



An assessment of the performance of Environment and Natural Resources sub-sector and recommendations for the Joint Sector Review Undertakings 2016/17

A position paper presented ahead of the 8th Water and Environment Joint Sector Review 2015/2016

Introduction

Every year, the Ministry of Water and Environment (MWE) undertakes the Joint Sector Review (JSR), a process composed of government line departments, agencies, CSOs, development partners and stakeholders, between July and September. Civil Society Organizations (CSOs) in the Environment and Natural Resources (ENR) sub sector organized under their ENR-CSO Network actively participate in the process through self-assessment of their contributions to the sub-sector and an assessment of government's performance against the undertakings and agreed actions for a particular financial year.

The theme for this year's MWE JSR is, **ensuring integrity in the water and environment resources driving towards the Sustainable development goals.** The overall goal of the JSR is to, **'review and strengthen approaches to sustaining Uganda's environment and delivering its water resources to users.'**

The Environment and Natural Resources Civil Society Organizations (ENR-CSOs) Network position paper is developed and presented in this context. It provides the contribution of ENR-CSOs to development and offers a constructive and positive assessment of the performance of the ENR sub-sector agencies towards the attainment of key undertakings and agreed actions.

ENR CSO contribution to sub-sector development

The CSOs contribution to the ENR sector during the FY 2015/16 is presented in Figure 1. Whereas there has been increase in numbers of CSOs contributing to the sector between 2010 and 2015, in the FY 2015/16 there is a decline, from 55 to 33.

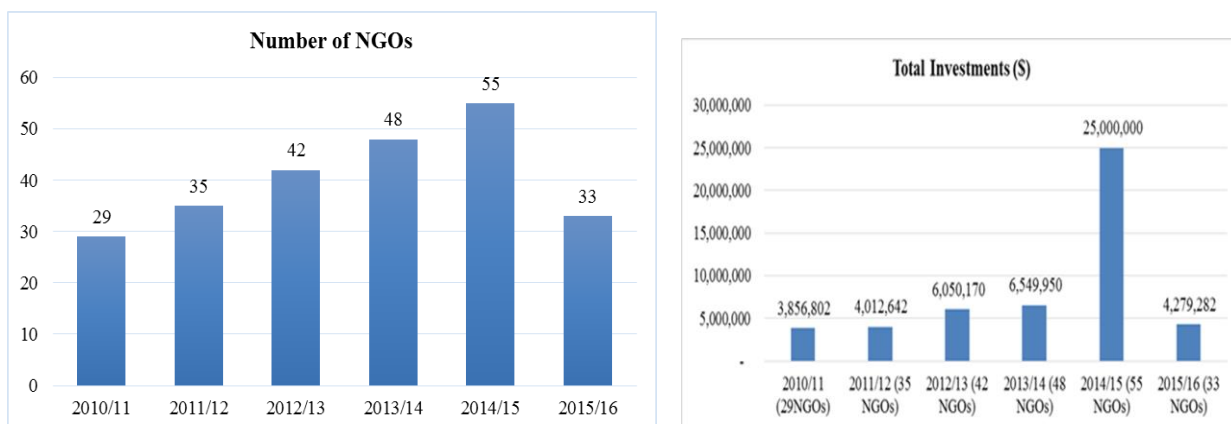


Figure 1. ENR-CSOs contribution to the sector during the FY 2015/16. Left graph presents numbers of CSOs that reported and right graph presents CSOs investment in the sector.

Subsequently, during the FY 2015/16 there has been a decline in contribution from CSOs dropping from USD 25,000,000 in FY 2014/2015 to US \$ 4,279,282 (ENR-CSOs mini-performance report, 2015/16 and ENR sector performance report, 2015/16). This is largely due to the following reasons:

- a. Reduction in donor funding as some of the development partners suspended investment due to presidential and parliamentary campaigns held this FY;
- b. Some donors suspended funding to members of the network in order to beef up humanitarian aid towards a refugee crisis in Europe. Figure 2 here under is an illustration of the above;
- c. In this FY, some members of the ENR CSO Network implemented several activities in partnership with GoU MDA and therefore, to avoid duplication in terms of financial contribution, such financial support has not been computed. Some of the activities in this respect include: the Oil for Development (funded by Norway), Forest Tenure (funding from FAO), Stakeholder consultation in catchment management planning (GoU), participation in REDD+ preparedness (World Bank), Climate Change deliberations at national and global level among others;
- d. Reduced number of ENR-CSOs that submitted their respective reports during the FY 2015/16.

