

LANDS SECTOR POSITION PAPER ON THE UGANDA NATIONAL BUDGET FRAMEWORK PAPER

FOR FY 2020/21





**NSAs' Lands housing and Urban Development
Sector Position Paper
On The
National Budget Framework Paper (NBFP)
For
FY 2020/2021**

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UGANDA NATIONAL BUDGET FRAMEWORK
PAPER FOR FY 2020/21**

Briefing paper 01

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BACKGROUND

The preparation of this civil society organization lands housing and urban planning position paper on the FY2020/2021 National Budget Framework paper has been made possible through the collective contributions of the following organizations: Eastern and Southern Small Scale Farmers Forum(ESAFF), International Accountability project (IAP), ,UCOBAC, Uganda Housing Cooperative Union, Network of Researchers and Research Users, Centre for Economic Social Cultural Rights in Africa (CESCRA), Shelter and Settlement Alternatives (SSA), PELUM Uganda, SEATINI, Land Justice Network, Civic Response on Environment and Development (CRED), , FARAJA Africa Foundation , Resource Rights Africa (RRA),Environmental Alert , Uganda Land Alliance (ULA), Landnet Uganda, Women and Girl Child Development Association (WEGCDA), Coalition On Girls Empowerment (COGE), Transparency International, with technical stewardship of Food Rights Alliance(FRA) and technical support from the Civil Society Budget Advocacy Group (CSBAG).

Reference has been made from various official documents such as Annual Budget Performance report FY 2018/19, Auditor General,,s Report FY 2018/19, 1st Budget call circular FY 2020/21, Government annual performance report FY 2018/19, Sector performance reports FY 2018/19, the NBF for FY2020/2021, research report by State and Non state Actors sector, review reports and country wide experiences gathered from our interventions in the communities we work.

In addition, these prepositions are a follow up of salient issues within the sector that CSOs have advocated for over the past financial years and better still issues that will propel the country towards the budget strategy vision of ,Industrialization for Job Creation and Shared Prosperity, as the country embarks on the first fiscal year of the NDPIII.

We commend the government of Uganda for upholding the provisions of the Public Finance Management Act 2015 and the constitution of Uganda. We further appreciate the Parliament through the committee of physical infrastructure for according space to CSOs to engage on this process and adopting our recommendations in the past years.



INTRODUCTION

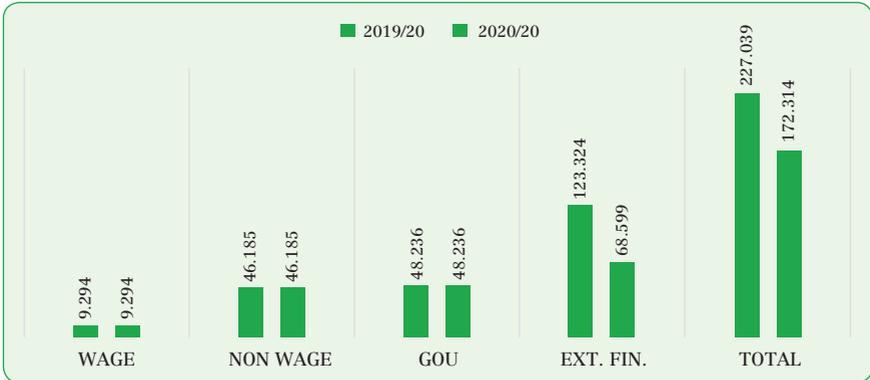
The demographic composition of Uganda further indicates that over 75% of the total population is dependent and are solely deriving livelihood from the close relationship they have with land and its resources. At the National development spectrum, investments, in infrastructure, energy and industrialisation, all are dependent on land and its resources. Therefore, the future of this country rests on the continued viability of the land, and land resources and how they are planned and utilised. This makes lands housing and urban development sector a crucial component of National planning and development.

The lands, housing and urban development sector is mandated to: "ensure a rational: sustainable and effective use and management of land and orderly development of urban and rural areas as well as safe, planned and adequate housing for socio-economic development. Specifically, the sector focuses on Sustainable Land Use, Land Tenure Security, Affordable, Decent Housing and Organized Urban Development.

