforms on Customary Land Rights for Women: The recently completed cultural reforms on traditional principles and practices of customary land tenure offer a significant favoring factor to protecting women's land rights. With funding from Trocaire (an international non-governmental organization), the cultural institution of Acholi (Kwe Kwaro Acholi) prepared

The best way women can be protected here is to ensure that they have all their land registered and acquire a land title. However, in the customary system where everyone owns something, it is going to be difficult for the woman.

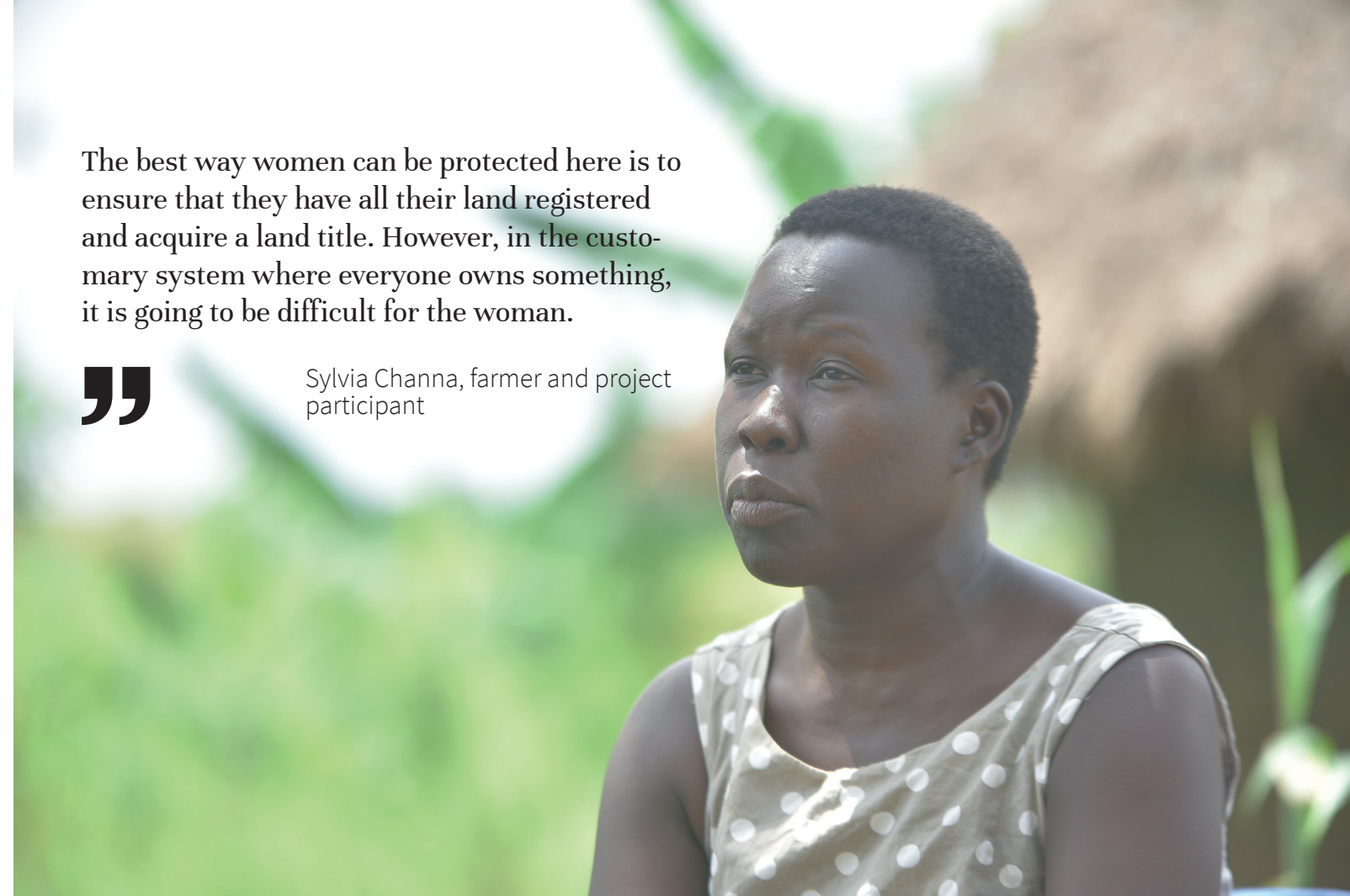
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Sylvia Channa, farmer and project participant

