

CASE STUDY

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Shortcomings to overlapping land rights and a way forward: the case of *Mailo* land in Central Uganda

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INTRODUCTION

Uganda has a complex land tenure system. Four tenure systems officially recognized by the 1995 Constitution coexist: freehold, *Mailo*, leasehold, and customary tenure. While undocumented customary tenure dominates in the country (UNPS 2013/2014 data estimates that 84% of parcels are held customarily), *Mailo* tenure is predominant in the central and parts of the western regions. Around 10% of Uganda's land (in surface) is held under *Mailo* tenure, possibly more¹.

MAILO LAND: HISTORICAL OVERVIEW

The *Mailo* system is rooted in the 1900 Buganda Agreement, in which the British returned appropriated land to the Buganda Kingdom. The king and his nobles were awarded large blocks of land, occupied by smallholders, known as *Mailo* land, in reference to the square mile unit in which they were measured (West 1972). In practice, land under *Mailo* tenure continued to be governed by Buganda law and custom, including being transmitted exclusively to male heirs. The *Mailo* system introduced private property for customary authorities, but ignored the rights of the occupants (tenants or *kibanjas* holders) who were actually cultivating the land, as very few chiefs engaged directly in farming. Therefore, the agreement was amended in 1928, introducing *busuulu* (ground rent) and *envujju* (tribute) laws, that aimed to recognize and strengthen the rights of occupants by putting a limit on the rent to be paid and protecting tenants against eviction without compensation.

Following Amin Dada's coup d'état, the Land Reform Decree (1975) declared all land public. The *Mailo* system disappeared on paper, and tenants became tolerated occupants with no tenure/occupancy rights, since there was no mention of them in the law. The 1975 decree was, however, not implemented in practice. In 1986, after Museveni's government assumed power, a reform of the country's land laws was engaged. The result was the re-institution of the *Mailo* system in 1995, at the insistence of the Buganda Kingdom. The rights of tenants, however, were only clarified by the 1998 Land



Figure 1: woman working her land

Act. Under that law, bona fide lawful occupants have the right to assign, sublet, pledge, sub-divide, bequeath, or create third party rights in the land. The 2010 amendment to the Land Act further clarified that tenants can only be evicted following a court order and only for non-payment of *busuulu* provided they had occupied the land unchallenged for more than 12 years before the 1995 Constitution. In addition, tenants can acquire certificates of occupancy (CoOs) with payments of UGX 5,000, provided they obtain the consent of the landlords and prove there are no arrears in the payment of ground rent. In practice, however, no CoO has been issued to date, possibly because a CoO translates into a written encumbrance on the landlords' *Mailo* title.

The overlap of ownership and use rights on *Mailo* land has been identified as a key impediment to investment and improved productive efficiency in Uganda's agricultural economy (Deininger and Ali, 2008). Because the productivity reductions are significant, and the amount of land under *Mailo* type tenure is substantial, the overall losses from

overlapping land rights are substantial. This underlines that failure to clarify land rights on *Mailo* land can be a significant impediment to rural development in Central and Western Uganda.

DATA

To address the issue of overlapping land rights in a way that increases land-related investment and boosts agricultural productivity of smallholder farmers, the German Corporation for International Cooperation (GIZ, for its German initials), with funding from the European Union and the German Government and in partnership with Uganda's Ministry of Lands, Housing and Urban Development, have developed a pilot program "Improvement of Land Governance in Uganda to Increase Productivity of Small-Scale Farmers on *Mailo*-Land (ILGU)" to test low cost approaches for systematic demarcation of *Mailo* land occupied by tenants. The pilot consists of land inventories in eight sub-counties in Mityana and Mubende districts. The World Bank, in partnership with the



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Uganda Bureau of Statistics, will measure the impacts of this pilot project at the household level. To achieve that, baseline data for the impact evaluation was collected from July to November 2017 with a random sample of 2485 tenant households, cultivating 3590 parcels, in 191 enumeration areas.² In addition, 64 resident and non-resident *Mailo* landlords were interviewed during the data collection exercise. This policy note uses data from that survey.

