

NAPE LOBBY

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Crave for new laws: What is going wrong?

Uganda's Experience



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The challenge to the rule of law in Uganda is not lack of enough laws but rather, lack of the will to implement the existing laws and abuse of some of the laws by the state.

We do not have the Rule of Law where all persons and authorities are bound by and are equal under the law. Rather, we have Rule by Law, where the rule of a few, who have positioned themselves above the law, is meted out upon the many by use of the law.



EDITORIAL

Uganda is a country with numerous laws some of which, the vast majority of Ugandans possibly do not know, yet many more laws have been proposed. There is also a number of lobby and advocacy groups (activists), politicians, businesses and religious institutions whose activities make them vulnerable, and therefore, need protection. While Government has purportedly formulated these laws to protect citizens of Uganda, some of the laws have instead ended up repressing the people they are supposed to protect. These laws among others, include: the Public Order Management Act, Anti-Pornography Act.

Today many Ugandans live in a time of legal uncertainty; they can never predict when the law that is supposed to protect them will be used against them. It is therefore, not surprising that many Ugandans have lost confidence in some of these laws and resorted to mob justice. People and organizations with dissenting views on development processes and on the current governance practices live in fear of harassment, intimidation and other forms of injustices. More than ever, today Ugandans are confronted with growing police impunity, autocracy and neglect of the rule of law.

Civil society organizations working with rural communities impacted by government and private sector led development processes are increasingly being grossly affected by restrictive laws that require them to first seek permission before implementing their work in communities. Such restrictive laws delay implementation of work and at worst some NGOs; especially those working in the oil region, have been threatened with arrests and withdrawal of their work permits.

The craze for legislative action being recently pursued by government may not be accidental. It reveals a designed mechanism of rule by law as opposed to using rule of law aimed at controlling the work of NGOs and suppressing community voices and participation in decision-making on the management of natural resources and national development process.

In this issue, NAPE Lobby discusses how repressive laws impact on Ugandan citizens.

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of Professional Environmentalists (NAPE)
P. O. Box 29909 Kampala, Uganda
Phone: +256 - 414 - 534453
Fax: + 256 - 414 - 530181
E-mail: nape@nape.or.ug
<http://www.nape.or.ug>

Will the “Laws bonanza” enhance the rule of law in Uganda?

By Allan Kalangi

The 9th Parliament of Uganda seems to be working on a deadline to pass as many laws as possible without thinking about their implications. Since late 2013, the House has been passing bills and the President has been promptly signing them into law. Prominent among these is the Public Order Management Act, the Anti-Pornography Act (mini skirt) and the anti-homosexuality Act.

The Anti-homosexuality Act has particularly brought Uganda in the limelight as a country with no respect for minority rights, and led to some of the Country's development partners like Sweden, Ireland, Netherlands and the US to reduce on financial aid.

The Anti-pornography act on the other hand, has led to ‘lumpens’ undressing women on the Ugandan streets under the pretext that they are implementing the clause against wearing of mini-skirts. What is absurd is that this Act doesn't mention the word mini-skirt anywhere in its clauses. Allowing mobs justice is a clear indication that the rule of law is no longer a priority in this country. Surprisingly, the Minister of Ethics who fronted this piece of legislation did not even come up to condemn the hooligans who were abusing ladies on the streets.

The police have already been implementing the Public Order Management Act by stopping opposition leaders from holding public meetings in different parts of the country. The latest incident was in Kabale where the Forum for Democratic Change (FDC) President, Gen. Mugisha Muntu

and others were stopped from appearing on a radio talk-show which had already been paid for.

My question therefore, is whether we need these new laws or not? Aren't the existing laws enough to enforce rule of law in Uganda? Some people have described these new laws as draconian and retrogressive and I tend to agree with them. I also do not see the logic of enacting a law on something which is already outlawed.

The penal code outlaws homosexuality and the constitution does not allow same sex marriages. The problem in implementing the law has been getting concrete evidence of people engaged in homosexuality acts. Enacting a harsher law does not mean that the evidence will be easy to get. This law will just end up remaining on the shelves. Imagine the time and funds spent on developing a law that is difficult to implement plus the bad image it has caused Uganda, and the budget cuts? Hon. Miria Matembe, former Minister for Ethics, while addressing NAPE staff recently recited a Kinyankore proverb, “Okwo n'okukwata obuta kweyangisa ekikoona” meaning holding an arrow and bow to turn yourself into an enemy of a crow, when you know very well that you cannot manage to shoot it.

My contention is that legislating on issues of morality is wastage of time. What is necessary is to



The 9th Parliament in session

maintain, revive and nurture those aspects of our cultures that for centuries guarded our societies from degenerating into acts of immorality. There are unwritten laws which used to be taught to young people to know and uphold the norms of society. People would grow up knowing the dos and don'ts of community. This is what kept is morally upright but not these many written laws, most of which, are regressive. Home-based education has now been ignored, some people consider our African cultures as backward and now we all expect the written laws to be the drivers of morality in our societies.

Ugandan legislators seem to be using emotions in passing laws. When MPs, mostly from the ruling party were passing the “phone tapping bill” they did not remember that they are part and parcel of the Ugandan community who would be affected by the same law. The first culprit of this law is the main architect and mover of this legislation.

The challenge to the rule of law in Uganda is not lack of enough laws but rather lack of the will to implement the existing laws and abuse of some of them by the state.

Source: NAPE

Restrictive laws affect Non-governmental Organization's operations in Uganda

By our staff reporter

A large number – perhaps thousands – of nongovernmental organizations operate in Uganda. The government allows some groups, particularly those involved in service delivery, significant latitude. But oil transparency, land, governance, and human rights groups have had an increasingly difficult time both carrying out their work and advocating for change in public forums.

Current laws governing NGOs in Uganda create a highly restrictive regime, allowing unwarranted interference into NGO activities. NGOs are subjected to excessive bureaucratic control through mandatory registration, which is subject to broad executive discretion. Additionally, government officials are granted wide-ranging powers to limit the scope of NGO activities. For example, NGOs are required to give seven days' advance notice in writing to local authorities if they intend to make direct contact with people in their area of operation.

The government is deploying hostile rhetoric and an array of tactics to intimidate and obstruct the work of non-governmental organizations on sensitive issues such as governance, human rights, land, oil, and the rights of minority people. Tactics include foiling public meetings, forcing NGO representatives to issue apologies, physical harassment, threats of arrests and detention, and heavy-handed bureaucratic interference in NGO registration and operations.