Lands, Housing and Urban Development Sector budget allocations

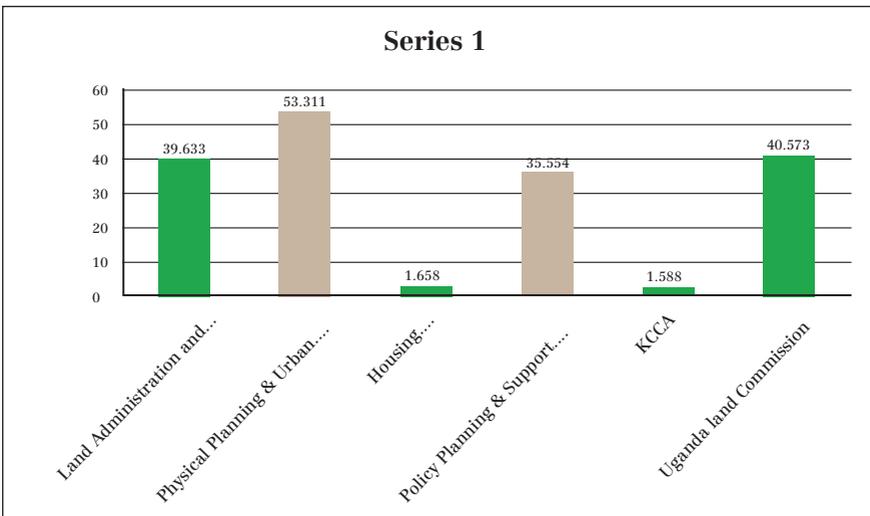
The Lands, Housing and Urban Development sector budget is projected to reduce by UGX 54.725 billion (24.10%) from UGX 227.039 billion in FY2019/20 to UGX 172.314 billion in FY 2020/21. The FY 2020/21 recurrent budget (wage and non-wage) is projected to remain unchanged with the wage and non-wage budgets remaining at UGX 9.294 billion and UGX 46.185 billion respectively as presented on the Figure below;

Figure 1: Lands, Housing and Urban Development allocations FY 2019/20 and FY 2020/21 projections



From Figure 1, it is observed that Government of Uganda Development budget is projected to remain unchanged at UGX 48.236 billion. On the other hand, external development budget is projected to increase from UGX 123.324 billion in FY 2019/20 to UGX 172.314 billion in FY 2020/21. This is reflection that the sector heavily relies on external financing with a high risk of sector activities coming to a halt should external funding gets delayed, cut off in which case the sector will be incapacitated to deliver on her mandate should these happen.

Fig 2: Intra Sub sector allocations of the lands, housing and urban development sector FY 2020/21



According to the land, housing and urban development sector total projected budget allocation FY2020/21, 39.6 bn (23%) is allocated to the land administration sub-sector, 53.3 bn (31%) to physical planning and urban development, 1.6 bn(1%) to housing, 35.5 bn (21%) to Policy, Planning and support services, and 4.5 bn(24%) to Uganda land commission. However, the performance of the entire sector buttresses on land administration. If the land administration questions are not resolved the performance of the other subsectors will be curtailed. Thus this allocation ought to be revised to reflect reality in the sector.

General observations of the NBFP FY 2020/21

OBSERVATION	ISSUE	RECOMMENDATION
<p>The national Budget Frame Work Paper presents Mismatch in the Investment plans with the Sub sector outcomes and indicators since the plans do not speak to objectives of the sector.</p> <p>In addition, the investment plan has left out alot of issues that are affecting the land sector that needs urgent attention and should have formed the basis of the plan. This might misguide budget allocations in the sector</p>	<p>The sector plans among others include; assorted office furniture for the ministry procured, development of Android land information application, MZO vehicles to servicing and maintenance, two sets of solar powered lights for the ministry parking procured, Data base on housing production created. The sector outcome on the other side includes; Adequate housing, Orderly and sustainable rural and urban development, Increased land tenure security. Therefore the plan does not reflect the outcomes and outcome indicators</p>	<p>There is need for the Investment Plan to realign with the different sub-sector outcomes, indicators and objectives. It Should also plan for the enactments of the policy and legal frameworks in the lands sector to enhance implementation in the sector.</p>