Out of the 2485 tenant households interviewed, just over a quarter are female headed and 7% are in a polygamous marriage (Table 1). Household heads are on average 46 years old, with average family size of 5 members. Most household heads (88%) have no formal education and are mainly involved in subsistence agriculture. Only 19% of households report having at least one member working for a wage, reporting, on average, about 1.5 month of paid work over the past 12 months. Climatic and agricultural price shocks are quite common in the study areas. Among sampled households, 39% reported that they have faced droughts, 21% irregular rains, 47% high level of crop pests (possibly largely army worm), 13% high costs of agricultural inputs and 19% low prices of outputs over the past 12 months preceding the survey. Almost all the homestead parcels are under *Mailo* tenancy (96%). Informality is high, with 91% of the households reporting that they do not have formal documentation for their homestead property.

KIBANJAS AND SHORT-TERM RENTALS ARE CHARACTERIZED BY LOWER LEVEL OF INVESTMENT AND INPUT USE

Table 2 provides parcel characteristics by type of ownership rights. *Kibanjas* constitute 82% of agricultural land owned/used by the interviewed households. While the size of agricultural parcels is on average 2.22 acres, *kibanjas* are significantly smaller than owned parcels (2.13 vs. 7.67 acres), but larger than rented-in parcels (1.76 acres). Although there are very few owned parcels in the sample, households that do own land tend to leave it uncultivated (31%), compared to households under *kibanja* (27%) and short-term rental arrangements (9%). Similarly, households allocate relatively more land to perennial crops on their owned parcels (31% as primary use) than *kibanjas* (27%) and short-term rentals (8%). These observations have implications for the relationships among land rights, land-related investment and intensity of land utilization. In fact, the incidence of erosion control facilities is significantly higher on owned parcels (45%) than *kibanja* (36%) and short-term rental (27%) parcels. Similar patterns are also observed in land management and input use: use of organic fertilizer is significantly higher in owned parcels than those under tenancy arrangements (46% vs. 27% for *kibanja* and 15% for short-term rentals). In contrast, use of chemical fertilizer is relatively higher in short-term rentals (24% vs. 18% and 17% in

owned and *kibanja* parcels). Intercropping is a common practice, and the tendency is to mix annual crops with perennials more often on owned parcels compared to *kibanjas* and short-term rentals. The incidence of hired labor is significantly higher in owned and short-term-rental parcels, but differences are not observed in terms of family labor and value of crop output per unit of land across parcels by ownership types.

KNOWLEDGE OF LANDLORDS AND BUSUULU PAYMENT IS NOT A GIVEN

While *kibanja* holders have been using their land on average for 14 years, only half of the tenants know their landlord, among which 20% report the landlord being a relative (Table 3). Only a tenth of the landlords reported by *kibanja* holders are women. Despite the amount being modest (about UGX 20,000), payment of *busuulu* is found to be low. Sampled households reported that they have ever paid the required ground rent for only 26% of the parcels, and apparently, receipts were issued for 96% of the cases. The reported reasons for not paying *busuulu* include: not knowing the landlord (36%), the landlord never asked (23%), not feeling like they owed the landlord anything (18%), not

Table 1: Household characteristics

Female head	0.27
Age head	45.59
Head has no formal education	0.88
Any wage employment in the past 12 months	0.19
No. Of days (8hours) worked for wage in the 12 months	46.25
Number of ag parcels (own/used)	1.60
Total size of ag land (own/used)	3.63
Number of hh members	4.94
Number of adult male	1.07
Number of adult female	1.14
Homestead parcel under <i>kibanja</i> ownership rights	0.96
No document on homestead property	0.91
Semiformal/informal document on property	0.47
Experience of shocks in the last 12 months:	
Drought	0.39
Irregular rains	0.21
Erosion	0.08
High level crop pests	0.47
Livestock disease	0.10
High costs of ag. Inputs	0.13
Low prices of ag. Outputs	0.19
No. Of obs.	2485

