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BY:

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INTRODUCTION

A. About the Submitting Organisations

1. Advocates Coalition for Development and Environment (ACODE), Environmental Alert (EA) under the leadership of The National Coalition of Human Rights Defenders-Uganda (NCHRD-U) convened the Environment and climate change cluster. The cluster comprises of 25 civil society organisations that work towards mitigating the effects of climate change and advocating for the environment and climate change rights in Uganda. ACODE is an independent public policy research and advocacy think tank based in Uganda, working in the East and Southern Africa sub-regions on a wide range of public policy issues for close to twenty years. Our core business is policy research and analysis, policy outreach and advocacy. Environmental Alert is a National NGO in Uganda that has since 1988 advocated for an enabling environment, sustainable natural resources management and food security for targeted communities through empowerment and policy engagement.
2. NCHRD-U was initiated in June 2013 by HRDs from across Uganda. NCHRD-U is a coalition of individuals and organisations working to promote the protection of HRDs in Uganda by facilitating synergy, cooperation and sharing of best practices among the HRD community. With a membership of close to 100 organisations, the NCHRD-U focuses its work in all the regions in Uganda. It plays an integral role in harnessing a transparent and accountable working environment for HRDs in Uganda.
3. Other contributing organisations include Uganda Coalition for Sustainable Development, Green Watch Uganda, Action Coalition on Climate Change, ECOTRUST, Green Watch, Kabarole NGO/CBO Association, Youth Go Green, Kikandwa Environmental Association, Smart Youth Network, Ecological Trends Alliance, The Environmental Shield, TEENS Uganda, Acholi Renaissance Youth Association, Friends of Zoka, AUPWAE, Uganda Conservation Society among others.

B. About this Report

This report arises from the wide consultations with over 25 non-governmental organizations working on climate change and environment issues across the country. Issues were generated from the members during a meeting which also doubled as a training on the UPR mechanism for the members who were not conversant with the process. Data was collected from these organisations, compiled into a draft report that was subjected to validation leading to this final report. In this report, organizations working on issues of climate change acknowledge the positive steps taken by the Government of Uganda to address climate change recognizes that mitigating the effects of climate change requires a global rights-based response, to take action to address all climate change-related actions to respect, protect, promote and fulfil human rights

standards. This report however highlights that despite various interventions' Uganda needs to respond to the challenges posed by climate change through both adaptation and mitigation options to build resilience, which is crucial to ensuring sustainable development.

C. Background to Uganda UPR and Climate Change

Climate change has increasingly been recognized as a current and existential threat globally and presents broad and far reaching ecological, social, economic, and political impacts. Uganda is already experiencing impacts of climate variability and climate change manifested through change of weather patterns and resultant disasters including prolonged droughts, floods and high temperatures.

Climate change is affecting a wide variety of sectors; agriculture, water, health and human settlements have been particularly affected. Environment and natural resources are under threat from both natural and man-made drivers of change including; poverty, rapid population growth, unplanned urbanization, industrialization and the impacts of climate change and variability among others. Fragile ecosystems including hilly and mountainous areas, forests, riverbanks, lakeshores and rangelands are facing encroachment and degradation. Pollution levels are also on the increase and the country is contending with new and emerging environmental issues arising from e-waste, unsound use of chemicals, oil and gas development and the impacts of climate change such as droughts, floods, storms, heat waves and landslides that have had serious effects on agricultural production, food security, nutrition, incomes, health status and the livelihoods.¹

Progressive Steps by Uganda to be Climate Change Resilient

There are several ongoing adaptation and mitigation interventions aimed at reducing vulnerability to the impacts of climate change. The Government of Uganda through its Third National Development Plan (NDP III) recognizes climate change as one of the risks to achieving sustainable development and devotes a Programme (NDP III Programme) to address it. Uganda is one of the first countries in Africa to develop and endorse its Nationally Determined Contribution Partnership Plan (NDC-PP) in June 2018. It made key commitments in this regard, including, reducing national greenhouse gas emissions by 22% by 2030, reducing climate vulnerability of climate sensitive sectors since the economy is natural resource based, and building climate resilience of key sectors and managing disaster risks.²