Police barricade a street in Kampala to stop civil society assembled to denounce Mabira forest give-away in 2007

Police barricades a venue for public meeting. The public experience of police in Uganda today is marked by excessive use of force, illegal arrests and detention, torture

Written laws Vs Unwritten laws: Implications for ecosystems governance

By Shillar kyomugisha



Written laws are sets of rules, principles and or guidelines made by man and enforced through social institutions to govern behavior of a community or country. It is a formally recognized mechanism of social control that is reflected in national constitutions of all states. While unwritten, or Earth Law is not written, but a living law. It is a way of life, guided by moral responsibilities where the whole earth community has a duty to care for, and contribute to the integrity and well-being of all including future generations.

The difference between written and unwritten law is that written laws can be altered by way of amendment to the laws to suit the interests and needs of the framers. But this is not possible with unwritten or earth laws because there is no standard steps to alter unwritten laws.

Altering of laws is driven by human interests to accumulate wealth and attain absolute power over others. Meanwhile unwritten or earth laws aims to achieve sustainable livelihoods –living and working that honor the interactions

between healthy human communities, intact ecosystems, and prosperous economies, and ability of future generations to meet their needs.

In recent times in Uganda, many pieces of laws in the national constitution have been amended, and even new laws introduced

even when they are unpopular and not easy to implement. Often times these laws are formulated to serve the interests of a small section of society (the politically powerful and rich) and always do not protect the rights of communities and the environment.

At a global scale, the many interrelated crises which the world is living through today –from massive deforestation, mass species extinction to climate change and social and economic inequalities are the results of a n alarming breach in human principles o f governance over the last fifty or so centuries where written law has been used to legitimize social and ecological destruction. Short-term h u m a n interests, fuelled by an insatiable

drive to accumulate money and power, have been enshrined in national laws in total disregard for the well-being if the larger earth community.

Application of the unwritten or earth laws in the governance of natural ecosystems started since the creation of the earth. Communities on planet earth have been applying these laws since time immemorial in the governance of natural ecosystems and effectively and successfully protected natural food systems and seeds for reproduction and spread of plant varieties until the last few decades when the concept of globalization come into play.

Unwritten or earth laws work in accordance with the formational of the earth and respect the natural form without altering it, for example, rivers flowing in a certain direction , forests situated where they are and the existence of certain plants and animals species in a given location. Community governance systems were determined and acceptable by particular communities for example performing rituals on particular spots (sacred natural site) located



Source: NAPE file photo



Africa indigenous seeds that are in the verge of extinction

on rivers, forests, and or lakes to appease the creator and achieve a particular purpose for example, increased fish catches, rains to fall, and bumper harvest among others.

Through this, the lake, forests and river ecosystems would be preserved because all communities would see them as their source of livelihoods. Communities would also preserve certain sacred seeds because they would be used in the performance of rituals and through this, communities would remain food sovereign.

Unfortunately, this trend has sadly changed completely with the introduction of 'written laws' that have superseded the unwritten or the earth law and community governance systems. The crave of certain powerful individuals to control others and accumulate more money has resulted in the formation of bad laws, for example the Biosafety and Biotechnology Laws which promotes genetic engineering of animals and plant species, Plant Varieties Protection Law which promotes individual personas to have patent rights over certain seed varieties and the Wildlife Act, which permits replacing natural ecosystems with ther developments

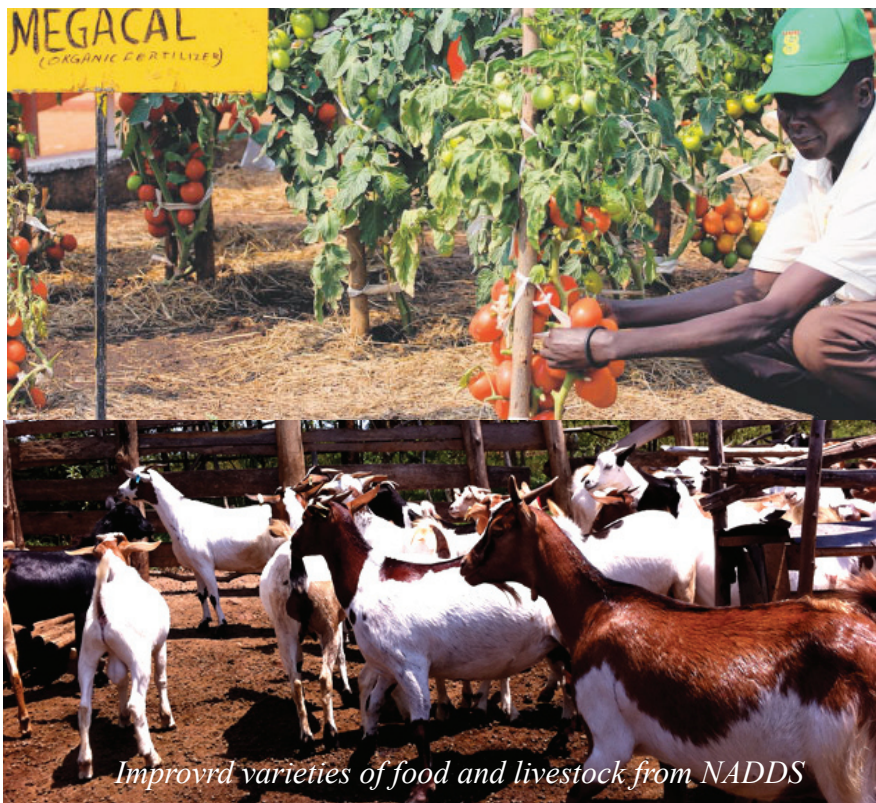
among others. Important to note is that little is mentioned on the role of community governance system in the conservation of ecosystems.

Government of Uganda through its programs such as National Agricultural Advisory Services (NADDs) is promoting improved varieties of crops, plants and livestock in many rural areas of Uganda. This in some way has

deprived people of their food sovereignty because some recent media reports indicate that already, these varieties of crops cannot be replanted while for the trees (pines in particular) and livestock, cannot regenerate and reproduce respectively.

The situation has been worsened by the extractive developments of high-value minerals such as oil and gas in fragile ecosystems and even in sacred natural sites, lakes, and wildlife reserves. This extractive model of development is greatly affecting the Lake Albert ecosystem. Already there are media reports of decreasing fish stocks and a risk of water pollution as some of the oil well such as Ngassa 1 and 2 are found in the lake.

