

Lands ministry report names key land grabbers



By John Semakula

A report by the lands ministry submitted to President Yoweri Museveni last week showing land grabbers and the impact of their activities, forced the President to swing into action.

When he received the report on February 22, President Museveni issued a directive stopping evictions of tenants.

On February 26, during a press conference in Rwakitira, he threatened to handle perpetrators of evictions with an iron hand.

The report showed how land grabbers were intimidating legal land occupants into giving up their bibanja before they are compensated.

It also named individuals and companies involved in evictions in Kayunga, Buikwe, Mukono and Mubende districts.

President Museveni discussed the report with officials from the lands ministry and they promised to take action.

The ministers who attended the meeting included Frank Tumwebaze, Attorney General Peter Nyombi, Justice Minister Kahinda Otafire, Daudi Migereko and Idah Nantaba.

The companies cited in illegal evictions include Zion Construction Ltd, Riis Coffee Ltd owned by Danish nationals, Akright, Prime Housing Estates, Inter Property Consultants, Hosana, Njovu properties and Jomayi.

The report implicates each of the companies in one or more cases of evictions in one or more districts.

It also cites lawyers and individuals reportedly involved in the evictions, and recommends that their firms be blacklisted by the Government.

The report noted that a single act of a landlord disrupts between 50 and 200 households, leaving between 350 and 1,400 people landless or living in fear.

There were a number of issues cited in the report that should be addressed to curb the illegal evictions.

These include; proper compensation of tenants and ensuring that every eviction is carried out with a court order.

The report also contains causes of the vice and recommendations.

Inadequate knowledge of the law on the rights and obligations of land owners and tenants, poor implementation of the law and courts granting eviction orders before visiting the site were cited among the causes of evictions.

The report recommends a review of all cases on illegal evictions with a view of correcting what had not been done right and empowering sub-counties to handle issues of illegal evictions.

President Museveni constituted a committee headed by Nantaba to review all eviction cases.

The President of Uganda Private Property Developers, Anatoli Kamugisha, said President Museveni's directive is a time bomb and that he would like to meet the President and discuss the matter.

Companies cited in illegal evictions

- Zion Construction Ltd evicted 490 people in Luwero
- Riis Coffee Ltd evicted 198 people in Buleega, Buikwe
- Akright evicted 200 people in Kiryamuli, Wakiso district
- Byenamisa, a private advocate, evicted 200 people in Nakigalala, Wakiso district
- Robert Kiwanuka evicted 90 households in Kokotero
- Zion Construction Ltd evicted 2800 people at Bulwanyi Wakiso
- Jomayi evicted a chain of people at Muguluka in Wakiso
- Njovu properties evicted households at Kiwumu

What the law on eviction says

An annual nominal ground rent should be paid to the land owner. The amount is determined by the district land board (DLB). If the DLB delays to fix the rent, the minister of lands may determine it.

Non payment of annual nominal ground rent is the only ground for evicting tenants. Landlords will have to serve eviction notices to tenants who default after a period of one year.

When courts of law are making eviction orders, they shall give the date, being not less than six months after the date of the order, by which the person to be evicted shall leave the land. The Courts may also grant any other order on expenses, damages, compensation or any other matter as they deem fit.

A person who attempts to evict, evicts or participates in the eviction of lawful or bona fide occupants from registered land without an order of eviction commits an offense and is liable on conviction to imprisonment not exceeding seven years.

Any tenant who sells his/her Kibanja without giving the land owner priority of buying it and taking the assignment of tenancy will be liable to imprisonment not exceeding 4 years or a fine of sh1.92m or both and will forfeit the rights to the land owner.

A change in ownership of title effected by the land owner through sale, donation or as a result of succession does not in any way affect the existing lawful interests of the lawful or bonafide occupants. The new land owner is obliged to respect the existing interests he/she finds on the land.

DLB which will allocate land which is owned by any person or authority under any of the four tenure systems in contravention of their function, which requires them to hold and allocate land in the district which is not owned by any person or authority, will have such transactions nullified.

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