Table 2: Parcels characteristics and inputs by type of rights

	Total	Ownership	Kibanja	Other use right
Parcel size, acres	2.22	7.67	2.13 ***	1.76 ***
Parcel cultivated, %	83.93	68.62	83.02 ***	90.56 ***
Homestead	0.47	0.71	0.53 ***	0.20 ***
Primary use: own cultivated (annual crops)	0.76	0.69	0.73	0.92 ***
Primary use: own cultivated (perennial crops)	0.24	0.31	0.27	0.08 ***
Rain fed	0.98	0.99	0.99	0.97 **
Any erosion problem in last season	0.12	0.15	0.11	0.16 ***
Erosion control facility:				
None	0.65	0.55	0.64 *	0.73 ***
Terrace	0.20	0.30	0.20 **	0.15 ***
Trees	0.04	0.06	0.04	0.03
Drainage ditches	0.11	0.07	0.12	0.08 ***
Plot burnt in preparation for planting	0.14	0.08	0.14 *	0.17 **
Use of org. Fertilizer	0.25	0.46	0.27 ***	0.15 ***
Use of chem. Fertilizer	0.18	0.18	0.17	0.24 ***
Use of pesticides	0.40	0.53	0.37 ***	0.50 ***
Hired labor for land preparation	0.31	0.45	0.29 ***	0.36 ***
Hired labor for input application	0.10	0.23	0.09 ***	0.14 ***
Hired labor for wedding and pruning	0.28	0.40	0.27 ***	0.32 **
Hired labor for harvesting	0.23	0.32	0.21 ***	0.31 ***
Total family labor days, per acre	119	112	123	100
Mixed stand	0.52	0.63	0.53 *	0.45 ***
Total crop area, in acres:				
Parcel planted with:				
Dry maize	0.59	0.72	0.55 *	0.75 ***
Dry beans	0.26	0.44	0.24 ***	0.30 ***
Sweat potatoes	0.04	0.15	0.04 ***	0.03
Green cassava	0.03	0.05	0.03	0.03
Bananas	0.15	0.45	0.16 ***	0.05 ***
Green coffee	0.05	0.07	0.05	0.03 **
Dry coffee	0.18	0.65	0.19 ***	0.07 ***
Value of total harvest per acre, UGX*	04130	732486	908052	914996
No. of obs.	3590	102	2859	625

*value trimmed of the 1st and last percentile.

note: t-test performed from one categories against the others.

Table 3: Descriptive statistics on kibanja parcels

No. of years used	14
Know the landlord	0.50
Landlord is a relative	0.20
Female landlord	0.11
Ever paid the busuulu	0.26
Amount paid (last busuulu), UGX	19333
Busuulu payment receipt issued	0.96
Reason for not paying busuulu:	
Don't know the process	0.08
Too expensive	0.03
Landlord didn't ask	0.23
Landlord refused	0.05
Don't know the landlord	0.36
Don't owe the landlord anything	0.18
Others	0.06
No. obs.	2859

* data was trimmed dropping the 1st and last percentiles

knowing the process (6%) and the landlord refused (5%). Given that payment of ground rent is required as proof of lawful/bona fide tenancy, the current status quo will stand against tenants in any court of law.