and passed guidance on how customary land rights should be handled. This is evidently documented into the "Handbook on Traditional Principles and Practices on Customary land tenure". Though the dissemination of this handbook is still limited, it offers provisions on protecting the women's land under customary land tenure. The right to access land for farming is a cultural right for all women. Therefore, it's notable that all women (under customary land tenure) have full right to access land where they can derive a livelihood (farming, grazing, or settlement). In all communities across Nwoya district, the majority of the women have access to land where they do farming. Survey findings indicate that 87.1% of women have access to land for farming compared to 94.1% of men in all sub counties and town councils.

Women Economic Empowerment and Livelihood Support Programmes: There are existing economic and livelihood support

programmes that promote women's land rights. These programmes offer access to credit and finance, skill development, farmer development and women leadership. These support women to gain bargaining power within households and communities. The most notable are government programmes such as parish Development Models, NUSAF 3, Youth Livelihood Programme (YLP), SAGE, among others. Hon. Achan Judith Peace, woman Member of Parliament, stated that "the government programs are helping women acquire capital to invest in farming and other small businesses. These include Parish Development Model (PDM), Operation Wealth Creation (OWC), Uganda Women Entrepreneurship Programme (UWEP), Youth Livelihood programme (YLP); Northern Ugandan Social Action Fund 3 (NUSAF 3)", There are also several projects implemented by NGOs that promote women livelihood security aimed at empowering women to have ability to negotiate and secure land rights.



Gaps and challenges.

Legal and Policy Gaps

There are limitations in the legal and policy frameworks of the country. The 1995 Constitution of Uganda does not directly address the systemic barriers that women face in acquiring ownership rights to customary land. It lacks of specificity on how to protect women under customary land tenure. The Land Act, Cap 227 as amended does not explicitly address women's land rights, either under customary tenure systems. The Land Acquisition Act, Cap 226 (section 93, the Land Act, Cap 227) only focuses on freehold and leasehold tenure, not customary land tenure rights. It is also weak protection for customary tenure.

The Registration of Titles Act (RTA), Cap 230 of Uganda indirectly hinders customary land registration because it recognizes land ownership through formal title deeds for only mail land, freehold and leasehold tenure, not customary. The Land Policy 2013 does not adequately address the unique vulnerabilities of specific groups, such as widows, divorced women, and women in polygamous marriages. It does not address cultural resistance to gender equality or provide safeguards for women's rights in cases where customary practices conflict with constitutional provisions. It lacks specific safeguards for/against patriarchal norms that dominate customary land tenure. The women's rights under marital land in customary settings are not guaranteed.

The Land Regulations 2004 has no safeguards against women rights abuse during the process of converting customary tenure into freehold. The Survey Act Cap 232 does not cater for the regulation, control, and administration of surveying and cadastral mapping of customary land. The act only supports formal land titling and cadastral mapping. This marginalizes the customary land registration data generated by ALC and DLBs. It has no safeguards against land

grabbing and boundary disputes. The Succession Act Cap 162 gives preference for patriarchal inheritance systems.

There are other challenges that include; (1) absence of Law to protect women who are not legally married; (2) delayed justice due to heavy case backlog of land related cases in lower courts; (3) overlaps between national laws and traditional practices on customary land tenure. Locally, communities give precedence to cultural norms relating to land, and in the end this weakens the enforcement of national laws and policy provisions; (4) lack / limited access to legal support services and legal literacy.

Institutional and Administrative Challenges

There is limited registration of customary land as well as issuance of Certificate of Customary Ownership (CCO). The women are often marginalized yet there is a legal requirement to have both consent of spouses. There is limited capacity and inefficiency in land registration and titling processes of customary land especially by Area Land Committees and District Land Board. The mandated ALC are not effective due to limited capacity and logistics. ALCs have limited authority to enforce their decisions, especially when disputes escalate to higher courts or involve powerful individuals. They have resources (equipment and fund), as well as legal training. There is limited visibility of women on land administration structures. Survey findings indicate that the area land committees are composed of only 40.5% female compared to 59.5%. Often the land administration structures (such as Area Land Committees and Court Committees) are not adequately oriented and have limited understanding of their full roles and potential.