SECTION I:

UGANDA'S LEGAL AND INTERNATIONAL POLICY FRAMEWORK RELATING TO CLIMATE CHANGE

1.1 Uganda is a Party to several international instruments that enshrine economic, social and cultural rights including the right to adequate housing, food and health, the right to a clean and healthy Environment (The Constitution of Uganda, 1995) whose success is underpinned by the need to respect human rights. These treaties obligate Uganda to progressively realize these rights, meet certain minimum core obligations and uphold principles of non-discrimination. The United Nations Charter provides for number of multi-lateral agreements but also guides and influences international actions on development and environment protection. It is the foundation for various multi-lateral agreements which Uganda is a signatory to such as: The United Nations Framework Convention on Climate Change (UNFCCC), Convention to Combat Desertification (CCD), the Paris Agreement, the Kyoto Protocol and the Sustainable Development Goals (SDGs).

1.2 UNFCCC provides an international framework for mitigating causes of climate change and its effects at both international and national level. Indeed it commits countries to integrate climate change issues into their national planning processes, and sub regional or regional programs.³ Its objective is to stabilize concentrations of GHGs in the atmosphere at a manageable level; permitting development to proceed in a sustainable manner and natural ecosystems to recover from shocks of climate change. Uganda being signatory to the UNFCCC is obliged to develop and implement strategies at local and national levels to contribute to the overall goal of the combating climate change. The Kyoto Protocol is an agreement made under the UNFCCC. Countries that ratify this protocol commit to reducing their emissions of carbon dioxide and five other greenhouse gases (GHG), 29 or engaging in emissions trading if they maintain or increase emissions of these greenhouse gases.

1.3 Uganda also ratified the Paris Agreement and climate relevant protocols and agreements, and developed national policies, plans and strategies such as; the National Climate Change Policy (2015), Nationally Determined Contributions (2015), National Adaptation Plan (NAP) Road map (2015), Uganda Green Growth Development Strategy (2017/18-2030/31), and the National Climate Change Law, (2020). However, the implementation of these policies to achieve the desired environmental goals has implications for climate change adaptation and mitigation.

SECTION II:

EMERGING CONCERNS AND RECOMMENDATIONS REGARDING CLIMATE CHANGE AND ENVIRONMENT INUGANDA

2.1 Climate change is one of the most important global issues, with broad and far reaching ecological, social, economic, and political impact. Uganda is already experiencing impacts of climate variability and climate change manifested through change of weather patterns and resultant disasters including prolonged droughts, floods and high temperatures. Climate Change and Disaster Risk Reduction (DRR) are relatively new disciplines which are not yet adequately addressed within the existing policy and institutional frameworks. Hence, many sectors, even those highly sensitive to climate change neither plan for nor report on climate change adaptation and DRR. Uganda has an adequate policy and institutional framework for monitoring and evaluation that could provide a viable entry point for developing a framework for tracking climate change adaptation and DRR. There is existence of different M&E frameworks and tools in different ministries and institutions, and no specific M&E framework in place and being used for climate change adaptation and DRR.

2.2 There are several ongoing adaptation and mitigation interventions aimed at reducing vulnerability to the impacts of climate change. Despite such interventions there are still a number of challenges. These include the following with the recommendations from CSOs to address them;

a) Climate Change And COVID 19

2.3 The COVID-19 pandemic has devastated nations leaving many people dead and others vulnerable to hunger and poverty. Many people - especially those employed in the informal sector - have lost their jobs and livelihoods. Most of them have resorted to natural resources-based activities for survival. Uganda has largely been able to sustain supply of food because the agriculture sector remained operational during the lockdown and there were no adverse climate change shocks that affected the supply of food. Therefore, the pandemic has demonstrated Uganda's reliance on natural resources and the need to keep its natural resource and environment base productive and manage it sustainably both during and after the COVID-19 pandemic⁴. Climate change shocks are already impacting all parts of the country. The shocks include the landslides in Bududa and Bundibugyo, floods in Kasese and the rising water levels of Lake Victoria that have left many communities devastated and vulnerable to hunger and disease. Besides, the locust infestation in Northern Uganda and the COVID-19 pandemic have rendered the country to face a crisis within a crisis⁵.