These patterns are also illustrated in the landlords' responses (Table 4).³ While the interviewed landlords are not a random sample, only 63% of them report that they know their tenants. About 70% have collected *busuulu* in the past from some of their tenants (on average, interviewed landlords have 71 tenants each), yet with a substantial gap between entitlement (estimated to be UGX 1M per annum) and collection rate (estimated to be UGX 300,000). Interestingly, when asked why they did not collect ground rents, 62% of the interviewed landlords responded that tenants refused, and 30% of them did not want to collect ground rents.⁴

HIGH LEVELS OF CONFLICTS AND INSECURITY CHARACTERIZE MAILLO TENANCY

Kibanja holders report land-related disputes on about 9% of parcels under *Maillo* tenancy (Table 5, panel 1). The types of conflicts reported range from boundary (37%), other ownership (25%), sales (12%) and inheritance related (10%). Despite its low level, payment of *busuulu* was the main reason for conflict in only 7% of the cases. Conflicts arose mainly with neighbors (35%), landlords (35%) and relatives and family members (18%). Given that *Maillo* tenancy is characterized by overlapping land rights, the reported level of perceived tenure insecurity is as expected. *Kibanja* holders expect potential disputes or loss of their land (if left fallow) in the next 5 years on about 23% of the parcels being held under *Maillo* tenancy. The prospect of losing land in the next 5 years if the landlord were to sell is even more prevalent, at 41% of *Maillo* parcels. Similar figures are reported by the interviewed landlords: about a third of the landlords reported a dispute in the last 12 months on their holdings, and 43% expected land-related disputes in the future (Table 5, panel 2). Clarifying *kibanja* rights in a

Table 4: Relationship to tenants by gender of landlord and residence status

Landlord cultivates	0.83
Perc. cultivated by landlord	27
No. of kibanja tenants on the parcels	71
Perc. of known kibanja holders	0.63
Has collected busuulu	0.70
Amount of busuulu collected in past year, UGX	324364
Amount of busuulu entitled in past year, UGX	1053571
Reason of not collecting busuulu:	
Tenants refused	0.62
Tenants unknown	0.08
Don't want to collect	0.30
No. of obs.	63

formal way may thus go a long way in reducing incidence of disputes as well as improving perceived tenure security, an important prerequisite to investing on the land.

BINDING CREDIT CONSTRAINTS RESTRICT PRODUCTIVITY IMPROVEMENT AND LAND RELATED INVESTMENTS

Tenant households have low level of access to credit: only 11%, 12% and 2% applied for a loan from informal, semi-formal and formal lending institutions, respectively, in the past 12 months preceding the date of the survey.⁵ As can be seen in Table 6, most of the loans were taken to purchase land and agricultural inputs (36%, 41% and 62% from informal, semi-formal and formal sectors, respectively), followed by starting and running off-farm businesses (15%, 18% and 20% respectively from the three sources). Borrowing from informal sources is also used to cover educational (16%), health (20%), and ceremonial, e.g., wedding and funeral (20%) related expenses. About 22% of educational expenses are covered through loans from semi-formal institutions. Collateral is required particularly to borrow from semi-formal (74%) and formal (90%) institutions. Given that 62% of the loans were secured using land as collateral, land appears to be the most important asset required by the formal sector. But only about a third of the loans in the semi-formal sector required land as collateral. The reported figures in Table 6 also show that tenant households face high levels of credit constraint across all the three types of credit.⁶ In the semi-formal sector, households report being constrained by risk (69%), transaction costs (60%) and quantity of credit available (28%), while in the formal sectors constraints are associated with transactions costs (37%), risk (31%) and quantity (11%).⁷ Although obtaining formal land documentation that could be accepted by lending institutions, such as CoOs, can provide households with a more easily collateralized asset, the effect of improving households' access to credit is far from certain as they face a multitude of bottlenecks. In fact, the observed high incidence of transaction costs and risk constraints point towards the need to address the functioning of markets for risk and insurance at a broader level.



