



# ENR-CSOs Position Paper on Performance in the Environment and Natural Resources Subsector for the Financial Year 2019/2020

Presented ahead of the 12th Annual Water and Environment Joint Sector Review 2020

Theme: "The role of Water and Environment in the industrialisation and wealth creation agenda of Uganda."

## The ENR-CSOs, which contributed inputs into this Position Paper 2019/20 include:

Abakabaleega farmers and environmental protectors association; Advocates Coalition for Development and Environment; AROCHA Uganda; Association of Uganda Professional Women in Agriculture and Environment; CARE International in Uganda; Community Development and Conservation Agency; Ecological Christian Organization; Ecological Trends Alliance; Environmental Alert; Environmental Management for Livelihood Improvement Bwaise Facility; Fairventures Worldwide; Green watch; International Union for Conservation of Nature; Joint Efforts to Save the Environment; Kabarole NGOs/CBOs Association; Kaliro Environmental Conservation Project, Katakwi Conserve; Marianne Foundation for Youth Development; Training, Education & Empowerment for Neighborhood Sustainability; Tree Talk Plus; Uganda Wildlife Society and Vision for Humanity.

## 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 mission of, 'Promoting and advocating for good governance of Uganda's environment and natural resources.'

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## 1.0 INTRODUCTION

The Environment and Natural Resources Civil Society Organizations (ENR-CSO) Network is participating in 12<sup>th</sup> Annual Joint Sector Review (JSR) 2019/2020 by presenting its self-assessment report and contributions to the sub-sector and an assessment of government's performance against the agreed undertakings past financial year. This is summarised in this position paper.

## 2.0 ENR CSO POSITION ON PERFORMANCE OF THE MINISTRY OF WATER AND ENVIRONMENT

### A. Applauding the Achievements

In the FY 2019/20, the Water and Environment Sector planned to focus on increasing production and productivity in agricultural sector as well as promoting tourism by scaling up afforestation, wetland restoration and irrigation activities. This financial year, the Ministry of Water and Environment received UGX 764.5 billion (combined Water & Environment) representing 3% of the national budget down from 1,265.8 billion (representing 5%) of the total national budget for the FY 2018/19.

We, the civil society organisations working in the environment and natural resources subsector wish to **CONGRATULATE the Ministry of Water and Environment (MWE)** for the progress made towards implementation of planned actions for the Financial Year (2019/2020) and the commitment to continue delivering on the mandate and core functions in the subsector, despite the meagre resources and restrictions imposed by COVID-19 and the associated lock down. We **APPLAUD the subsector for:**

- i) Finalising the guidelines for mainstreaming environment and natural resource issues into sector plans and programs to guide environment related action planning in different sub sectors.
- ii) Developing the Monitoring, Reporting, and Verification framework to guide and track climate change mitigation and adaptation actions alongside pursuing Uganda's progress on the Nationally Determined Contributions, initiatives for enhanced climate change financing and screening.

- iii) Demarcating a cumulative total of 450.39 km of wetland boundaries, restoring a cumulative total of 5,142.9 hectares of critical wetlands and establishing a coding system for eight drainage basins to support the gazettelement process.
- iv) Alongside documenting the impacts of water surge on Uganda's lakes and the subsequent impacts on wetlands, MWE constituted a national task force to investigate cause, impacts and designed strategies for downscaling impacts. This effort was complimented by the Presidential directive to evict encroachers from wetlands.
- v) Initiating the process for the review of the Uganda Forestry Policy of 2001 and National Forestry and Tree Planting act of 2003 as well as the review of the Uganda Forestry Sector Standing Orders; a set of tools for enhancing forestry administration standards, procedures, and ethics.

These, among other developments, demonstrate commitment of the Ministry to continue delivering on its mandate despite the enormous challenges faced.

### B. Concerns

Despite the above mentioned and highly valued success results, there are flaws in management, administration, implementation and delivery of services which raise concerns. **We are CONCERNED that:**

- i) Most of the planned actions under the different sub sectors of the Environment and Natural Resources have not been achieved due to inadequate funding that is reflected in the reduction of financing to the sector in 2018/19 by over 500 billion UGX.
- ii) There is continued insulation of environmental crime through Environmental Impact Assessments (EIAs), permits and licenses as well as court rulings. For example, illegal sugar cane growing in the contested part of Bugoma Central Forest Reserve demonstrates all the above.
- iii) There are delays in operationalizing the National Environment Management Policy and National Environment Act 2019 and delays in finalizing important legal frameworks such as the Wetlands Policy, Wetlands Bill (the process has been on for over two years) and the National Climate Change Bill (the process has been on for over 5 years) yet these are crucial mechanisms for implementation and enforcement to address wetland management challenges, climate related catastrophes and their impacts on community and national development.

- iv) The Ministry of Water and Environment was not considered as one of the sectors providing essential services during the COVID-19 Pandemic and associated lockdown yet it provides for safe water and hygiene, which are crucial for human well-being.
- v) Weak inter-agency coordination and collaboration remains a challenge and this is mainly aggravated by the conflicting mandates and roles related to compliance and enforcement of policy frameworks. For example, the titling of land in arguably in Bugoma Forest Reserve for sugar cane production is an example.