There is little that can go on if stakeholders are not brought on board. I request that the stakeholder engagement needs to be considered as well as sensitization and awareness.

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Hon. Achan Judith Peace,
Woman Member of Parliament



Women with disabilities are not given land easily. They are marginalized by relatives. Even when married, they will not have equal access to land.

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Mrs. Gloria, Female Councilor of PWDs in Got Apwoyo sub County, Nwoya district

Restrictions on land use rights

These restrictions are amidst high demand for farmland by households living in poverty. Women have limited awareness of the provisions of environmental laws that govern natural resources such as wetlands, swamps, flood plains, protected areas. During a focus group discussion with a women’s group in Alero Sub County, one respondent stated that “they need to be trained in environment rights because sometimes they are chased from wetlands yet they have no other options”. In the similar way, there are no boundary pillars to demarcate lines between family land and wetlands, rivers and streams in various watersheds such as Awere Stream, Omee Stream and Olwiyo Tributaries.

Human – wildlife conflicts over land resources

There are wild animals that attack and destroy crops and human settlements (houses, crops fields) especially in areas with no electric fencing. There are villages where boundary fences are missing between the community and Murchison Falls National Park (MFNP). The Uganda Wildlife Authority Warden for MFNP Wangkwar Sector (bordering Purongo Town Council) stated that “the communities are increasingly encroaching on the environment and when they have no more option, they cultivate

within buffer zones between community and national park. We need to put demarcation to prevent wild animals from invading people”. There is no reported cases of compensation by government. It’s notable that the responsible agency is Uganda Wildlife Authority (UWA).

Norms, beliefs and Marginalization

Other challenges include land conflicts/ disputes and involuntary displacement and denial to compensation. There are prohibitive patriarchal norms and traditional beliefs against women; inequities in accessing land affecting mainly women with disabilities. “Women with disabilities are not given land easily. They are marginalized by relatives. Even when married, they will not have equal access to land”, said Mrs. Gloria, Female Councilor of people with disabilities in Got Apwoyo sub County, Nwoya district. In addition, there is limited capacity to utilize land at household level due to poverty. It limits women’s ability to invest in agricultural inputs (seeds, fertilizers, tools) or access credit, reducing the productivity and value of the land they manage. Social stigma also hinders women to have equitable land rights. There is fear among women of social ostracism (banishment) if they come out to challenge customary land principles and practices at family, clan or village community levels.

Affected women

Survey findings indicated that 72.2% of women face land related challenges in all sub counties and town councils. The women with disabilities (WWDs) are more vulnerable.

Categories of Women who are most affected by inequalities of land rights

Do you face challenges on land?	Yes		No		Overall	
	Freq	%	Freq	%	Freq	%
Women with Disabilities	15	88,2	2	11,8	17	100
Widows	13	76,5	4	23,5	17	100
Married polygamous	38	74,5	13	25,5	51	100
Married monogamous	56	70	24	30	80	100
Single	5	62,5	3	37,5	8	100
Divorced/Separated	8	57,1	6	42,9	14	100
Grand Total	135	72,2	52	27,8	187	100

Lack of information and knowledge

There is limited knowledge of land rights among women. The low levels of awareness cuts across for both customary and statutory laws, leaving them vulnerable to exploitation. Survey findings indicate that 74.7% of women had low levels of awareness about traditional principles that guide customary land tenure. The low levels of awareness is attributed to lack / limited availability of information on land related matters. Women could obtain information through sensitization. However, there are limited efforts to create awareness and sensitization by both state and non-state actors (especially CSOs).

Women face challenges in accessing relevant and meaningful information on land rights. The common sources of information are not adequately accessible for all. There is also limited access and ownership of radios. Survey findings indicate that 80.1% of the women had access and own radios. There is also the factor of high levels of illiteracy. Multi-dimensional poverty conditions is also a major hindrance to women and their families.

Stakeholder mapping.