Figure 2: mailo tenant farmer

Table 5: Conflict history and perceptions of risks

Panel 1: kibanja parcels	
Conflict in the last 12 months	0.09
Reason for the conflict:	
Boundary	0.37
Inheritance	0.10
Sales	0.12
Expropriation	0.04
Other ownership	0.25
Rental	0.03
Payment of <i>busuulu</i>	0.07
Other	0.02
Conflict was with:	
Neighbor	0.35
Landlord	0.35
Family	0.18
Village elders	0.04
Local government	0.00
Central government	0.02
Private company	0.01
Other	0.05
Conflict was resolved	0.38
No likelihood of conflicts on user rights	0.77
No likelihood of losing land if left fallow	0.77
No likelihood of losing land if landlord were to sale	0.59
No. obs.	2589
Panel 2: landlords	
Any dispute, d	0.30
Null likelihood of dispute in the future, d	0.57
No. of obs.	63

WHAT ARE THE OPTIONS TO REDUCE THE INCIDENCE OF OVERLAPPING RIGHTS?

The reported willingness to pay for obtaining a legal certificate to secure the occupation of *kibanjas* is high, with an average of about UGX 400,000 per parcel⁸ (Table 7). This relatively high amount for modest-income families highlights the value they attach to more secure land rights. Yet, knowledge of the type of documentation available to tenants, i.e. CoOs, and knowledge of the process to obtain it, remain low, with only 19% of male respondents and 10% of female respondents reporting being aware of the existence of CoOs. However, those who are aware report that having such a document will somewhat (6%), likely (8%),

very likely (19%) and certainly (39%) decrease the chances of being expelled from their land without compensation. A surprisingly large number of landlords interviewed (60%) say they would sign the document authorizing the tenants to obtain CoOs from the land administration authorities. The most important reasons reported by the landlords are to: (i) reduce conflict with tenants (53%), (ii) reduce conflict among tenants (16%), (iii) collect ground rent (13%), and (iv) clarify parcel boundaries (11%). Reasons for not agreeing to issue authorization include the burden of encumbrance on their title (20%), and fear that it will dampen land prices (20%).

In addition, 71% of tenant households expressed high willingness to buy *kibanja* parcels from landlords if they were to sell. However, tenants are willing to buy the land at an average price of UGX 2.2M per acre, which is significantly lower than the asking price of the 65% of landlords who indicate they are willing to sell to the tenants (UGX 6.8M). Yet, when tenants were asked for how much they could sell their *kibanja* rights with no reference to the landlord, the reported average price is UGX 8.4M per acre, which is higher than the asking price of landlords. This implies that there is a room for negotiations between parties if the market were to be opened up. Note that about 35% of the interviewed landlords are not willing to sale *Mailo* land to *kibanja* holders, mainly because they do not want to subdivide their holdings (41%) and they do not want to sell land at all (45%).

Therefore, the data suggest that issuance of land certificates to tenants and buying land from the landlords both could be viable options. Sensitization campaigns and establishment of negotiation platforms during the implementation of the project would help create the right environment in searching for long term solutions to the problem of overlapping rights on *Mailo* land.

CHANGING STRONG PATRIARCHAL TRADITIONS THAT DISCRIMINATE AGAINST WOMEN AND GIRLS SHOULD BE A PRIORITY

Emphasis on female rights to land is critical to ensure that they are not left out during adjudication and regularization processes. As can be seen in table 8, traditional patriarchal practices could put women in a disadvantaged position in terms of inheritance and co-ownership of land. When asked about hypothetical scenarios of inheritance, only 31% of male respondents stated that the wife would inherit the land of her dead husband. In addition, 39% expected that only the son would inherit the land if both parents were to pass away, 44% expected it to be divided among children, and only 7% stated that even if the son would inherit he has a duty to look after his sister.