There is urgent need to review and reclaim the earth law and community governance system because this will go a long way in reinstating mother earth as well as addressing the negative impacts of ecosystem degradation. Short of this, will lead to complete loss of life giving systems.



Improvrd varieties of food and livestock from NADDs

New climate approach: Stop talks and focus on climate benefits

By our staff reporter

With no realistic plan of action to limit the effects of climate change despite over 20 years of climate discussions, perhaps there is need to just stop talking about climate change, and focus instead on the benefits of climate action – clean air, vibrant forests, safe and secure energy, less waste, more jobs and healthier lifestyles.

We should see things differently. We should talk about positive ideas, solutions, fresh perspectives, ways of living that will lead to new positive relationship between people and the environment. It seems that shouting about the dangers just makes people put their fingers in their ears. All climate debates are dominated by doom and gloom, and by the other side of those who argue that climate action is a costly burden that cannot be afforded by many. Savings in health care and clean energy costs could far outweigh the cost of investing in low-carbon technologies.

Co-benefits are easy to see. They tend to be local, immediate and more visible than climate benefits. Focusing on these goodies could mobilise much stronger public support for climate action.

Co-benefits of climate action

Cleaner air and water



Oil flaring in Buliisa, in Uganda's oil region

Switching to clean energy could save millions of lives, cut the number of sick-days, and save health care costs.

There are benefits for crops and ecosystems, with less damage from ozone, acid gases.

Fossils -Coal, oil and gas are the main source of air pollution that kills millions of people every year and leaves many more hospitalized.

Oil contamination of farmland leading to inability of land to support food production leading to food shortages and severe hunger of local people.



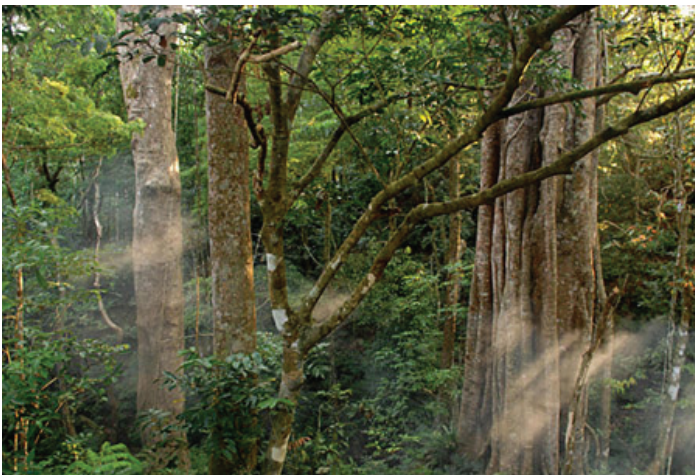
Abandoned oil rigs sitting on contaminated ground in the Niger Delta, Nigeria



Dead fish floating in oil contaminated river water in the Niger Delta, Nigeria

Frequent oil spills can deplete fish stocks in rivers and lakes, and caused widespread contamination to water for domestic and industrial consumption. Many local communities depend on fishing for their livelihoods.

Forests



Part of the remaining tropical forest in Uganda

Forests, especially tropical forests, are hotspots of biodiversity. They provide vital habitat for pollinating insects, medicinal plants and wild varieties of food crops that help to make our food system more resilient against pests, disease and climate change.

Forest help protect against floods and landslides by soaking up water and stabilizing soil on steep slopes. They enhance rainfall and help to cool the local area. It's hard to put a price on these invaluable services.

Agriculture / Farming

Avoiding the over-use of artificial fertilisers cuts nitrous oxide emissions, saves money for farmers and slashes air and water pollution from ammonia and nitrates.

Adding organic matter such as compost and manure to soils, stores carbon as well as improving soil structure, fertility and water retention.



Safe and secure energy

Source: Google images



Renewable energy is safe, clean, locally produced, and getting cheaper. The price of solar panels has halved over the last few years, and wind and solar power are now competitive with fossil fuel in many countries.

These are infinite resources that communities need to take advantage of.

Enough sunshine and wind is available in most parts of the world. Uganda has sunshine of over 8 hours a day all year round.

Generation of less waste

Avoid much of the damage associated with producing resources, such as air and water pollution from mining and processing metals and minerals, and deforestation and biodiversity loss from producing food, timber and paper.

It will also cut the demand for dwindling resources such as rare metals, water and phosphorous fertilisers – helping to avoid price spikes, supply shortages and conflict. It will cut the cost of waste disposal and the need for more landfill sites.

And more efficient manufacturing processes can even make factories cleaner, quieter and more pleasant places to work in, boosting



Kitezi land fill in Mpererwe near Kampala

Avoiding false solutions

Some climate-friendly technologies have negative impacts, such as the problems of disposing of nuclear waste and the potential issues with growing biofuels feed stocks on land that could be used for food crops as well as growing crops such maize, cassava, beans among others primarily for fuel production.

There is need to design smarter climate policies and prioritising the options that offer the most co-benefits and the fewest drawbacks. The climate change story needs to be changed to focus on positive vision of a clean, efficient, low carbon future. Climate action is a tremendous opportunity to make the mother earth cleaner, safer and more prosperous. Let's make sure everyone can see it that way.

Local communities are key stakeholders in sustainability of natural resources

By our staff reporter

Rural communities in Uganda face enormous challenges as their social, economic, and environmental resources are depleted and destroyed. Sustainable development represents a holistic way to achieve recovery and enhance the quality of life for everyone in these communities by developing local efforts to revitalize local economies, limiting soil, water and forest degradation, improving the status of disadvantaged people within the community, conserving natural resources, and promoting cooperation and efficiency.

NAPE assists rural communities in building a bridge to a sustainable future by strengthening and restoring rural communities. One of the greatest demands on social inventiveness is building effective linkages among healthy communities to coordinate life-sustaining activities on a wider scale.

Today's societal challenges, such as the economic crisis, global climate change, access to adequate and safe water supplies, adequate safe food, and continuing degradation of the environment require new and innovative strategies in order to achieve improvement in rural communities. And solving local problems requires consideration, understanding, and working within the bigger picture to lessen potential unintended consequences from actions.