OBSERVATION	ISSUE	RECOMMENDATION
<p>Reduction in funding to the 3 sub sectors</p>	<p>The NBFPP shows reduction in the funding to the land sector from UGX 227.039 billion in FY2019/20 to UGX 172.314 billion in FY 2020/21. Given the countries aspiration to reach a middle income economy and the theme for industrialization and job creation, there is no way that status can be reached without an adequate funding to the land sector.</p> <p>The reduction has also affected allocation to the subsectors that is, 39.6 bn (23%) is allocated to the land administration sub-sector, 53.3 bn (31%) to physical planning and urban development, 1.6 bn (1%) to housing, 35.5 bn (21%) to Policy, Planning and support services, and 4.5 bn(24%) to Uganda land commission.</p> <p>The reduction is also likely to affect proper planning of the new cities The land sector has been suffering reduction in the budget allocation yet is faced with many challenges that may affect all other development projects</p>	<p>There is need to increase funding to the land housing and urban development sector which is a back born to all the development of all other sectors.</p> <p>The budget allocation to the land administration sub-sector should be increased the entire sector performance buttresses on land administration</p>

OBSERVATION	ISSUE	RECOMMENDATION
<p>The Relationship between NDP III and NBFP 2020/21</p>	<p>The NBFP for FY 2020/21 has been developed without guidance from the NDPIII. Ordinarily, national budgets are meant to actualize the National development plans. With the NDP II coming to end, this framework paper should have been guided by NDP III. The NDPIII which is supposed to set priorities for the performance for the different sectors is still in draft form.</p> <p>The NDPIII is further silent on land issues and priorities of the land sector, this causes a risk of setting budget priorities that may not be aligned to the NDP III when it gets completed which will cause a mismatch in the overall National development priorities.</p>	<p>Government should fast track the development of the NDPIII at least by March 2020</p>



2. OTHER OBSERVATIONS AND PRIORITY ISSUES TO BE CONSIDERED BY THE LAND, HOUSING AND URBAN DEVELOPMENT SECTOR

1. The Lands sub sector

The land sub sector consists of 4 sub programs including land management, land administration, surveys and mapping, land registration and land sector reform. Broadly the sub sector's mandate is;

- Creation of an inclusive, pro-poor policy and legal framework for the land sector and putting land resources to sustainable productive use
- Improving live hoods of poor people through a more equitable distribution of land access and ownership, and greater tenure security for vulnerable groups
- Increasing availability, accessibility, affordability and use of land information for planning and implementing development programs
- Establishing and maintaining transparent, accountable and easily accessible institutions and systems for decentralized delivery of land services

Land sub sector concerns and recommendations

1. Absence of provision to Strengthen land registration in the NBF 2020

Land registration describes systems by which matters concerning ownership, possession or other rights in land can be recorded to provide evidence of title, facilitate transactions and to prevent unlawful disposal. Currently only 20% of the land in Uganda is registered and the 80% is neither registered nor recorded.

The majority of Ugandans hold land under customary tenure. However, according to the national land policy 2013 this tenure is often considered inferior to other tenure systems and associated with many problems including tenure insecurity, impeding land market development and discrimination against women.

We recognize and commend efforts by government in protecting customary land in practice and through the legal frameworks. To this effect, government has made deliberate efforts to register communal land in Karamoja through communal land association (CLAs), customary land in Kasese, Soroti and Nwoya Districts among other places in the Country.

The government under the NDPII committed among its intervention to roll out a national program of systematic adjudication, demarcation, survey and certification and titling or registration of land. We have noted that in the national budget frame work paper 2020/21, the government commits to increase land tenure security and notes the indicators to include proportion of land titled and land titles issued.

We note with concern that in the Sector investment plans of the NBFP2020/21, a lot of emphasis has been put on strengthening the operationalization of MZOs through maintenance of Land Information System infrastructures in the 23 LIS sites, (21 MZOs, NLIC; surveys and mapping); MZO vehicles servicing and maintenance, and Development of the android Land Information Application among others), there is nothing directly addressing land registration yet it is indicated as an outcome indicator; It is also not clear whether the land titles mentioned as outcome indicators to be issued also includes certificate of customary ownership, and certificate of occupancy.

We note that the process of registration of Certificate of Occupancy (COO's) and Certificate of Customary Ownership (CCO's) generate income for instance, according to MLHUD Ministerial Policy Statement of 2016/17 (also refer to vote 12), over 5,000 CCOs were issued to the beneficiaries in Kasese District at a cost of Ugx Shillings 5000 generating 25,000,000 million. This can be ploughed back to support the District Land Boards and Area Land Committees that are mandated to raise awareness of land services.