The numbers are slightly different for female respondents, 41% of whom indicated that the spouse inherits the land of her deceased husband. In addition, 32% of females interviewed reported that the male child would inherit all the land in case of the death of both parents, 50% expected it to be divided between

Table 6: Access to credit and loans

	informal	semi-formal	formal
Applied for a loan in the past 12 months	0.11	0.12	0.02
Total amount applied for, UGX	492810	565058	14500000
Purpose of the loan:			
Buy land	0.15	0.13	0.22
Purchase ag. Inputs	0.19	0.25	0.36
Buying livestock	0.02	0.03	0.04
Business	0.15	0.18	0.20
Housing	0.03	0.07	0.12
Food	0.03	0.02	0.00
Educ	0.16	0.22	0.06
Health	0.20	0.05	0.00
Buy a vehicle	0.02	0.01	0.00
Ceremonies (wedding, funerals etc.)	0.21	0.05	0.00
No guarantee required	0.89	0.36	0.10
Land was required as a guarantee	0.05	0.27	0.62
Household is unconstrained	0.36	0.26	0.06
Household is price rationed	0.12	0.16	0.06
Household is quantity constrained	0.40	0.28	0.11
Household is risk constrained	0.73	0.69	0.31
Household is constrained by transaction costs	0.08	0.60	0.37
No. of obs.	2485	2485	2485

Table 7: Knowledge, willingness and perceived benefits of documentation

Panel 1: parcel level (kibanja)			
Willingness to pay for a legal certificate, UGX *			389681
Willingness to buy from landlord			0.71
Willingness to buy from landlord, UGX per acre *			2170470
Estimated sale price, UGX per acre *			8378288
No. Of parcels			2589
Panel 2: household level			
		Male respondent	Female respondent
Knows what a CoO is		0.19	0.10
CoO decreases likelihood of expropriation w/o compensation:			
Not at all	0.28		0.36
Somewhat	0.06		0.05
Likely	0.08		0.06
Very likely	0.19		0.16
For sure	0.39		0.37
No. of respondents		1709	1986
Panel 3: landlord level			
Would sign for issuance of CoO			0.60
Reason for agreeing to sign CoO:			
Identify empty land			0.03
Clarify boundaries			0.11
Collect busuulu			0.13
Reduce conflict with tenants			0.53
Reduce conflict among tenants			0.16
Other			0.05
Reason for not agreeing to sign CoO:			
Encumbrance			0.20
Reduce land price			0.20
Increase conflict			0.08
Illegal tenants			0.08
Other			0.44
Willingness to sell to kibanja holder			0.65
Price willing to sell per acre			5756098
Reason for not wanting to sell:			
Doesn't want subdivision			0.41
Doesn't want to sell land			0.45
Other			0.14
No. of landlords			63.00

* Data were trimmed dropping the 1st and last percentiles

children, and 10% expected the male child to inherit with a responsibility of looking after his sister.

Regarding joint registration, 64% of male respondents but only 38% of female respondents think that only the husband's name should be included in official land certificates. Only 34% of male respondents and 56% of female respondents expected that both the husband's and the wife's name would be on the certificate of occupancy.

CONCLUSIONS

Clarifying overlapping rights on land could be a significant opportunity to increase land productivity and food security in the context of rapid population growth in Central and Western Uganda. The EU/GIZ intervention implemented in partnership with the Ministry of Lands, Housing and Urban Development aims at strengthening land rights of *kibanja* holders. Baseline data indeed emphasize the potential to improve investment and sustainable land management on parcels held under *Mailo* tenancy, reducing land disputes, as well as easing certain constraints in improving access to credit. Gender specific interventions are strongly advisable to lower the risks that patriarchal norms could potentially exclude women from benefiting from the formalization of land rights. Transforming land inventories to CoOs, or title (through land sales), could be encouraged considering the observed willingness of both parties, and the apparent inefficiency of the existing status quo which includes a high level of insecurity for tenants and non-payment of ground rent for the landlords. The intervention may create the space for the establishment of platforms for dialogue among the parties that will be involved in the process.

Ali, D. A., K. Deininger, M. Duponchel (2014). Credit Constraints and Agricultural Productivity: Evidence from rural Rwanda. *Journal of Development Studies*. 50(5), 649-665.