Recommendations;

- a) Government of Uganda should consider Integration of Climate Change and Environment in Budgets, Plans and Programmes In its Third National Development Plan (NDP III) and other government strategies.

- b) Government of Uganda should consider Prioritization of Environmental Management in the post COVID-19 Interventions to Enhance Community Resilience.
- c) Government of Uganda should prioritize the climate change, environment and natural resources sector in the allocation of resources and programming during and post COVID-19 to fund monitoring of illegal natural resources exploitation, provide alternatives to those that heavily depend on natural resources and other priority issues.

b) Limited access to energy services in Uganda

2.4 Although energy consumption plays a big role in production processes and household welfare, in Uganda the lack of access to energy services has been one of the major constraints to the country's poverty reduction efforts.⁶ The proportion of the Country's population with primary reliance on clean fuels and technology stands at only 0.6 percent, with a projection to reverse this to 60 percent electricity connectivity access⁷ by 2027. This energy poverty – the absence of sufficient choice in accessing adequate, affordable, reliable, quality safe and environmentally friendly energy services to support economic and human development) requires substantive synchronized efforts to fully implement the global development goals such as the Sustainable Development Goals (SDG7).

2.5 Current investment in DRE is woefully low, whereas this has a huge potential to leap-frog rural development through value addition in agriculture, securing longer working hours for health centres and schools among others. For example, in 2017/18, the large hydro infrastructure was allocated over two-thirds of the Ministry of Energy and Mineral Development budget.

Recommendations;

- a) Government of Uganda should implement, through a rights based approach the National Development Plan III's Energy Development Programme to increase hundred-fold access to stable, reliable and affordable energy by 2027.
- b) The Government of Uganda should consider increasing the share of Decentralized Renewable Energy (DRE) as part of the national energy share that addresses Sustainable Development Goals (SDG7) as well as other SDGs to transform our world on education, maternal health, and provision of clean and safe water, among others.
- c) The Government of Uganda should prioritize more investment (budget increment) that increases possibilities and local sustainable energy and climate solutions to benefit the majority poor and disadvantaged as part of NDPIII's energy development programme. For example, widening the use of improved cooking stoves for households and institutions.

c) Oil and gas exploitation in ecologically sensitive areas.

2.6 The recent oil and gas exploration activities in the Albertine region of western Uganda have raised a debate on the plight of the local people at various scales. Yet at the same time, the Albertine graben region is of great importance to East African Biodiversity, wildlife conservation and tourism and harbours transboundary water and fisheries resources of considerable importance as well. The Albertine Rift is the most species rich eco-region for vertebrates in Africa. It has high species diversity, including 39% of Africa's mammal species, 51% of its bird species, 19% of its amphibian species and 14% of its plant and reptile species. It harbours more endemic species than any other region in Africa and also contains 79 threatened terrestrial vertebrates according to IUCN Red Data book listings⁸. As such it is one of the most important conservation eco-regions in Africa.

2.7 One of the main causes of conflict is the exploitation of oil and gas resources by the Ugandan government and International Oil Companies (IOCs) at the expense of environmental conservation, climate change concerns, tourism, and organic agriculture is the exploitation of the oil and gas resources without sufficient mitigation measures and with no regard to the Paris Agreement commitment on climate change.