### C. Recommendations

We JOIN the MWE in the identification of solutions to challenges that the sector faces. We wish to **RECOMMEND** the following:

- i) **With support from ENR CSOs, MWE** should continue to lobby for increased budget allocation to the ENR sector, but more importantly explore various financing mechanisms presented through climate change funds such as the Green Climate Fund, Adaptation Fund among others.
- ii) **MWE and the District Local Governments** should plan and budget for capacity building and recruitment of technically competent staff to complement the existing human resource.
- iii) **MWE/National Environment Management Authority (NEMA)** should fast track operationalization of the National Environment Management Policy and National Environment Act 2019 and fast track approval of the Wetlands Policy and Bill, and the Climate Change Bill as framework tools to strengthen inter-agency coordination, implementation, enforcement, and compliance to the ENR policy frameworks in order to achieve the set policy aspirations.
- iv) **MWE/NEMA** in liaison with **Ministry of Lands Housing and Urban Development** should strengthen compliance to ENR laws in respect to investments in agro-commodities e.g. sugarcane, palm oil, tobacco, rice that target protected areas and ecologically fragile ecosystem. The **ENR-CSOs** should advance their lobbying and advocacy engagements to influence decision making of financing institutions in respect to such investments that aim to degrade the environment, seeking compliance with international best practices as well as self-declared green policies.
- v) **MWE and Development Partners** should develop a comprehensive response recovery plan and standard operating procedure cognizant of pandemics of the nature of Corona Virus Disease – 19 (COVID-19) and the need to be recognized as a sector providing essential services in case of a breakout.
- vi) **The ENR CSOs** should support **MWE** in creating massive awareness while prioritizing engagement of lower level government and non-government structures, especially communities to emphasize their role as community-based monitors in natural resource management.

### 3.0 OUR COMPLIMENTARY ROLE IN SECTOR DEVELOPMENT

This financial year 2019/2020, 22 members of the network reported compared to the 46 that submitted in 2018/19 financial year. The reduction in reporting is partly attributed to the COVID-19 pandemic disruptions.

#### 3.1 Financial contribution of ENR CSOs to the sector

ENR CSOs contributed USD 1,987,482 (only 13.6% of budget allocation to MWE) in implementing activities in the sector down from

USD 4,571,041 (6% of budget allocation to MWE in 2018/19). The reduction in financial resources can partly be explained by the global pandemic of COVID-19 and the lockdown. **Figure 1** shows how CSOs have contributed to the sector over the years.

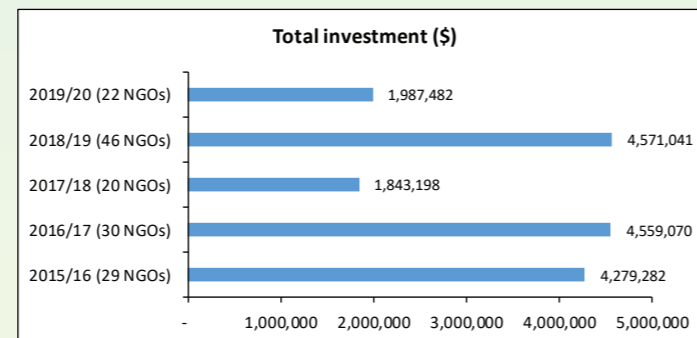


Figure 1: Investment made in the Financial Year. Source: ENR-CSO annual performance report, 2020.

Of the USD 1,987,482, 26% was spent on forestry, 23% was spent on environment (described as the non-green components of the environment), 13.9% spent on wetlands, 17% spent on weather, climate and climate change, 15% on governance of environment and natural resources while 3% was spent on cross-cutting issues.

#### 3.2 CSO achievements in the forestry sub sector

ENRCSOs in collaboration with the Save Bugoma Platform are continuously petitioning the Parliament of Uganda, Bunyoro Kitara Kingdom, Hoima Sugar Company Limited to **desist converting 21 square miles that are part of Bugoma Central Forest Reserve into sugar cane**. The ENR CSOs joined a massive campaign to halt the proposed construction of a **360MW hydropower dam at Murchison falls**, calling upon government to uphold the conservation status of the Murchison Falls National Park.

CSOs have also reviewed collaborative forest management engagements between the National Forestry Authority and different Collaborative Forest Management (CFM); **highlighting that many of the groups are orchestrating to grab land in forest reserves, with some abusing CFM principles**.

The ENR CSOs supported distribution and planting of over **916,655 assorted tree seedlings** including both exotic and indigenous translating into **825 hectares** of land planted. A survival rate of 68% is thus far reported.