Deininger, K., & Ali, D. A. (2008). Do overlapping land rights reduce agricultural investment? Evidence from Uganda. *American Journal of Agricultural Economics*, 90(4), 869-882.

Oput, R. (2013) Uganda. FIG- WB Forum on Land Administration in Sub-Saharan Africa. *Presentation*.

West, H. W. (1972). Land policy in Buganda.

Table 8: Perceived gender rights on inheritance and registration

	Male respondent	Female respondent
If husband dies - married couple with two children, male and women		
Spouse owns all the land	0.31	0.41
Spouse owns 50%, other to children	0.13	0.15
Equal shares to children and spouse	0.08	0.08
Son owns all the land	0.28	0.18
Children own all the land	0.18	0.16
Relatives take back the land	0.01	0.01
Other owns the land	0.00	0.00
If both parents die:		
Son inherits the entire land	0.39	0.32
Son inherits the entire land but looks after sister	0.07	0.10
Daughter inherits the entire land	0.02	0.02
Land is divided between children	0.44	0.50
Land is passed on to others	0.04	0.01
Don't know	0.05	0.05
Registration of land - which names should be on certificate		
Only husband's name	0.63	0.38
Only wife's name	0.01	0.03
Husband's and wife's names	0.34	0.56
Indifferent on which one's name	0.01	0.02
Do not know	0.02	0.02
Registration of land (in the case of polygamy) - which names should be on certificate		
Husband's name on all plots certificate	0.59	0.38
Husband and first wife name on all plots certificate	0.08	0.14
Husband and second wife name on all plots certificate	0.00	0.01
Husband with first wife name some plots and with second wife on others	0.09	0.15
Husband with first wife & children on some plots and with second wife & children on some plots	0.12	0.18
Husband with children of 1st wife some plots with of 2nd wife children other plots	0.09	0.10
Others' names	0.01	0.01
No. obs.	1709	1986

¹ Originally about 10% of the country was under a *Mailo* type of tenure: 9000 sqm were allocated by the British protectorate administrators to the Buganda Kingdom under *Mailo*, and 323 sqm and 268 sqm under Native Freeholds to the Toro and Ankole Kingdoms, respectively. In addition, land given to the Catholic Church has been administered similarly to that of *mailo* land (West, 1972). The Ministry of Lands, Housing and Urban Development estimates a larger surface, 30,000 sqm, under *mailo* tenancy, affecting 15% of the total population (Oput, 2013).

² Enumeration areas are selected on each side of the borders of the sub-counties selected for the pilot intervention.

³ The statistics on landlords should be regarded as suggestive informative considering small number of interviews and possible bias in the sample.

⁴ This could be arguably linked to the refusal to recognize tenants as lawful by refusing to accept their payment of the *busuulu*.

⁵ Formal credit sector refers to formal banks while the semi-formal sectors refers to micro-finance institutions, NGOs, ROSCAs, farmers' groups etc. Informal sector refers to credit supplied by friends/family or money lenders.

⁶ We used a direct elicitation approach as described in Ali et al. (2014). Note that for the semi-formal sector, we report constraints based on multiple source of credit, hence households can face more than one type of constraint.

⁷ Quantity constrained qualified households are those who borrowed but whose loan was partially or wholly rejected, and households who lacked collateral to borrow or to borrow additional amounts. Risk constrained households identify as fearing to have their demand rejected or fearing to lose their collateral, or who don't want to be (more) indebted as a reason for not borrowing or not being able to borrow more when they would have like additional resources. Households constrained by transactions costs do not have access to supplier, do not know how and where to apply, have no bank accounts or are not a member to the institution.

⁸ This represent half of the harvest value for a season, and 5% of the estimated sale price of the parcel per acre.

This case study was prepared by a team from the Development Economics Research of the World Bank, in collaboration with the Ugandan Bureau of Statistics. The German Cooperation Agency (GIZ) provided generous financial support.

Photo credit: GIZ/Martina Bacigalupo.

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