NAPE through her Sustainability School program works with rural communities and local groups to attract a "civic critical mass" of community participation, because without maximum stakeholder involvement there is usually not sufficient public buy-in and commitment to realized sustainability of natural resources. The communities themselves are involved in a number of activities and projects aimed at protection and restoration of their resources.



Community members learn and share about the interactions between people and their environment and developing attitudes and behaviours for a more sustainable future.

A training for communities of change organized by NAPE in Kalangala

Representatives of rural communities in Masindi, Hoima, Kibaale and Buliisa in Uganda's oil region drawing an eco-map to identify sensitive ecosystems in their community that are under threat by human activities and the oil development projects. After identification of these resources they will come up with strategies for protecting and conserving them.



Communities drawing their ec-map

The downside of green growth: Where does it leave poor communities?

By Ian Christoplos



Green-growth model is a concept of effectively using natural resources to increase the competitiveness of the economy, create jobs and improve people's living standards while coping with climate change and contributing to efforts to reduce greenhouse gas emissions.

Eco-friendly technologies, as such, mostly do not put poor at risk. The dangers are how they are applied and by whom. The goal must be to empower disadvantaged communities to take their fate in their own hands. Otherwise, green-growth strategies can compound problems of poverty and destructive even in environment. In the recent discourse, green growth is primarily a slogan, rather than a clearly defined concept. The slogan is powerful nonetheless. It serves to mobilize potentially huge investments. It is necessary to understand how this slogan is interpreted and how it is used to justify certain types action.

Proponents of green growth tend to promote the transfer of a set of technologies that are supposed to serve environmental sustainability and growth at the same time. The idea is that we can move to greener economy without sacrificing-growth oriented paradigms.

In general debate on poverty and growth, however, it is mostly acknowledged that growth is only a condition, not a guarantee for poverty alleviation. Nonetheless, people

who promote green growth hardly ever raise this issue. They should. Decades of development, corporation has taught us that no technology can be indiscriminately applied to every socio-economic context. It is always necessary to consider the implications within the micro dimensions of political economy of poverty.

Wrong focus

The focus of green growth strategies is on technologies, rather than on who will use them and how. That must change. We need to consider how exactly green-growth strategies will benefit the poor. If, on the other hand, the users of the technology are not the poor and climate vulnerable, the impacts on them must be assessed.

Green-growth rhetoric often suggests the extent of win-win solutions. In truth, adaptation to climate change is a complex challenge. Every green-growth policy, for instance, depends on natural resources. The most important are probably land and water. Access to these resources is contested almost everywhere. Unless we know how the application of a new technology will impact on the

distribution and use of land, water and other vital resources, it is impossible to tell whether it will serve or hurt the poor. All too often, however, the related questions are not even asked.

If the goal is to fight poverty, the focus must be on the people who are exposed to climate change impacts and environmental risks, but who have only limited capacities to manage these risks. Instead, the starting point for analysis tends to be how to implement a given technical solution, the merits of which are taken for granted. There is too little concern for empowering people to make their own informed decisions. Such lack of respect for local people's needs and desires, however, is a recipe for failure.

Experience gathered in agriculture extension programmes illustrates these concerns. All too often, predesigned technology packages fail to reach the poor because the target group chooses not to adopt them, or does not adopt them in an appropriate way. Extension workers are used to being blamed for such failures. The root problem, however,

is normally that the technology package was not designed well in the first place, so it does not match the way farmers think about productivity, commercialization, household food security and related issues.

One example of such mismatches in that smallholder farmer, particularly in remote regions, normally minimized risks rather than maximized output. Their attitude makes perfect sense since their families must subsist on what they grow on their farms. Most extension programmes, in contrast, are geared to boosting output rather than securing the minimum needed for survival. On the other hand, I have also met smallholders that were not interested in the kind of eco-friendly conservation agriculture that extension workers were promoting. The reason was that the farmers expected to make more money by doing casual labour than by trying to increase farm yields by doing what the extension workers proposed.

Neglected but related criteria

The point is that poor people must be empowered to take control of their own lives. That is what a human rights understanding of development demands. Poverty issues must be seen in a context of rights holders and duty bearers.

Uganda's Context

According to the Food and Climate Change Network in Uganda, "Green growth" may work well in creating new growth impulses with reduced environmental load and facilitating related technological and structural change. But growth, technological, population-expansion and governance constraints as well as some key systemic issues cast a very long shadow on the "green growth" hopes. One should not deceive oneself into believing that such evolutionary (and often reductionist) approach will be sufficient to cope with the complexities of climate

change. It may rather give much false hope and excuses to do nothing really fundamental that can bring about a U-turn of global GHG emissions.

Hence, the Food and Climate Change Network cautions on the need to realize that the required transformation goes beyond innovation and structural changes to include democratization of the economy and cultural change. Climate change calls into question the global equality of opportunity for prosperity (i.e. ecological justice and development space) and is thus a huge developmental challenge for the South and a question of life and death for some developing countries (who increasingly resist the framing of climate protection versus equity).

Distinct strands of green economic thinking

There are several distinct strands to green economic thinking. They range from a vision of a paradigm shift in global economics to a more immediately feasible approach focusing on investment opportunities. If political interest in green economics continues to grow in developing countries, as it is now, the differences, and occasional

conflicts, between these approaches may prove challenging to manage. Is it possible for one political vision to win the support of the great diversity of sympathetic parties – from Occupy movement protesters, to development NGOs and large progressive businesses – and sustain this support when the vision is translated into hard policy? And is such an inclusive approach needed?

In Uganda however, there is the wide range of activities that can fly the green flag for instance, the Palm Oil development project in Kalangala Islands in Lake Victoria, with major negative social and environmental impacts. Such cases risk leaving popular audiences in developing countries unconvinced that green economics really can provide solutions to the problems they face, such as poverty, inequity and a lack of social justice.

This problem is not easy to resolve. Green economics risks disappearing into an abyss of discredited theories and ideas if it does not engage powerful actors in government and industry, alongside the NGO community.



*Large-scale monoculture agri-business owned by
BIDICO-Uganda*

Uganda is likely to meet the 2015 deadline on MGD on Water and Sanitation

By Jannet Kemigisha

As the clock ticks to the 2015 deadline that the international community set itself to achieve the MDGs, Uganda has made considerable progress in ensuring that she meets the trajectory target.

On sustainable access to safe water and improved sanitation, Uganda has registered significant improvements in the number of people able to access clean and safe water and improved sanitation to her citizens through out the country. Similar improvements are reported in other MGDs according to the Millennium Development Report for Uganda 2013, although the country need to do more.