Of the 33 ENR-CSOs that reported this FY (Figure 1), 82.8% are registered as Local Non-Government Organisations and these take the largest portion followed by International NGOs at 10% and Community Based Organizations (CBO) at 6.9%. ENR-CSOs spent much of their resources on forestry (54%) followed by governance at 19% and environment at 12%. Weather, climate and climate change had 8% and 7% been spent on wetlands. Figure 3 here under shows where they have concentrated their efforts. Eastern and Northern Uganda are areas where CSOs have had least operations.

The FY 2015-2016 has been a year during which the Ministry of Water and Environment focused on enhancing the contribution of the Environment and Natural Resources to Uganda's Vision 2040 which is, '**A Transformed Ugandan Society from a Peasant to a Modern and Prosperous Country within 30 years,**' and the National Development Plan II. This has been through implementation of the three undertakings agreed to by the ENR sub-sector at the Joint Sector Review 2015. We wish to congratulate MWE for the progress attained against each of the undertakings but also to highlight the following achievements:

- A.** Finalisation of the review of the National Environment Management Policy and the National Environment Act that await Parliament and Cabinet approval. We note that the new policy and legal document streamline institutional arrangements for Environment and Natural Resources at all levels, which has been a major hindrance to development of the sector.
- B.** The finalisation of the Regulations for the National Forestry and Tree Planting Act (2003) which now await printing and dissemination. Forestry sector stakeholders have waited for over 13 years, we hope these will regularise management and enforcement at resource use at all levels.
- C.** Considerable progress in implementing the ban on Kaveera (despite the court injunctions by the private sector). We note the support and compliance by the super markets (e.g. *Nakumatt*) but also the non-compliance by the local supermarkets that have continued using kaveera.
- D.** Securing approval by Cabinet of the procedures for cancelation of land titles which were illegally issued in wetlands after 1995 and the production of the National Wetlands Atlas for Uganda.
- E.** Uganda's adoption, signing and ratification of the Paris Agreement on Climate Change, whose implementation through domestication will be fundamental in addressing climate change challenges in the country.

F. The continued implementation of Jinja Commitment for improved service delivery that will see the establishment of a One Stop Centre for ENR Data and Information Management and the rebranding of the ENR sector for better service delivery.

We appreciate that amidst financial constraints, MWE has remained focused on halting the decline of forests, wetlands, and water resources which constitute the natural capital for socio-economic development and transformation.

However, we are dismayed that while we have all the relevant policies, laws and institutional frameworks in place to safeguard our natural endowments, our natural resources continue to decline.

We continue to witness issuance of land titles in forest reserves (Bugoma and Kajjansi Forest Reserves as glaring examples) and wetlands and total disregard of the compliance with environmental laws with impunity.

Recent studies show that timber supplies are projected to reduce in 10 years' time due to the current level of illegal trade in timber. Over 90% of timber on the market is illegal and yet government is the largest buyer (20%) of this timber. Unless massive tree cutting is matched by afforestation, the rate of loss which currently stands at an unprecedented rate of 200,000 ha per annum may increase. *Thus at this rate without ambitious targets for tree planting – the current forest cover will be no more in 18 years i.e. by 2034*

Wetland coverage has reduced from 13% to 10.9% of the total land area between 1994 and 2008, registering a loss of 30% of the wetlands. The capacity of our ecosystems has greatly diminished and this is a challenge especially in the wake of climate change and variability that has serious implications for community livelihoods and economic development.