Recommendations;

- a) The Government of Uganda should consider investing in research activities to generate information on wildlife species and the dangers they face in the Oil rich regions of the country.
- b) The Government of Uganda should also establish mechanisms for protection of endangered species within the oil rich region;
- c) The Government of Uganda should also establish mechanisms to combat the illicit financial flows in the oil rich region which compromise on the following of the mitigation measures put in place to the oil companies.

d) Environment and climate justice

2.8 Environmental Litigation to Enforce Environmental and Climate Justice.

Civil society organizations have undertaken a number of steps towards promoting Environmental Rights in Uganda. *EACJ Environment SUIT – BUGOMA DEFORESTATION and The Environment Shield & Turyakira John Robert Vs Attorney General of Uganda at The East African Court of Justice*⁹. The suit is the 1st of its kind and one of the pioneering environmental justice suits in the EACJ. The environment is a transboundary ecological treasure. The case will provide regional (East African Community) level Jurisprudence on climate change, environmental law and environmental rule of law. It is a precedent setting case for East African Community (EAC) and globally – one of the few cases handling the intersection of climate change, ecological justice, human rights, biodiversity and environmental rule of law among other 21st century edge cutting issues.

2.9 Lack of Public Awareness on Climate justice; However, while trying to advocate for environmental rights and climate justice there are a number of challenges; Awareness is one the major key problems. There is little dissemination of environment and climate change information in Uganda which leaves a lot citizens in the dark about their environmental rights. In turn, advocating for these rights becomes a challenge as most Ugandans will consider these issues fictitious. With advocacy of environment and climate changes, it is important to have support especially from the ordinary man as they are most vulnerable and dependent environment and climate change impacts.

2.10 Lack of enforcement of environment laws: While there are laws and institutions in place to protect the country from environment related crimes the country still grapples with climate change related disasters. **Delayed justice and/or constant adjournments in courts of law.** Environmental matters are treated just like any other matter before court which means they adhere to the same timelines and the same rigorous processes yet it is common knowledge that environment and climate change issues are those that are not favored by time.

Recommendations;

- a) Government of Uganda should consider setting up an Environmental court that is best suited to handle environmental related matters expeditiously as most environment and climate matters are those that need urgent attention. For instance, Kenya has an Environment and Land court established under section 4 of the Environment and Land Court Act No. 19 of 2011 and a National Environment Tribunal which strictly handle disputes relating to the environment and land.
- b) The Government of Uganda should consider putting up strict mechanisms on enforcement of law relating to the environment especially with enforcement agents.
- c) The Government of Uganda consider massive sensitization across the country on environment and climate change through among other avenues community trainings/outreaches that will make citizens more knowledgeable on the subject and therefore more resilient and equipped to handle it's impacts.
- d) The Government of Uganda should put up mechanisms that prevent the political leaders from interfering with protected environment resources.
- e) The Government of Uganda should implement the Access to Information law by proactively availing environmental information in the confines of the Government Environmental Agencies as requested by the Citizens.
- f) The Government of Uganda should expedite the assent of the Climate Change Bill to become Law;
- g) The Government of Uganda should undertake Judicial Training on matters of the Environmental Rights to enhance their knowledge and environmental awareness to best adjudicate over cases relating to environment and climate change.

e) Green/Smart cities & Sustainable Low Carbon Transport

2.11 Over half the world's populations now live in cities, with the number expected to double by 2050. Conversely, the process of urbanization is one of the world's most transformative trends, and present great opportunities for development. Uganda's Urbanization and Industrialization agenda will support Uganda in transitioning towards a Green Growth path that will facilitate sustainable green investments (public and private) at national and subnational level as well as increased employment. The Uganda Vision 2040 specifically highlights industrialization and urbanization as key focal area as it envisions that 60% of Ugandans will live in urban areas by 2040 and therefore, actions of designing, servicing and attracting investments into green secondary cities/municipalities will help Uganda benefit from the economic and social dividends that come with urbanization.

2.12 However, there are many gaps and the need to create a good policy environment to implement all frameworks towards inclusive cities and communities in a more resilient and sustainable way. The common challenges associated with cities and urban areas include inadequate housing, environmental degradation, impacts due to climate change, inadequate basic urban infrastructure for community resilience and adaptation. Despite the government of Uganda launching of the Uganda Nation Green Growth Strategy for Uganda (2017) focusing on cities, if the climate change Law (Bill) is not implemented due to lack of funding, the growing impact of climate change such as disasters, and damage on infrastructure may not be addressed yet have direct effects on the lives of citizens including the urban communities

Recommendations;