According to the Uganda Water and Sanitation Sector, provision of sustainable access to safe water and improved sanitation has registered tremendous improvements, and is on track on efforts to halave the proportion of people without sustainable access to safe drinking water and basic sanitation.

According to Uganda Ministry of Water and Environment (MWE) performance report 2012, safe water supply coverage standds at 69% in urban areas and 64% in rural areas.



Source: NAPE file photo

Many communities in rural Uganda are enjoying access to safe drinking water and improved sanitation, thanks to development partners, especially the African Development Bank (AfDB), which is promoting greater access to water and sanitation for rural communities in Uganda and their work is aligned with Uganda's national goal to increase access to water supply and sanitation services, to achieve 100 percent coverage by 2035.

A woman draws water from a boreholes provided by AfDB for rural communities in Northern Uganda

Challenges to clean water and sanitation in Uganda

There are several factors that Uganda faces in achieving the 2015 target, and these include: Climate variability, inadequate and timely funds to the water and sanitation sector and increasing population growth.



The provision of safe water and sanitation in Uganda is also vulnerable to climate change and variability. The likelihood and intensity of extreme weather events will increase with the smallest increase in temperatures. Uganda suffers from uneven distribution of water resources.

Water crisis: Young girls and women line - up to draw water.

Many communities, especially the rural poor, depend on streams and swamps, for their water supply, unfortunately some of these water sources dry up during severe prolonged droughts.



A girl draws water from a swamp in rural Uganda



A home affected by floods after a heavy rain in the outskirts of Kamplala city. Poor managed solid waste in the compound and a flooded pit latrine pose a health risk to the dwellers of this home.

Floods overwhelm existing systems in urban areas, contaminating drinking water and creating sewerage overflows. In rural areas, a large proportion of the rural poor do not have pit latrines, and therefore floods may pollute sources of drinking water and lead to outbreaks of waterborne diseases such as cholera, typhoid and dysentery. Proper solid waste management also poses a big problem to water drainage systems and a cause of poor sanitation.

Poverty amidst plenty: will abundant mineral resources benefit karamojongs?

By our staff reporter

At the northeastern corner of Uganda, bordering Kenya and South Sudan in the north and Kenya in the east and northeast lies Karamoja region, a home to the Karamojong tribes in Uganda. Remote and semi-arid as this area may be, it is one of the richest regions of Uganda. The area is endowed with valuable mineral resources – gold, limestone, uranium, marble, graphite, gypsum, iron, wolfram, nickel, copper, cobalt, lithium and tin.

Despite the mineral wealth, the Karamajong people are the poorest in the country. For decades, they lived a nomadic way of life, herding cattle as their main stay. They practiced cattle-raiding within, and with their neighboring clans. Their literacy level is the highest in Uganda. The road network is very poor and social services provision is still limited.

It is until recently, ten years or so, when government started encouraging Karamajongs to abandon a nomadic lifestyle and shift to agriculture. Many Karamajongs find they cannot survive on the meager harvest from the infertile soil. They have now resorted to artisanal mining of gold and other minerals. Many families, including children, mine for gold in the parched red earth. These former cattle herders hope to improve their economic lot by selling the small amounts of gold they scratch out of the earth to passing traders from Kenya and or Kampala.

The local communities dig narrow shafts into the earth, hoping to get enough of a break to feed their



A miner passes over the soil he dug to be washed in search for gold

families. Working with primitive tools and under harsh conditions, mining for gold is dangerous and exhausting. Several lives are always lost as a result of collapsed shafts or other safety hazards. But the miners have continued. With lengthening droughts in the region making farming unsustainable and almost nothing in the way of other industry or jobs, the people here say they have little option but to risk their lives in the mines.

Typically male, miners use rudimentary tools to dig holes reaching up to 10 m underground. The miners then spend up to ten hours a day digging earth from tunnels. The earth is then passed to the surface in homemade containers where it is washed and sieved. Mining of some of these valuable minerals has been a preserve of these local artisanal miners. But that is changing.

Investment in modern, albeit small scale, mining is booming following government's moves to

attract mining companies into the country. There are many mining companies today, at different stages of the mining process operating in Karamoja region. These companies include: East African Mining, Jan Mangal, and DAO Uganda.

But there is a looming conflict between the local artisanal miners and the large scale miners who have been granted permission by government to operate in Karamoja. According to Human Rights Watch, the local communities are concerned that these companies and government have excluded customary land owners from making decisions about the mining developments on their own lands and has proceeded without their consent.

The Mining Act, 2013 requires negotiation of a surface rights agreement with landowners before mining begins and payments of royalties once revenues flow. However, the law does not require

Source: Google images



Karimajong pupils struggling to study

any communication or consent during exploration work. Mining companies have utilized this loophole in the law to disregard the Karimajong people's land rights. In some cases the companies have fencing off swaths of land without the consent of the land owners.

According to Human Rights Watch report 2013, Jan Mangal, a company with roots in India's jewellery industry, arrived in Rupa, an area with high deposits of gold in Moroto, in mid-2012 with excavators and other mining equipment with the support of high-level government officials, but without the knowledge of community land owners.

While the company has since negotiated with several individual members of the community for approval to use the land, many elders and most community members claim they have no idea of what has been agreed upon. This has prompted inter-communal animosity and accusations that certain elders have sold the community's land.

Land in Karamoja is held communally and used for grazing livestock, growing crops, as well as for traditional purposes such as burials and spiritual rituals. However, in the new mining concessions,

And government is committed to develop Karamoja to match other regions in the country.

The feature is pright for Karamoja

Blessed with many minerals resources, Karamoja represents a typical case of two extremes: abundant mineral wealth and abject poverty.

Government of Uganda is making strides in transforming the area to match the rest of the country in development.

Like the rest of the country, the health system is gradually improving. Several health centres have been built and equipped with drugs and other equipments. Moroto hospital was upgraded to a regional referral hospital and adequately equipped to handle new role as expected and

the respect of community's right and communal ownership does not appear to be considered in the Act. Communities however, do not oppose the extraction of the resources, but would like to benefit from their resources.

constructed staff quarters, maternity wards and encouraged expectant mothers to utilize health centres when giving birth. A mobile school system was also started a few years back

For the first time in history, the region now has hydroelectricity. Moroto, which is the main town in the region, is now connected to the national grid, while other areas in Karamoja region will soon receive the power. The region will also soon have its first tarmac road. The Moroto-Nakapiripirit-Muyembe road is already under construction.