In view of the presidential guidance to fight irregularities in the ***Kisanja Hakuna Mchezo***, ENR CSOs pledge to remain partners with government to address the above challenges. This financial year, our interaction with the Ministry of Water and Environment has been enhanced and we have made substantive contribution towards the following:

- a. Preparation of the ENR and forestry manifestos to rally politicians to front environment and natural resource issues in their political agenda during the presidential and parliamentary campaigns. The document highlighted the key issues and recommendations in the ENR sector and forestry sub-sector and acted as a guide for the electorate in interrogating what politicians promise in their manifestos;
- b. Finalisation of the National Forest Stewardship Standard that is designed to guide responsible forest management and evaluation of forest management in Uganda;
- c. Partnering with the Forest Sector Support Department (FSSD) to support a forest tenure reform process for registration and declaration of community based forests and private forests in the districts of Lamwo, Masindi, greater Bushenyi and Kibaale;
- d. Supporting Community Forest Monitors with 11 Units of Open Data Kits to facilitate forest monitoring under collaborative forest management arrangements;
- e. ENR-CSOs promoted collaborative forest management through development of guidelines for benefit sharing in collaboration with the National Forestry Authority. Thus, stakeholder consultations on this were initiated;
- f. Pro-poor REDD+ approaches through establishment of sensitisation platforms with an aim to streamline and strengthen institutional and governance structures.

- g. Undertaking comprehensive studies such as determination of policy and information needs for Chinese Investment in the environment and natural resources sector in Uganda, with focus on investment in the forestry, agriculture and the construction (including roads) sector.

Box 1: Specific contributions to the ENR Sub-sector

As ENR CSOs we have supported the forest sub-sector in the production of 830,895 of assorted tree seedlings (in Tororo, Mpigi, Mbarara, Sheema, Kasese, Hoima, Masindi, Lamwo, Kitgum) including fruit trees, agroforestry tree species and commercial plantation species. These seedlings are estimated to cover 748 Ha. We have supported 15 small scale community tree nurseries with capacity to produce an estimated 110,000 seedlings per annum. We have supported the development of Forest Management Plans for 7 Communal Land Associations and 50 Private Forest Owners and supported the opening of 10 kilometres of forest boundaries. Over 1,321.85ha of farmland for 1,533 farmers is under improved land management through Trees for Global Benefits carbon program.

ENR CSOs have also participated in wetland restoration for Nyakambu Wetland system (118 ha) Kashasha Kibingo Rushangi Wetland system (150 ha) and Katara Kanyabukanja wetland system (about 200ha).

We have created awareness on biomass energy use and conservation to address the household cooking energy needs among urban communities. Thus, 109 households in the slums of Kampala were trained on making and using of fuel briquettes from biodegradable waste. In addition 60 households were trained on how to make and use smokeless cookers. 295 households were trained in solid waste management with an emphasis of recycling waste to make crafts.

Under weather, climate and climate change, we have reached a mark of 1,321.85ha of farmland for 1,533 farmers yielding an equivalent to 1 million tons of carbon worth USD 6 million. We have distributed 200 tonnes of briquettes together with 2,455 improved energy-saving stoves and modified 8,000 fixed improved energy-saving stoves. We have produced a combined print of 4,000 copies of policy briefs, publication of the National Adaptation Plan of Action. We have organised pre and post-COP 21 workshops to popularise the Paris Agreement. These are continuously informing DLGs on integrating climate change in District Development Plans.

We have undertaken activities on governance, advocacy and lobbying to inform policy formulation and implementation at the national and local levels. Some of the interventions include the following:

- i) Benefit sharing and access to justice in the Forestry Sector;
- ii) Greening Uganda's 2016 general elections: Key Issues for Political Parties and Political Leaders to Address in their Manifestos; The Role of Local Leaders in Promoting Good Forestry Governance in Uganda;
- iii) Getting More out of the Oil and Gas Sector: Lessons from Angola and Chad;
- iv) The status of oil waste consolidation facilities and restored oil drilling sites;
- v) Enhancing Forest Tenure and Governance in Uganda; the turning point – thinking beyond the forest cover and canopy;
- vi) Citizen journalism – linking media houses with community based forest monitors and community policing;
- vii) Policy and information needs for Chinese investment in Agriculture, forestry, construction industry and roads and the need for environmental cleaning.

As part of our public watchdog role and responsibility, we wish to demand that MWE (and other stakeholders) take action on the following sector challenges:

1. There are forest tenure issues, illegal logging, charcoal and unclear boundaries of Central Forest Reserves.

Recommendation: *The FSSD, DFS and NFA demarcate all forest boundaries to reduce level of illegalities.*

2. Involvement of forest resources managers/officers and the Environment Protection Police Force in illegal activities (trade and encroachment).