- a) Government of Uganda should consider promotion and increase of investment in systems leading towards integrated public including buses (mass) transport, Railways, walking and cycling that is non-motorized and electronic transport to reduce rate of carbon emission (GHG).
- b) The Government of Uganda should consider increasing investment and developing a master plan for waste management in the upcoming cities and urban centers to have sustainable and clean cities.

f) Air Quality in Uganda's major towns

2.13 Uganda's capital city-Kampala's air quality index measured at Nsambya (a city suburb) by actors on September 5, 2018 at 10 A.M is six times higher $162(\mu\text{g}/\text{m}^3)$ than World Health Organization Air Quality Guidelines $25(\mu\text{g}/\text{m}^3)$. This can also be contrasted with cities with clean air quality levels taken at the same time with Kampala's, yet these are some of the most industrialized cities in the Africa, all cleaner than Kampala. Kampala has a high concentration of tiny air particles small enough to invade even the smallest airways. There is indication that air pollution in Kampala has increased in the last decade and that awareness about this problem is mounting. Exposure to contaminated air may narrow or block blood vessels and could lead to heart attack, chest pain, stroke, or other respiratory diseases such as asthma, chronic bronchitis, lung cancer, and pneumonia.

Recommendations;

- a) The Government of Uganda should consider putting in place measures to do routine air monitoring in all major towns and cities in Uganda to combat air pollution;
- b) The Government of Uganda should consider putting in place mechanisms for use of clean production technologies in all production centers and ensure compliance to the International standards.

g) Biodiversity and degradation

2.14 Conservation of biodiversity is a common concern of humankind. Biodiversity underpins the provision of food, medicines, biomass fuel and water; it mitigates and provides resilience to climate change; it supports human health, and provides jobs in agriculture, fisheries, forestry and many other sectors. A lack of effective measures to conserve biodiversity and use its components in a sustainable manner aggravates to catastrophes, conflict and insecurity.

2.15 There are critical biodiversity dependencies for SDG2 on zero hunger, including Target 2.4 relating to maintaining ecosystems and improvement of land and soil quality, and Target 2.5 on maintaining the genetic diversity of seeds, cultivated plants and farmed and domesticated animals and their wild species. Similarly, for SDG 8 on decent work and economic growth, biodiversity and healthy ecosystems are reflected in Target 8.4 on decoupling economic growth from environmental degradation and Target 8.9 relating to sustainable tourism.

2.16 Whereas in Uganda, the right to a clean and health environment is established under several laws including the Constitution 1995, the national environment Act, land Act, water Act, among others, the natural forest cover has dwindled to 7% from 24% over the past decade. Several micro ecosystems have been degraded rendering them inability to give ecosystem services to their surrounding population hence infringing their fundamental rights to food, work, culture and healthy environment.

Recommendations;

- a) Infrastructure developments should be designed in coherence with the micro ecosystems where they are set up to minimize loss of biodiversity especially species endemic to particular environment;
- b) Government of Uganda through the different arms ought to ensure non-selective application of environment laws to all perpetrators of environment and ecosystems degradation.
- c) Additionally, the budget allocation for environment should be increased to facilitate thorough monitoring and enforcement of laws against encroachment on biodiversity sanctuaries.
- d) Government should consider developing very deliberate undertakings to promote youth inclusion and capacity building on biodiversity conservation, and main streaming of the UN Convention on Biodiversity.

- e) Government should consider putting up mechanisms to control and manage wildlife conflicts ensure lives and properties of adjacent communities is protected and compensate families whose properties have been lost and lives as a result of wildlife animals.

h) Climate Financing in Uganda

2.17 In Uganda, the policy environment on climate change is defined by the National Climate Change Policy (2015) and its costed strategy. The Policy estimates climate finance needs at approximately USD 3.9 Billion by 2030. Overall, climate finance is critical to addressing climate change because large-scale investments are required to significantly reduce emissions, notably in sectors that emit large quantities of greenhouse gases. It is also equally important for adaptation, for which significant financial resources are similarly required to allow societies and economies to adapt to the adverse effects and reduce the impacts of climate change. Besides, climate financing is relevant in the discourse on tackling the issue of loss and damage.