Government has tried to open land and provided seeds for planting and garden tools in Karamoja to boost the region's food sustainability efforts. A tractor hire scheme has been initiated, while there are also hand tractors and ox-ploughs for hire.

Unfortunately, Karamoja is a semi-arid region. The region experiences prolonged drought and when rains come, it is always erratic. This unconducive climate has frustrated these agricultural ventures and Karamoja remains far from a food basket that is thought.



A Karamajong man sits in front of his house

Will the huge Inga Hydro Projects on River Congo bring power to Africa's People?

By Fred Pearce

A giant new hydro project on the Congo River is only the latest in a rush of massive dams being built across Africa. Critics contend small-scale renewable energy projects would be a far more effective way of bringing power to the hundreds of millions of Africans still without electricity.

Sub-Saharan Africa, where more than three-quarters of the population is without electricity, will soon be lit up — or that's the promise of governments building a host of new hydroelectric schemes across the continent. These projects are an attempt to keep up with the rising power demand from Africa's economic boom. But the trouble is that, like the boom, the power seems destined to benefit only small industrial and urban elites. For the rest of Africa's billion inhabitants, this investment looks unlikely to further UN secretary general Ban Ki-moon's goal of "sustainable energy for all."

The Congo River in central Africa — the world's second-largest river after the Amazon — is the latest focus of the rush to harness the continent's rivers for generating electricity. On May 18, the government of the Democratic Republic of the Congo (DRC) announced in Paris that it was initiating the first phase of the world's largest hydro scheme on the river's majestic Inga Falls. At these falls, downstream from the capital Kinshasa, the massive Congo's entire flow of 42,000 cubic meters a second cascades down a series of rapids, falling 100 meters within a 15-kilometer stretch.

South African hydro-engineer Henry Oliver has called Inga Falls



The site where Inga 3 hydropower dam is to be constructed on River Congo in DRC

“one of the greatest single natural sources of hydroelectric power in the world,” and his fellow engineers have long dreamed of tapping these waters to power an Africa-wide electricity grid. Two small schemes built in the 1970s

The completed project on the Congo would be twice the size of China's Three Gorges dam.

and 1980s, known as Inga I and Inga II, are largely moribund, victims of the DRC's wrecked economy and long-running civil war.

But the idea was revived a decade ago, when world leaders pledged a New Partnership for Africa's Development (NEPAD). Now it is Chinese construction companies — including Sinohydro, the world's largest dam builder — who are in l

ine for the contracts.

The first phase, dubbed Inga III, will on its own generate more power than Africa's current largest hydroelectric-dam, the High Aswan on the Nile in Egypt. Construction should begin in 2015 and will cost at least \$8.5 billion. The energy is mostly destined for South Africa, 3,000 kilometers away, where energy utility Eskom has promised to take more than half the capacity of 4,800 megawatts (MW).

But the project's eventual aim, the DRC's water and electricity minister Bruno Kapandji Kalala told the Paris meeting, is even grander. The completed project would be almost ten times larger than the initial phase, making it twice the

Source: International Rivers

size of China's Three Gorges hydro-scheme, currently the world's biggest. It will tap the Congo with 50 separate riverside electricity generating units, each the size of a large conventional power station.

The treaty signed between DRC and South Africa pledges both countries to the \$50-billion development, along with extensive transmission lines to a planned southern African supergrid. The project's promoters say it could one day supply power to half a billion people across the whole of Africa. But the logistics of constructing a distribution to more than a handful of urban centers would take many decades and dwarf the cost of building the hydroelectric works, and nobody has suggested where that money would come from.

There is, it has to be said, an environmental case for the Inga Falls scheme. The Congo River's flow is so strong and so constant that its enormous power can be extracted without a large dam to store water. With no large reservoir, the "run-of-river" scheme will flood little land, thus saving rainforests, reducing the need to move people, and limiting greenhouse gas emissions from rotting vegetation. Unlike many dam projects in rainforests, it will be a genuinely low-carbon source of energy.

The Inga Falls project is only the latest of a rush of giant hydroelectric dams across Africa. They include the recent completion of the 250-MW Ethiopia's Grand Renaissance Dam on the Blue Nile will shortly supplant the High Aswan as Africa's biggest.

Bujagali dam on the Nile in Uganda, which has flooded a much-loved local falls; a 300-MW Chinese dam completed in 2009 in Tekeze canyon at the headwaters of the Nile in Ethiopia, which at 185 meters is one of Africa's highest; and the 120-



Many communities in Africa are still in darkness. Hydropower lines bypass communities as it is evacuated to big cities.

MW Djibloho dam completed last year on the Wele River, which now supplies 90 percent of the electricity in tiny Equatorial Guinea.

But these are small fry. This week, Ethiopia diverted the flow of the Blue Nile while it constructs the 6,000-MW Grand Renaissance dam on the river near the border with Sudan, which will shortly supplant the High Aswan as Africa's biggest. And Ethiopia is just completing the 1,800-MW Gibe III dam on the River Omo. The latter was a favorite of the former Prime Minister, Meles Zenawi, who defended the project against Western criticism in 2011 by saying: "We want our people to have a modern life and won't allow [them] to be a case study of ancient living for scientists and researchers."

That may be. But critics both inside and outside the country say the scheme, which will also provide irrigation water, will wreck the lives of a quarter-million pastoralists and divert so much flow that it will halve the size of Lake Turkana, the world's largest desert lake, in neighboring Kenya. Some call the project a repeat of the Aral Sea disaster in central Asia half a century ago.

Yet Ethiopia is undeterred. It is East Africa's water tower and the source of 80 percent of the Nile's flow. With an economy growing by more than 8 percent a year, analysts say mountainous Ethiopia seems bent on tapping all its rivers before they reach other countries. Besides powering its own industrial drive, it plans on exporting power to its neighbors. To that end, it has set up the Eastern African Power Pool, an intergovernmental authority promoting the transmission of power across the region, linking Ethiopia to Kenya, Tanzania, Eritrea, Uganda and Sudan. The first phase, a high-voltage link between Ethiopia and Kenya, which has World Bank funding, is set for completion by 2019.

In West Africa, Guinea has plans to dam the River Niger upstream of the river's inner delta, a wetland jewel in neighboring Mali that is the size of Belgium. That, say hydrologists at the NGO Wetlands International, threatens the livelihoods of some 1.5 million people on the delta.