Recommendation: *The IGG should investigate allegations of mismanagement in the forest sector.*

3. There is increasing land uptake by development and these are targeting wetlands, forest reserves and protected areas. For example land uptake by the Southern By-pass, the proposed oil pipeline and the Standard Gauge Railway that are designed to go through CFRs (Kajansi and Mabira CFR among others).

Recommendation: *MWE, MoFPED and Ministry of Lands undertake economic valuation of ecosystem values in hotspots for development.*

4. Ongoing issues surrounding Bunyoro-Kitara Kingdom over forest reserves located within Bunyoro-Kitara Kingdom.

Recommendation: *MWE/NFA/CSOs raise awareness within Bunyoro about the role of FRs since there is a lot of misinformation drawing examples and studies on large scale agriculture (sugarcane) and their contribution to development.*

5. Uganda as a country has a complicated land tenure system where some people still claim to own land in wetlands.

Recommendation: *GoU finds lasting solution to land titles located in wetlands. MWE/CSOs to lobby for cancellations and compensation.*

6. There is increased agricultural and industrial encroachment on wetlands – with particular reference to foreign investors from China and India. There is a high investment influx by foreigners on these areas considered marginal land.

Recommendation: *Uganda Investment Authority and NEMA should review EIA process to strongly emphasize environmental cleaning and sanity. MWE should also undertake economic valuation of wetlands and CSOs engage the communities to understand the commensurate importance. The UIA reviews investment licenses for foreign investors to reflect environment and social mitigation measures.*

7. Lack of public information on oil and gas development in the country.

Recommendation: *NEMA, Directorate of Petroleum and CSOs scale up information flow to the public as oil development becomes a reality.*

8. There are few districts in Uganda that have operational District Environment Action Plans (DEAPs) and functional Environment Committees (DECs).

Recommendation: *NEMA/DLGs update DEAPs, revitalizes DECs and find resources for implementation of priorities issues*

9. There are increased incidences of weather and climate related disasters and risks resulting to low levels of agricultural productivity and crop survival due to climate change impacts (Harsh weather conditions, long dry spells and torrential rains).

Recommendation: *Climate Change Department/MWE and CSOs should work towards implementing the national climate change policy (2015) and fast-tracking the Climate Change Bill.*

10. Limited capacity, equipment and tools for early warning systems of potential weather related to catastrophes and therefore inadequate access to information and data on weather affecting agricultural productivity.

Recommendation: *UNMA/CSOs ensure accurate and frequent timely weather and climate information and increase the use of mass and social media for weather forecasts. MWE expands the development budget of UNMA to procure necessary equipment and tools for weather and climate prediction, monitoring and reporting.*

As partners in development, we pledge to undertake the following during the FY 2016/17:

- a. Continue supporting the implementation of ENR Undertakings through mobilization and advocacy role;
- b. Undertake research to support the case for ENR management by providing evidence on thematic areas of interest;
- c. Promote innovations on wise use of the environment and natural resources (particularly addressing the needs of the communities that we all serve);
- d. Provide the necessary debate platforms on topical ENR and related development issues especially through media;
- e. Continue to documenting lessons and best practices for sharing with other actors;
- f. Improve our institutional arrangements and linkages with MWE to further support development of the sector.

About the Environment and Natural Resources Civil Society (ENR-CSO) Network

The ENR-CSO Network in Uganda was founded in 2009 as a loose network with a diverse membership of CSOs in environment and natural resources operating at national, sub-national and international levels.

Vision: The Vision of ENR-CSO Network is, *'Uganda's natural environment providing goods and services, on sustainable basis, for national socio-economic development.'*

Mission: The Mission of ENR-CSO Network is to, *'Mobilize CSOs to effectively promote good governance, effective management and sustainable utilization of Uganda's natural resources.'* The ENR-CSO Network advocates for conducive environment and natural resources policies for sustainable livelihoods, environment and natural resources management.

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The contribution by Advocates Coalition for Environment and Development; Uganda Timber Growers Association and Environmental Alert towards engagements that have resulted into the compilation of the ENR-CSO Network mini-performance report and position paper 2015/16 is very much appreciated.