In addition, the sector outcome indicators projects 22% for 2020/2021 as proportion of titled land by sex and region; indicating a 0.4% sector performance growth target from the 21.6% actual sector performance in 2018/2019. This performance target for 2020/2021 indicates a marginal performance target as opposed to the sector investment.

Further, we acknowledge that in the sector performance report for FY 2019/2020 government operationalized four (4) more MZOs in Luweero, Mpigi, Mityana and Rukungiri. We recognize that these new MZOs including all the others require investments to strengthen their operations in order to facilitate land registration. However, we are concerned that the Area Land Committees and District Land Boards who are in the chain of land registration have not been given much attention in the investment plan like it is with the MZOs, yet they lack facilitation and equipment to do their work. Some ALCs use tape measures to map land which does not provide accurate measurements. Other offices that support in the land registration process like the land offices are understaffed. There are some districts that do not have district lands officers.

MZOs indeed bring services closer to the population, however they are at the tail end of the process and Area land committees and District Land boards set the foundation for effective land registration and thus should also be prioritized in the investment plans.

Recommendations

- There is need to clarify whether titling mentioned as indicator in the NBF 20/21 covers certification of land (CCOs) and, for Certificates of Occupancy.
- We recommend that land registration be given a priority in the investment plan to enable more allocation of funds to match the growing demands for cities and towns which require more robust physical planning and land registration or titling.
- There is need to prioritize the Area Land committees and District Land boards in the investment plan to enable them get facilitated and equipped to reinforce their role in the chain of the land registration process to ensure the realization of tenure security as envisaged in the sector investment plan.

2. Non Prioritization of dissemination of land information

We commend MLHUD for prioritizing land information awareness in the budget strategy for FY2020/21 as well as setting performance indicators and targets in the BFP FY 2020/21. However, we are concerned that no specific budget has been allocated to this effect (awareness and outreach).

We therefore, anticipate that people will continue being vulnerable to dispossession and displacement resulting from land acquisition since the theme proposes industrialization development which calls for land acquisitions. This will further lead to more land related tensions and conflicts. For instance, in the 2018/2019 Land Sectoral Report, MLHUD reported a challenge in the maintenance of LIS and MZOs at a tune of 6.7bn and limited awareness on services offered by the ministry. The budget strategy FY 2020/21 sets out to prioritize the E-citizen program by linking key government systems including LIS BUT even this is only a reform aimed at increasing revenue collection not to create awareness on land laws, procedures and other land services.

We observe that NDPII aimed at increasing provision of public information in land rights (objective 2) to improve equity in access to land, livelihood opportunities and tenure security of vulnerable groups. However, we noted that the NDPIII draft does not carry this forward as it is very silent on land issues and there is nowhere awareness and outreach of land issues are mentioned. It only identifies land acquisition as one of the areas where more work needs to be done. This is a clear inconsistency in the National Development Plan III and the NDFP 2020/21, therefore this implies that outreach on land issues is not a priority yet land issues remain inherently contentious in Uganda.

Recommendations

- We call for urgent need to allocate specific budgets on outreach and awareness of land issues right from the national to the local government. Land in Uganda is still one of the critical issues (land acquisition for development projects by government, private investors and speculators) that has not been exhaustively addressed and one of the ways this can be addressed is through robust public sensitization on land matters which will raise awareness of the citizens about land policies and rights.

3. Dysfunctional land management institutions

Uganda currently has a total of 134 districts being served by 17 operational MZOs out of the planned 21 MZOs. **We commend** the efforts of government for the establishment of the 21 MZOs and operationalization of the 17 MZOs. Specifically, we acknowledge the training of 40 DLBs, 40 DLOs and 8 MZOs in Land Management; procurement of 15 pick-ups, 2 station wagons and 1 bus; and monitoring of performance of 13 MZOs during the FY2018/2019. **However, we observe** that the gaps highlighted above have significantly affected the effective functionality of the local land management institutions.

