

NRM caucus moots proposals on land

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and Henry Sekanjako

To expedite legal processes within which land compensation disputes can be settled, the NRM caucus has proposed that a time frame be set to handle court-land-related cases.

The NRM caucus wants a given period of time, say, three to six months, within which courts dispose of cases for compensation or any other disputes in land matters.

According to the Government Chief Whip, Ruth Nankabirwa, the idea is among a host of measures that have been mooted to expedite the resolution of land compensation disputes that delay government infrastructure projects.

According to Nankabirwa, the proposals were among the issues discussed during a meeting between President Yoweri Museveni and the members of the NRM parliamentary caucus. The proposals are aimed at resolving the impasse over the Constitutional Amendment Bill, that was tabled recently before Parliament, which has faced fierce resistance.

The proponents of the amendment argue that, Government should be allowed the leeway to use any land gazetted for public development, but in case of disputes over either ownership or the compensation, the Government should deposit the money with court, pending determination on the matter.

Although the Constitution gives the Government powers to take over private property for public use, the Constitution obliges the Government to pay compensation prior taking over the property.

"We have heard of land compensation cases that have lasted 10 years, so we are saying let there be timelines within which cases can be dealt with like it is for election petitions," said Nankabirwa.

This proposal is similar to another fronted recently by the Katikkiro of Buganda, Charles Peter Mayiga, to put in place subsidiary legislation establishing special courts to handle land disputes expeditiously.

During a briefing on the outcome of the meeting,

NRM Caucus also wants the retention of the existing constitutional provision on compensation of property owners before acquisition of their land by the Government.

If this position is accepted, it would mean that Government will have to withdraw the Bill from Parliament.

Nankabirwa said the President who convened the meeting, proposed an eight-member select committee to find a middle ground as a basis for amendments to the laws.

New Vision on Wednesday learnt that it had been agreed to set up a committee chaired by Vice-President Edward Kiwanuka Ssekandi, to further scrutinise the Bill and the Land Acquisition Act.

Nankabirwa said the committee that was given two weeks to complete its work, will also guide on whether they should proceed with the constitutional amendment bill or review the Land Acquisition Act.

But Usuk County MP Peter Ogwang said the members of the caucus had agreed to withdraw the Bill and instead examine the existing laws to assist the Government carry out its programmes without delays.

The committee also includes lands minister Betty Amongi, the Attorney General, William Byaruhanga and a team of five MPs who are lawyers led by Sam Bitangaro (Bufumbira South), Gaster Mugoya (Bukhooli North), Robinah Rwakoojo (Gomba West), Veronica Eragu (Kaberamaido County), Hamson Obua (Ajuri County) and Jackson Kafuuzi (Kyaka South).

The 2014 Supreme Court ruling upheld the sanctity of property rights under the Constitution by nullifying Cap 226 of the Land Acquisition Act that provided for the compulsory acquisition of property before the payment of compensation to the owner.

Nankabirwa maintains that the Ssekandi committee has been established to ensure that there is a win-win situation between Government and its citizens.

The proposed amendment has courted public uproar with some critics arguing that land compensation disputes are the result of haphazard planning of government projects while others have blamed cases