A number of capacity building initiatives have been undertaken. These include:

- i) **Capacity building in understanding of gender, leadership and conflict management in respect of river bank protection in Bukalasi and Bushiyi sub counties, Bududa district.**
- i) **Ecosystem based Adaptation (EbA) measures namely; soil and water conservation, river bank restoration in Sipi-Chebonet and Atari-Kaptokwoi micro catchments in Kapchorwa district**
- ii) Community based monitoring, surveillance and reporting of forestry related illegalities, with a focus on trade in *Azelia africana* and *Vitellaria paradoxa*.
- iii) Offered a 1-year Forestry Practitioners training to 300 vocational students, 6 teachers and 150 farmers in basic agroforestry practices

Through the Climate Action Network Uganda, ENR CSO members were trained in **forest valuation and forest certification** based on the Forest Stewardship Certification model.

#### 3.3 CSO achievements in the environment sub sector

The ENR CSOs established a **platform for sustainable commercial agriculture focusing on tobacco and sugarcane value chains**. Over 30 selected out-growers (for sugar in Masindi) and 56 contract/licensed farmers (for tobacco in Nwoya) were trained.

The Green Economy dialogue has been embraced by ENR CSOs who have engaged stakeholders on **inclusive green growth for Albertine leaders**, in Fort Portal and the Green Economy Network activities leading to the support to MWE to finalize the Rwizi Catchment Management Plan. This will see the rollout of green actions in the district local government.

As part of the green economy discourse, ENR CSOs have engaged national processes such as the finalization of the **National Development Plan III**, and being part of the implementation of the Inclusive Green Growth for Poverty Reduction Program.

One of the members of the network supported Otuke town to establish a dumping site intended to **improve waste management practices and trigger recycling of 15 tons of plastic waste to explore opportunities** for non-state actors in the waste management value chain in Uganda.

The ENR CSOs supported the Directorate of Geological Survey and Mines to organize a Karamoja regional consultative meeting for **the Mining and Minerals Bill 2019** focusing on the formalization of artisanal small-scale miners and observation of environmental protection.

#### 3.4 CSO achievements in the wetlands sub sector

ENR CSO have supported the **process for the draft national wetlands policy and wetlands bill** and undertook a study on the **impacts of rising water levels on wetlands in Lake Victoria** that reinforced earlier views surrounding the fears on increased encroachment on wetlands.

Civil society have **utilized the presidential directive to evict encroachers in wetlands** to engage communities; supported communities to develop wetland management guidelines, form wetland management committees and demarcate wetlands. As a result, **1,500 ha of degraded wetlands have been restored**, with installation of concrete pillars at the highest water mark of the wetland, in some instances bamboo seedlings were planted at an interval of 5 meters in between the concrete pillars.



Figure 2. Refugees participating in the demarcation of Kakoni Wetland in Kyaka II refugee settlement. Photo Credit: Joint Efforts to Save the Environment.

#### 3.5 Weather, Climate and Climate Change

The ENR CSOs supported the process to fast track completion of the Climate Change Bill through the Parliamentary Forum on Climate Change; now the Bill has been presented to parliament for the first reading.

CSOs participated in processes leading to COP 25 by organizing the Pre-COP 25 meeting to inform the country on readiness of the negotiators and develop a CSOs position paper, including a joint CSO dossier for COP 25.

CSOs undertook tracking of adaptation financial flows from 2013 to 2017 looking at 21 big projects; revealing that 54 percent of reported climate finance flows from 2013 to 2017 were adaptation related. Throughout the whole assessment process, capacity of over 37 actors including 11 women was built in Adaptation Finance Tracking using the Multilateral Development Bank Tool and Organisation for Economic Co-operation and Development Rio Makers.

CSOs have negotiated increased adoption of climate indicators by sectors and prioritization of the Standard National Climate Change Indicators for Program Based Budgeting System (PBS).

#### 3.6 Environment and Natural Resources Governance

The main governance concerns this year has been the giveaway of part of Bugoma CFR. The ENR CSOs responded to this with a 'Save Bugoma' initiative where CSOs have concentrated efforts engaging different sector actors to address concerns related to management responsibility of the contested area, court cases related to ownership of the land, concerns over the process of issuance of the Environment and Social Impact Assessment Certificate among others.



Figure 3. Banner of the Save Bugoma Forest Campaign.

The East African Crude Oil Pipeline (EACOP) has been another area of contestation, with CSOs building the capacity of communities in districts aligned along the pipeline to be able to demand for compliance to international best practices and provisions in the oil and gas laws as well as environmental laws of Uganda.

CSOs have engaged Government of Uganda on borrowing funds to address challenges brought about by COVID-19 pandemic and the associated lockdown. There is concern that if the Government of Uganda continues to borrow, this may cause distress and affect management of environment and natural resources.

CSOs have engaged the directorate of budgets and there is willingness from within the directorate of budgets, ministry of finance, to increase the budget for green actions. There is expressed intention to strengthen expenditure tracking, inspection and accountability on green growth. Actualization of this willingness requires constant engagement as government priorities drift depending on situations. For example, there have been diversions of funds towards fighting the COVID-19 pandemic.

On agro-commodities, CSOs continue to warn that Uganda is at a risk of losing its natural capital if concerns related to land uptake for agro-commodities is not addressed. Key among these commodities is oil palm (in Kalangala and Buvuma and the planned expansion into Mayuge), sugar cane (in Bugoma, Atiak and Lamwo), and tobacco in northern Uganda and tea in south western Uganda among others.