We further note that in the National Budget Framework Paper FY2020/2021 the issues affecting the land management structures have not been articulated and included in the lands sector investment plans.¹ We further observed that the Sector program Objectives and the outcome indicators are not well aligned as per the performance indicators reflected in the NBFY2010/2021.²

The structures especially at the MZOs and District Land Offices (DLO) are not fully fledged as they lack adequate human and financial resources for their smooth operations. Whereas the District Land

1 National Budget Framework Paper FY2020/2021-FY2024/2025, MoFPED, Uganda, Dec. 2019

2 Ibid,pg16.

Board composition in most of the districts are in existent, this institution is marred with inadequate funding for it to efficiently and effectively operate for instance in as far as their quarterly meetings are concerned. This applies to the area land committee as well whose remuneration remains a challenge as the District Local Governments lacks adequate local revenues to fund the operation of the ALC. The inefficient functionality of the ALC is one of the causes of the low level of land registration in the country which stands at 20%.³

At least 60% of the newly established administrative units (districts) do not have functional DLOs hence they borrow such services from neighbouring or mother districts which affect service delivery.

The sector investment plan in the NBF 2020/21 gave less attention to the land board yet they have capacity gap in knowledge which calls for refresher trainings so that they are updated with the legal and policy reforms on land, their roles and responsibilities.

Recommendations

- The Ministry of Lands (MLHUD) should update the NBF 2020/21 land sector investment plan to articulate issues affecting the performance of the local land administration institutions as highlighted above and include in the sector investment plan for FY2020/2021.
- The Ministry of Lands (MLHUD) should review the structure and roles at MZOs and DLOs to avoid duplication or overlap of roles as this affects the smooth functionality of the local land management institutions.
- The ministry of lands (MLHUD) should extensively embark on financing the local land administration structure to enable strengthening capacity of the staff through training, supervision, mentorship and monitoring of service delivery. This equally ensures appropriate land management information reach to communities to seek for services.

³ Ibid

2.National budget frame work paper FY/ 2020/2021 page 17

4. Inability of the Uganda land Commission to deliver its mandate

The ULC was formed to effectively hold and manage all government land and property thereof and resolve all historical land injustices.

We commend Government for prioritizing the digitalization of records of government land by Uganda land commission in the NBF 2020/21. The digitization of records is important such that the ULC in future can be able to trace each and every record under its custody conveniently.

However, government's target is 3% registration of government land for financial year 2020/2021 which is not defined with regard to the land acquired by government for development projects or land on which government institutions exist. This lack of clarity particularly the detail of activities therein for the allocated 40.429 billion shillings makes it hard to measure achievement in relation to the digitization of records.

We commend the government for including a plan for an inventory for government land in the F/Y 2020/21, however it is unclear on the measure of achievement that detail registration of government land as opposed to the creation of an inventory for it.

Further, the ULC Law was not enacted and its absence continued to affect the level of performance of Uganda Land Commission while implementing its mandate (OPM, 2019).⁴ We note with concern that the Uganda Land Commission Bill was not included among the Bills that were submitted to various stakeholders for consideration.⁵ This is confirmed by the NBF 2020/21 where it is not given priority either.

To make matters worse, Uganda Land Commission still operated with an inadequate staff structure like a department as was in 2018/19⁶ and not a Commission. This affected its level of performance in terms of skills and man hours needed in implementing the mandate of the Commission.

4 Government Annual Performance Report FY 2018/19-Office of the Prime Minister

5 Government Annual Performance Report FY 2018/19-OPM

6 Annual Budget Performance report FY 2018/19-Ministry of Finance, Planning and Economic Development

These have not been addressed in the previous F/Ys according to the Government Annual Performance Report, OPM 2018/19.

We also note with concern that there are no plans of recruitment of staff in the land commission in the FY 2020/21 as the wage budget is projected to remain as that of FY 2019/20 at UGX 0.614 billion.⁷

Recommendations

- There should be a breakdown of budget allocations in the NBFP 2020/21 to clearly stipulate the provisions for registration of government land whether it also includes the land that is acquired for the Government development projects.
- The targeted percentage for registration of Government land should be increased from 3% since the amount allocated in NBFP F/Y 2020/21 seems to be more than the percentage targeted.
- We recommend that Parliament of the Republic of Uganda fast tracks the Uganda Land Commission Bill in order to approve and pass it so that the Uganda Land Commission can enhance its performance
- We recommend that Uganda Land Commission sets in place plans to recruit staff in the land commission in the FY 2020/21 so that it can be able to meet its annual performance targets.