In southern Africa, work started earlier this year on damming the Batoka Gorge for a 1,600-MW scheme downstream of Victoria Falls on the Zambezi River, which forms the border between Zambia

and Zimbabwe. And The World Bank, after years of avoiding big dam schemes because of environmental concerns, is back on the case.

China's Export-Import Bank has agreed to help fund the 1,500-MW Mphanda Nkuwa project further downstream on the same river in Mozambique. The Mphanda Nkuwa scheme is also a run-of-river project that will not flood much land. But critics say it will nonetheless be very damaging because it requires a new management regime at the upstream Portuguese-built Cahora Bassa dam that will scupper efforts to restore the ecology of the lower Zambezi delta.

One reason for the rush to build is that the World Bank, after years of avoiding big dam schemes because of environmental concerns, is back on the case. For instance, it is expected to join the African Development Bank, the Development Bank of Southern Africa, and others in funding Inga Falls.

Meanwhile, Chinese banks and construction companies are keen to get involved, because China wants power to run its growing portfolio of African mines. And the Chinese are less squeamish about environmental downsides than Western aid agencies. Chinese companies recently finished a 1,250-MW scheme in Sudan on the Nile at Merowe, which displaced 15,000 families and flooded a 174-kilometer section of the fertile Nile valley. And they are busy in Ghana damming the Bui Gorge to create a reservoir that will flood a quarter of the Bui National Park.

With financing unlocked, dam builders at the International Hydropower Association this month met in Kuching, in the Malaysian province of Sarawak, to herald an "upsurge in hydropower development" in Africa and elsewhere. But they could not drown

out protests from local indigenous communities against dam building in the rainforest-rich Malaysian province.

And the dam industry's cheerleading was in contrast to a meeting in Bonn, Germany, attended by 500 water scientists from around the world, which agreed that "tens of thousands of large dams" were damaging the flows and ecosystems of most of the world's great rivers, flooding large areas of fertile river valleys, and displacing millions of people. The scientists' meeting ended with a declaration that mismanagement of the world's water resources could "trigger irreversible change with potentially catastrophic consequences."

All countries face choices about balancing short-term economic growth and protecting their natural resources. But the difficulties for promoters of hydroelectric dams are complicated by the joker in the pack — climate change. Parts of Africa almost certainly face major change to rainfall and river flows in the coming decades, with important threats to the sustainability of hydro schemes.

The Intergovernmental Panel on Climate Change (IPCC) has reported the Zambezi as being at special risk, with an anticipated decline in rainfall across its catchment of 10 to 15 percent. Richard Beilfuss, a hydrologist at the University of Wisconsin-Madison College of Engineering and the University of Eduardo Mondlane in Mozambique, says none of the studies Critics say giant hydro schemes are the wrong kind of development for a largely rural continent.



Energy poverty impacts education in rural setting of Africa

for the 13,000 MW of dam projects currently proposed on the Zambezi analyze the risks of changing river flow.

But critics say that giant hydro schemes — whatever their environmental credentials, and whatever the risks from climate change — are the wrong kind of development for a still largely rural continent that lacks power grids to distribute large amounts of centrally generated energy to its inhabitants.

While the DRC talks of sending the power from Inga Falls across Africa, it remains likely that the mass of the Congolese probably won't see any of it, since their country has no national power grid to deliver it to them and no plans to develop one. The main beneficiaries within its borders are likely to be the copper mines in the southern province of Katanga.

Critics contend the Inga Falls plan, like many other big hydro schemes on the continent, runs counter to the aims of the UN's Sustainable Energy For All initiative, which is being promoted by secretary-general Ban Ki-moon. It aims to unlock investment for connecting 1.3 billion people to electricity by 2030, while doubling the contribution of sustainable sources of energy to world supplies.

NAPE received a prestigious human rights award, 2013

By Our staff reporter

Uganda has close to 15 years of environmental protection laws designed to ensure that Uganda's environment and its natural capital is protected. However, these legal frameworks have failed to prevent the increasingly grave threats of climate change, degradation of Uganda's ecosystems, abuse of the rights of nature and humans, and to worsr extent, leading to the growing dislocation of people and wildlife.

To achieve sustainable development even at its most rudimentary level, there is need for government and society to restructure the fundamental framework of our governance systems as they relate to the relationship of humans and our environment.

NAPE recognizes that human communities are inextricably intertwined with the natural communities that sustain them. We also know that nature in all its life forms has the right to exist, persist, maintain and regenerate its vital cycles. And in all this, respect for the rights of nature and humans are paramount.

During celebrations to mark the International Human Rights Day on 10th, December 2013, NAPE was awarded the prestigious Human Rights Award by the Uganda Human Rights Commission (UHRC) in conjunction with the UN Office of the High Commissioner for Human Rights (OHCHR) for her outstanding work on fighting for the rights of nature and human rights in Uganda.

Since her inception in 1997, NAPE's work has been in fighting for sustainable use of Uganda's natural

resources and the rights of communities affected by the numerous development processes in the country. NAPE's work has been focussing on; dams and energy, climate change, water governance, the extractive industry and infrastructure development programme; encompassing oil and gas and other minerals, chemicals management.

NAPE has faced a number of challenges during the course of doing its work but this has not deterred us from standing up for the rights of nature and human rights. NAPE stood out against land grabbing by powerful and corrupt corporations. NAPE has also on several occasions criticized government and large corporation unwise conversion of natural resources into plantations and industrial complexes. At different times NAPE have sued corporations that have exhibited irresponsible behaviour towards wise use of our natural resources. Last year NAPE dragged to court Rose Bud Flower Company for reclaiming the Lutembe wetlands, which is very vital for the good health of Lake Victoria.

NAPE recognizes that freedom and dignity are not privileges; they are acquired as a birthright of every



NAPE's Executive Director, Frank Muramuzi receiving the Award from from Uganda Human Rights Commission boss

person. Justice and fairness are ideals; they are the linchpins of a civilized society. Ironically, these rights are not given freely; they must be won by men and women of courage. Collective gains come through huge personal dedication and sometimes at the price of personal sacrifice, which NAPE has been able to exhibit.