State Actors

Relevant stakeholders include Ministries, Departments and Agencies (MDAs) that include - Ministry of Lands, Housing and Urban Development (MLHUD); Ministry of Gender, Labour and Social Development (MGLSD); Ministry of Water and Environment (MWE); State House; Presidents Office; Judiciary (Local Council Courts & Magistrate Courts); Resident District Commissioner (RDC); National Environment Management Authority (NEMA); Uganda Wildlife Authority (UWA); National Forestry Authority (NFA); Uganda Investment Authority (UIA); Nwoya District Local Government; District Land Board (DLB); Area Land Committees (ALCs); Court Committees (CCs); Uganda Land Commission (ULC);

Non State Actors

They play a crucial role in promoting land tenure security, awareness and sensitization, resolving conflicts, and advocating for equity and justice in land management in Nwoya District, particularly for marginalized and vulnerable groups such as women. These include international and national and Non-Governmental Organizations (NGOs), Community based organization (CBOs), media, religious institutions, activists, among others.

The CSOs that are currently active engaged in land rights related advocacy include The Hunger Project Uganda; ZOA International; National Union of Disabled Persons in Uganda (NUDIPU); GIZ; Trocaire Uganda, North Light green Services (NGS), UN Women Economic Empowerment Project; Delta Education Connections; Land and Equity Movement in Uganda (LEMU), Media.

The CSOs that were previously implementing land rights projects include International Justice Mission (IJM); Federation of Women Lawyers (FIDA); Legal Aid Uganda; Norwegian

Refugee Council; LANDNET; FAWE; Acholi Religious Leaders Peace Initiative (ARLPI); Africa Wildlife Conservation (AWA); Galu Agricultural Development Company; Community Integrated Development Initiative (CIDI); Care International; World Vision. Wildlife Conservation Society (WCS); Africa Wildlife Foundation (AWF); Human Rights Focus; Food Net; Institute of Peace and Strategy - Gulu university; Gulu Women's Economic Development and Globalization (GWED-G); Advocates for Natural Resources and Development (ANARDE); International Rescue Committee (IRC); Justice and Peace Commission (JPC) – Gulu Archdiocese (Catholic Church).

Best Practices by Stakeholders

There are best practices in terms of approaches that have been identified and proved to be effective, efficient, and successful in promoting women's land rights in Nwoya district.

ZOA International in Uganda

It implemented land rights advocacy programme focused on promoting guaranteed land tenure security among communities between 2018-2024. It's work involved supporting poor families to formalize land registration, through facilitating Area Land Committees and District land Board to document and issue Certificate of Customary Ownership (CCO). The project paid for all costs estimated at an average of Euros 600 (UGX 2 million) per acre of demarcated land. Among the key success was the improved women engagement in land registration. It promoted land co-ownership. For all potential beneficiaries, it ensured the legal requirement were followed. Among the key was obtaining consent of both spouses (man and woman) as well as



Christine Kifwola, farmer and project participant.

having the name of female spouses appear on CCOs. This practices contributed to tenure security of women and their children. Its work is guided by an internal land rights policy (ZOA, 2024) and Land Rights Guidelines (ZOA, 2024). All these are integrated with all other thematic areas of work such as food and nutrition, climate resilience, gender, diversity and inclusion.

International Justice Mission (IJM)

An INGO whose land rights related advocacy targeted women in Nwoya district. It focused on promoting dialogue for peace and justice. It provided legal aid and supported land registration and co-ownership among spouses and family members.

North Light Green Services (NGS)

A national NGO implementing a one year pilot project (July 2024 to May 2025)

called “Strengthening Women and Youth Land Rights”. It targets women, youth and vulnerable groups in Ama and Agonga Parishes of Koch Goma Sub-County. It has trained local leaders and land rights defenders (LRD) in partnership with Nwoya District Local Government. It conducts debates, dialogues and mediations on protections of women's land rights at family, clan and community levels. Its awareness and sensitization campaign on women's land rights has reached to over 15% of the population (1,234 out of 8,466 people) in 2 parishes of Amar and Agonga in the period of one year. It recent study revealed information, knowledge and skills gaps related to land and environmental rights among women and men, local leaders and land administration and management committees.

Conclusions.

The situational analysis of women's land rights in Nwoya District highlights the gap between Uganda's progressive legal framework and its enforcement. While statutory laws recognize women's land rights, their implementation is weak due to overlaps with customary practices rooted in patriarchal norms.

Although women have the legal right to access land, the customary tenure system limits their control and ownership, leading to frequent violations at the family and clan levels. Traditionally, land is collectively owned, with neither men nor women holding individualized ownership under customary law.