The Housing sub sector

The mandate of the housing sub sector is to deliver affordable and decent housing for all. Uganda's current housing stock is estimated at 5.28 million housing units with an average household size of 5 persons. The national occupancy density is estimated at 1.1 households per housing unit. The sector on average accounts for 7.5

⁷ MTEF as captured in Approved Estimates FY 2019/20- Ministry of Finance, Planning and Economic Development

per cent of Uganda's GDP despite the current allocation in the budget to the housing sector of app 0.3%. Its growth is attributed to rapid population growth, increase in disposable income, increase in foreign direct investment, and immigrant remittances.

We commend government for some of the interventions and initiatives done in trying to address the housing situation in Uganda;

- Dissemination, sensitization and Integration of National Housing Policy strategies into Local Government Development Plans conducted in 45 Districts. (*Kyegegwa, Kabarole, Bundibugyo, Ibanda Kayunga, Mayuge, Buikwe, Kyazanga, Kiboga, Ssembabule, Namutumba, Busembatya, Budaka, Pallisa, Butebo, Sironko, Bulambuli, Kween, Kapchorwa, Bukwo, Lira, Kitgum, Apac, Gulu, Pader, Dokolo & others*)
- Developed and disseminated **free, low-cost prototype house plans** in 25 districts (*Kaberamaido, Katakwi, Amuria, Kapalebyong, Ngora, Kasanda, Kibuube, Kagadi, Bugweri, Butebo, Namisindwa, Rubanda, Rukiga, Kabale, Ntungamo among others*) to promote planning and support low income earners to build decent houses.
- Conducted sensitization, training & dissemination of materials to Districts and Local Governments on: Energy efficiency in buildings. (*6 districts including Iganga, Kamuli, Ntungamo and Kabale among others*)
- Nationwide sensitization and awareness on housing and real estate issues conducted through: World Habitat Day, 2019 commemoration in Busia on 7th October 2019 under the theme "Municipal Solid Waste Management".
- The NBS TV Housing Barraza under the theme "Housing for wealth creation- improving household wealth through Uganda's real estate".



3. SECTOR CONCERNS AND RECOMMENDATIONS



1. Mismatch in the sector investment plans 2020/21 with key issues affecting housing sector

The sector investment plan only talks about a Data base on housing production created and maintained yet there are key priority activities for housing that are not highlighted including.

- Implementation of the National Housing policy
- Establishment of a Mortgage Refinance Company which was ongoing in the last financial year in collaboration with MFPED. Facility will mobilize long-term funding required for onward lending by mortgage banks which will improve the affordability of mortgages, increase number of mortgage providers and increase range of potential borrowers.
- Strengthen the affordable housing enabling framework through Public Private Partnership. The NHP (2016) is premised upon Public Private Partnership as an enabling strategy for housing delivery. While the role of the private sector will remain to build and finance housing; the proposed framework aims to put in place the "*enabling strategy*" envisioned under the Policy. Activities will include:
- Mobilize land in new cities, Districts and Municipalities for mass housing development.
- Establish building research and demonstration Centers. The regional centers will facilitate the identification, evaluation, training and promotion of modern, environmentally friendly technologies and building materials for faster, cheaper and sustainable construction of houses.

In addition, the investment plan does not align with the subsector outcome, outcome indicators and objectives set out in the NBFPP 2020/21

Further the sector contribution to NDPII has 3 issues directly concerning housing including:

- Increase access to housing for all income groups, for rental and owner occupation.
- Reduce slums and informal settlements
- Increase access to affordable housing finance

Our concern is that the investment plan 2020/21 does not respond to the aspirations of NDPII in delivering housing for all income groups in the absent of NDPIII.

Recommendation

- Review the sector investment plan and align it to sub sector priorities

2. Budget Allocation to the housing sub sector

According to the budget framework paper FY 2020/2021, the housing budget for the last two FYs has remained unchanged. The medium term projections also remain unchanged as shown in the table below.

Approved / Proposed Budget (Billion Uganda shillings) for various years				
FY 2017/2018	FY 2018/2019	FY 2019/2020	FY 2020/2021	FY 2020/2021
1.658	1.658	1.658	1.658	1.658

Source: *Lands, Housing and Urban Development, Budget Framework Paper FY 2020/21*

Our concern is that the targets keep increasing despite the budget remaining unchanged and yet the sector is constrained with challenges like Staffing gaps and Policy implementation gaps and this low funding is affecting the sub sector activities.