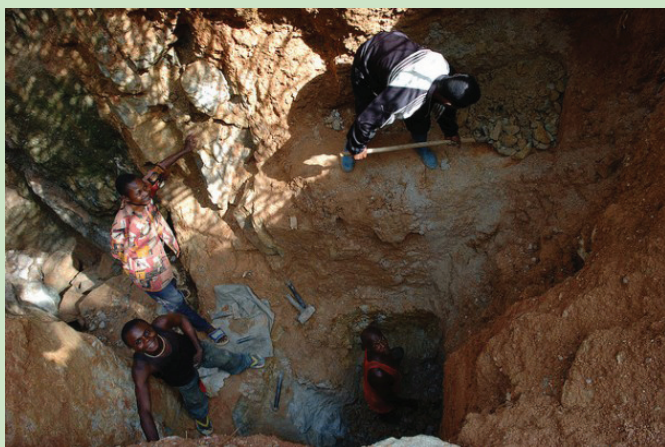
The ideals of a democratic nation must be reflected in its ability to respect rights of its citizens. Government must strive to ensure that its citizens enjoy their rights. NAPE has resolved to continue standing with the environment and the communities who are often times victims of poor decisions-making by government, and suffer suppression from corporations. Even when NAPE has been called economic saboteurs and other kinds of names, we know that there are men and women in the country who understand the good intentions of our work.

Source: NAPE file photos

The extractive industry: Need to include women in minerals development sector

By Betty Obbo

Source: Google images



Minerals are essential for modern living, and mining is still the primary method of their extraction. To date, it appears that the main constraints to sustainability in the mining sector derive from the ever-increasing demand for mined resources; the consumption of resources (mostly energy and water) needed to extract and process metals, and the increasing pollution generated by the extraction process.

Many countries have financed their development through resource extraction. However, there are risks related to natural resource wealth. These include volatile economic growth, limited job creation, violent conflicts, corruption, environmental degradation, gender violence, and spread of HIV and AIDS among communities impacted by extraction activities. Such negative outcomes of resource extraction, however, are not inevitable. They can be tackled through effective strategies, legal frameworks and policies.

For women in particular, extractive industries can provide opportunities for a better life, including increased employment opportunities, access to revenues, and expanded investment in the local community.

women to drive trucks and operate machinery, as they have often found women employees to have an impressive safety record and reduced maintenance of equipment.

Mining, oil drilling and gas extraction all have environmental, social and economic impacts that change women's lives, often in ways that are dramatically different from their effects on men. Ensuring that men and women have equitable access to the benefits of resource development, and that neither are disproportionately placed at risk, requires commitment to understanding and acting on the gender dimensions of the sector.

This means including women in community-level project consultations, and national-level policy dialogues on extractive industries.

Women must have equitable access to jobs,

Women-led businesses can flourish in the extractives supply chain. Working with and investing in women also makes good business sense - for example, many companies are recruiting

education, and participation. They must be included in making the decisions that affect their lives. Gender-sensitive consultation is essential to ensure that analysis; training and policies in the extractive industries not only meet the needs of women, but enhance their well-being.

Benefits of Including Women's Perspectives in Extractive Industries

- Employment of women brings community gains: Where women have access to employment, or are empowered regarding household finances, evidence shows that women are more likely to invest in education, health, and nutrition for their families. Where women have decreased access to employment, and to cash, families suffer.
- Consultation of women in spending leads to more sustainable investment: Where women are involved in community consultations to decide priorities for investment of EI resources – outcomes often have more sustainable development impacts.
- Women can make



Women miners in South Africa



Women miners working with fairtrade Africa in Congo

better employees: Opening job opportunities to women can increase productivity and reduce costs. Women are often more reliable, follow rules, obey health and safety regulations, and can be more reliable employees. Women make-up half the productive labor-force. Discrimination against women in the labor market is an impediment to private sector development and economic growth.

- Gender responsiveness can improve management efficiency: A proactive gender equity approach can free up management time for core business activities rather than responding to investor concerns or conflict resolution within the community.

- Gender equity can reduce community disruption or protest: employing women and incorporating women into consultations can create a more predictable business environment with fewer production disruptions, thus avoiding cost increases and loss of income.

- Women's economic empowerment can be good for community development: Women have a better track record of starting successful business and repaying micro-credit loans, and show a greater willingness to respect safety and environmental safeguards.

Risk of Not Including Women in the Extractive Industries Dialog

oil, water resources and depleted fish stocks.

- Limited control over productive resources.
- Rise in violence and sexual abuse as a result of domestic disputes, alcoholism, drug use, or gambling.
- Rise in prostitution and HIV/AIDS and other STDs.
- Poor working conditions and incidences of sexual abuse for women in the project workforce.
- Environmental damage such as loss of forest and water sources and/or airborne or noise pollution which impacts women's lives and livelihood.
- Loss of safety and security due to influx of construction workers.

Involvement of women in Ugandas' mining sector

Uganda's mineral industry remains significantly unexploited and under-regulated. In Uganda mining is still done at small-scale level -largely artisanal, employing only a few people working at a small mine involving up to thousands of women, men and children across a relatively small area. The sector is usually disorganized or informally organized.

The budding mining industry however, is leaving women on the side-lines as many are challenged

by the technology and the labour involved. The mining process uses rudimentary tools.

The women in small-scale artisanal mining are all illiterate or semi-literate. They do not do the actual digging of the mineral ores but are involved in other mining processes. In artisanal gold mining women are mostly involved in washing of the ore / soil to separate the gold crystals from soil and other sediments. While in artisanal salt mining they do are involved in the winning of salt. These mining processes are laborious and can take up to ten hours a day. Sadly, women do not have direct access to market minerals but sell it to middle men on site who normally under pay them.

Other women in small-scale mining sector operate small businesses such as small restaurants, water kiosks and other essential goods that miners need.

Fortunately with the coming on board of the oil and gas, there is a glimpse of hope for women, both the unskilled and skilled to be involved in the Uganda oil industry. The government of Uganda has a program to train people to work in the oil industry and young girls from higher institution of learning should be encouraged to take interest in the sector. On the other hand, at the community level, NAPE has been targeting women in the communities they work with to sensitize them on human rights aspects of the oil industry so that they can understand and demand to participate in decision-making in the oil mining process.

Government should also ensure that policies and legal frameworks governing the development of the oil industry is engendered. If this is done, we shall have more women involved in the oil industry.



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P. O. Box 29909 Kampala, Uganda
Phone: +256 - 414 - 534453
Fax: + 256 - 414 - 530181
E-mail: nape@nape.or.ug
<http://www.nape.or.ug>