Women face significant barriers, including restrictive cultural norms, limited awareness of their rights, legal illiteracy, lack of access to Customary Certificates of Ownership (CCOs), unresolved land disputes, and financial constraints. Vulnerable groups—such as widows, divorced women, and women with disabilities—are disproportionately affected.

As cultural dynamics shift, individual land ownership is becoming more common, but poor women who cannot afford land are increasingly vulnerable. Despite efforts from development partners, these challenges persist, and the demand for land rights advocacy far exceeds the available support.

Recommendations.

Scale-up Stakeholder Engagement.

Scale-up stakeholder engagement on land matters in terms of stakeholder mapping, consultations and information disclosure that are meaningful. ***“There is little that can go on if stakeholders are not brought on board. I request that the stakeholder engagement needs to be considered”***, said Hon. Achan Judith Peace, Woman Member of Parliament, Nwoya District

Capacity building and training of Land management Committees.

There is a need to build capacity and skills of the area land committees and court committee members, as well as land tribunal and district and board. A case in point is the ALC of Anaka SC that has made a request for support from The Hunger Project Uganda. ***“All the area land committee and district land board members need to be trained in legal matters, and protocols that are relevant. The national laws and traditional practices are all important”***, said Hon. Awany Tony, Member of Parliament – Nwoya County, Nwoya District.

Enforce Bylaws and Ordinances.

There is need to enforce the ordinances passed by district local council as well as the Bylaws at respective sub counties and town councils. Where there is a need to pass a new Bylaw, collaboration would be essential between the local governments and development partners (CSOs). Further to this, Nwoya District Chairperson noted that ***“As District Executive, we realized that we need a supporting ordinance. We have drafted and will pass the Food and Nutrition Bill into an Ordinance. It caters for customary land rights of everyone including women. It will be the first of its kind in Uganda”***.

Scale up sensitization and awareness on land rights and legal literacy.

This requires to have a clear and comprehensive Information, Education and Communication (IEC) Plan / strategy that can be used to guide. Though often ignored, the IEC plan is a best practice adopted in situations that require massive and divergent sensitization and awareness creation campaigns. The IEC plan will guide on content development and dissemination of (a) national land laws, policies and regulations; (b) Acholi Traditional Principles and Practices on Customary Land Tenure; (3) Other integrated and emerging issues related to land rights such as environmental rights, climate resilience, among others.

Strengthen Customary Land Registry at Local Government level.

The customary land registry at Sub County, town council and district level are weak. It requires scaling up its digitalization through training, equipment and tools.

Scaling up Legal aid services through outreaches.

The demand for legal aid services is increasing. It encompasses legal aid clinics organized at communities, legal representation, legal counselling, legal awareness and education, mediation among others. This requires scaling up legal aid services to underserved areas. There is a need to partner for legal aid service networks.

Advocate for speeding up court cases.

The case backlog at magistrate courts needs to be cleared. This requires lobbying and advocacy directed at the judiciary system at national, regional, district and lower levels. A combined voice of actors on land rights



When women's land rights are protected, the economic benefits extend to their households and their communities.

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Irene Naikaali,
Country Manager
The Hunger Project
Uganda



Photo: Wayne Taylor

would push the judiciary to extend services nearer to the people and also clear the case backlog. At same time, there is need to assess the level of case backlog on land related matters.

Support women in agricultural production.

Women need support to enhance their ability to utilize land effectively. Landless women can benefit from block farming initiatives, while women's groups can receive agricultural inputs such as seeds, farm tools, irrigation kits, and beehives.

The local market is expanding, driven by demand from oil and gas exploration companies in Nwoya and neighboring Buliisa districts, creating new opportunities for agricultural producers.

“The women farmer groups do not need to register in the national database to supply their products. No, they just need to produce quality goods and supply them

through third parties working with Total Energies”, said the District Community Development Officer of Nwoya District.

Policy Advocacy.

It's been advisable that a policy brief be prepared and shared to the National land Policy Reform Committee through the Nwoya District land Office. It should highlight key points that protect women's customary land rights. Further to this, there is also need for other policy advocacy. The Member of Parliament of Nwoya East County (Hon. Okello Geoffrey Charles) emphasized that ***“One feasible option is to push government to consider the certificate of customary of ownership as having same valuation system as other certificate of title”***

Research and Documentation.

There is need to further conduct research on land conflicts, tenure systems, and the impact of land governance on vulnerable populations to inform policy decisions and develop targeted interventions.

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