Recommendation

- There is need to increase budget allocation to meet the increasing targets of the sub-sector
- The directorate of housing and the directorate of urban development should merge to capitalize on the existing decentralized structures. In order to attain orderly and sustained growth of urban and rural development,

Crosscutting Issues in the housing sector

3. Recurrent activities in the sub sector

We are concerned that there are recurrent activities that the subsector has continuously included in its budget framework paper in the last 5 financial years. The sub sector has reported conducting sensitization, training & dissemination of materials to Districts and Local Governments on: Earthquake resistant construction. (*8 districts including Rakai, Isingiro, Kabarole & Kasese among others*). We are concerned that money is allocated to this activity every financial year without tangible results seen and yet there are more frequent disaster occurring in the country which is not prioritized.

Recommendations

- The sector needs to Focus on other priorities in its investment plan 2020/21 in terms of prototype plans and demonstrations.
- The sector should Invest in research on the different disasters to enable them.

4. Crosscutting mandates

We are concerned that the sub sector implements activities which are not their mandate despite the little resources. The subsector reported the following activities

- Building plan approval processes monitored in 10 Districts. (*Kasanda, Kibuube, Kagadi, Bugweri, Butebo, Namisindwa, Rubanda, Rukiga, Kabale and Ntungamo among others*) which is a mandate of the directorate of physical planning
- 53 Condominium plans vetted a mandate of physical planning
- Earthquake resistant construction. (*8 districts including Rakai, Isingiro, Kabarole & Kasese among others*). which is a mandate of the office of the prime minister
- Developing the Kampala- Jinja Expressway (KJE) resettlement project under the theme "*No one worse off*" in partnership with Cities Alliance and other partners to facilitate the relocation of affected communities from the Right of Way of the KJE in accordance with global safeguard standards. (*Kireka, Banda and Kinawataka*) which is under urban development.

Recommendations

- Revisit the different mandates and roles so that they are properly aligned with the mandate of the subsector
- In the next phase of planning under NDPIII, the sector should clearly map out the programs contributed to and strengthen inter and intra sectoral coordination



PHYSICAL PLANNING AND URBAN DEVELOPMENT SUB SECTOR

4

The Directorate of Physical Planning and Urban Development seeks to ensure orderly rural and urban development through the following;

- a. Providing Leadership in formulation and implementation of Policies, laws, regulations, standards and guidelines in physical planning and urban development
- b. Providing technical support and guidance to Local Governments in Physical Planning and Urban Development
- c. Monitoring compliance to the land use regulatory framework countrywide

Planning is a public activity and Central government has a major responsibility to formulate policy in regard to planning. The Ministry of Housing, Lands and Urban Development (MoLHUD) is the central line ministry directly responsible. The Physical Planning Act 2010 declares the entire country a planning area; establishes the National Physical Planning Board (NPPB); and the planning committees at various levels. The Board that comprises of nine members is responsible for overseeing physical planning activities in the country and at national level conduct physical development plan approvals and recommendation to the Minister for final approval and signature.

We commend government for the following interventions in the sub sector:

- Prepared Uganda's First National Physical Development Plan which awaits cabinet approval
- Prepared 3 Regional PDPs (Albertine Graben Region; GKMA PDF; & Northern Uganda Economic Corridor)
- Supported preparation of District PDPs for Nwoya, Kabarole, Buniyangabu & Bududa Districts.
- Developed, installed & launched the Physical Planning and Urban Management Information System (PPUMIS).

- Spearheaded the review of the Physical Planning Act to enhance its effectiveness.
- Successful implementation of the Uganda Support to Municipal Infrastructure Development (USMID) program
- Resources centres have been established at MLHUD and 21 Municipal Councils
- Declared 5 sites in GKMA as Special Planning Areas to pave way for development of satellite cities. Cabinet has approved preliminary activities for the development of a satellite city at Nakigalala and a Masterplan has been concluded.



Sector Concerns and recommendations - Physical Planning and Urban Development

1. Non alignment of the National Physical Development Plan 2018-2040 to other plans in MDAs

The draft plan clearly shows proposed cities and metropolis as regional growth centers with the aim of ensuring regional balance however, the concern is that the ministry of local government declared cities which contravene what is provided for in the plan.

We are however concerned on how the different tiers of planning that are going on around different local entities are informed by the already existing lower tier plans especially the regional master plans and how they fit into the national development physical plan.

The national physical development plan is not aligned to many other plans in various ministries departments and agencies.

Recommendation

- There is need for alignment of the two proposals from the two ministries (MoHULD and Ministry of local government) into the National Physical Development Plan 2018-2040.

2. Low budgetary allocation to the sector

Although Physical Planning is one very vital source of revenue for local governments through development permits and building approvals, the planning units receive meagre budgetary allocations, which affects plan implementation processes, particularly enforcement and monitoring of development.

We note that in FY 2019/2020 the approved budget of the sub sector was 90.032 billion however, in the current FY 2020/2021; the proposed allocation is 53.311 billion. This reduction may affect the performance of the sector given the fact that it is vital in all development projects.

Recommendation

- There is need to improve allocation in this subsector especially at this point where the entire country is declared a planning area.

3. Low levels of Awareness and enforcement of physical planning programmes

According to the Constitution of Uganda 1995, "The state shall take all the necessary steps to involve the people in the formulation and implementation of Development Planning and Programmes which affect them".

Despite this provision, the extent to which people are aware of the importance and existence of planning activities and regulations is very low. The main levels and types of participation is through sensitization meetings, commenting on draft plans before approval, furnishing the planning authority with public planning expectations; of which less than 10% of the communities attend.

We are concerned that the Investment plan FY 2020/21 has paid attention to issues of awareness in the land housing and urban development subsectors. The lack of public participation and awareness in urban development plans and planning legislations lowers the chance of successful implementation of the plan and the degree of compliance with the required regulations. Worse still the enforcement team lack adequate knowledge on physical development planning and the idea of zoning. These carry out their functions arbitrary without due considerations of the provisions of the physical development plans in place.

During the development of the NPDP regional consultations were made but involving only technical people.

Recommendation

- There is need to invest in increased awareness creation of physical planning activities in the entire country since majority of the people are not aware. This can only be done if planned for and budget allocations are made to that effect.

4. Capacity Building

Inadequate planning Capacity at the LGs is overwhelming. The NBFP 2020/21 under the land sector does not put into consideration staffing and capacity building in the physical planning subsector. The current recruitment structure provides for only one Physical Planner at the district, one for the municipality and one at the town council. The district physical planner is in charge of all the sub-counties. The municipal planner manages development in all municipals, divisions, carries regular planning functions, administrative functions, and functions of the secretary of the physical planning committees. This makes them relevant in the physical planning subsector and the Land Sector at large.

Since Independence, much of planning in Uganda's urban local governments has been funded by international agencies such as the world bank (e.g. Local Government Program II Credit 3773 UG & Grant No. H041 UG in 2007/2008), the USMID program, ADB, UNDP and USAID (through Northern Uganda Transition Initiative). These agencies focus on only plan preparation but leave the question of implementation to the urban local governments that have no capacity. Thus, many of the plans have remained gathering dust in the shelves. The ministry is not attracting local experts in physical planning.

Recommendation

- We recommend the land sector to prioritize budget allocation to the physical planning subsector to enable identification, recruitment and facilitation of existing staff in physical planning.

5. The Physical Planners registration Bill

The investment plan did not mention so many pending legal frameworks that are vital for the land sector with the Physical planner's registration Bill inclusive. This in turn affects budget allocation to these activities. The absence of legal backing that frames the bounds of professional practice is key challenge. The planning profession is not protected by law, and thus is easily penetrated by masqueraders. The bill has been in and out of the corridors of parliament for over 10 years without approval.

Recommendation

- There is need to consider the legal frameworks in the investment plan to enable fast tracking of the pending bills especially the physical planner's registration bill.

Conclusion

We the above mentioned CSOs land actors hereby submit our concerns and recommendation to this committee for consideration. We thank you for considering this document to inform the budget allocation decisions in this country.

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**NSAs' Lands housing and Urban Development
Sector Position Paper
On The
National Budget Framework Paper (NBFP)
For
FY 2020/2021**

**LANDS SECTOR POSITION PAPER ON THE
UGANDA NATIONAL BUDGET FRAMEWORK
PAPER FOR FY 2020/21**



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