2.18 Uganda's Nationally Determined Contributions (NDCs) feature unconditional and conditional contributions. However, no clear differentiation exists on the nature of these contributions. In communicating the NDCs, the country pledged to continue its financial mobilization commitment under the National Climate Change Policy (ACODE Policy brief 2020). Despite the various policies, plans and strategies put in place to address climate change and its impacts, there is no explicit strategy to guide the mobilization of the required resources as enshrined in the National Climate Change Policy.

2.19 In Uganda, another challenge faced by government relevant agencies and non-state actors in accessing climate funds is inadequate technical capacity to prepare bankable project proposals that meet the eligibility requirements of the various climate change funding windows. Though Local Governments (LGs) through the District Disaster Management Committees (DDMCs) are at the forefront of dealing with climate change related disasters, prevention and preparedness, they lack funding specific to these functions. Those that have some available local revenue often allocate this to respond to disasters. However, since these resources are meagre LGs often find themselves reaching out to development partners and OPM for assistance. The limited funding or lack thereof at LG level directed towards disaster management, preparedness and prevention has rendered implementation of the District Contingency Plans highly impracticable.

Recommendations;

- a) Government of Uganda should consider establishing the National Climate Green Fund under the oversight of the Permanent Secretaries of the Ministry of Finance, Planning and Economic Development (MoFPED) and the Ministry of Water and Environment to serve as an ideal climate finance mechanism charged with mobilization, management and unification of public and private climate finance from domestic and external sources.

- b) Uganda needs to tap into the Green Climate Finance (GCF) readiness Programme that supports capacity building in these areas. There is need to boost the technical capacity of government officers and the national budget system thus promote the availability of national data and information on climate finance.
- c) Government of Uganda should establish a specific funding for climate change and disaster management, preparedness and prevention at Local Government level through allocation of a specific grant to Local Governments directed towards climate change and disaster level, in order to enable the District Contingency Plans to remain practicable.
- d) The Government of Uganda should consider incorporating a climate change and disaster prevention component in all conditional grants transferred to Local Governments. The merit of this approach is that such a criterion in the grant allocation formulae ensures that districts affected by disasters are the main beneficiaries of such financing in light of the limited nature of resources.

I) Harassments on Environmental Human Rights Defenders

2.20 Over the past years, many Environmental human rights defenders have experienced a lot of brutality and faced impunity from the culprits who in most cases are government workers and relatives to the same. There has been continuous threats on the lives of these defenders/activists, a case in point of a one William Amanzuru Leslie, the team leader of Friends of Zoka who has been constantly threatened by Keliki Kevin Azaa a Midwifery and an employ of Ministry of Health deployed in Gulu and a sister to Moyo Member of Parliament Hon. Tom Azaa. This is because of the team had her red handed with logs of which had just been loaded on 18-wheeler trucks, cut down from forests in the area being taken for exportation to he neighbouring countries and tried to stop the incidences.

2.21 On Wednesday, 20/May/2020, activists Friends of Zoka, Journalists, Metu Sub- County leaders and Security, together with Moyo district Chairman Mr. Williams Anyama, were detained for about an hour at a roadblock mounted by Uganda People's Defense Forces (UPDF) officers from Padiga village detach, commanded by later be identified as a Captain and Head of intelligence of the detach. 2.22 This incident followed a fact finding mission led by the Team Leader of Friends of Zoka Amanzuru William and the District Chairman of Moyo District Local Government, Hon. Anyama William to an illegal cross border log harvesting and collection point in Hweyo village Metu Sub-County, where the team discovered two separate collection point of 50 and 124 pieces of logs of the endangered Afzella Africana tree and appended two loggers who were forcefully set free by the Army at the Padiga village road block. Moyo Resident district Commissioner, Labeja Bob William, ordered for the arrest of Amanzuru William Team Leader Friends of Zoka and ordered Chairman Anyama to hand over his official Vehicle before, in an attempt to retard his good fight against illegal logging. To date Mr. Bob Williams Labejja is still after the life of Amanzuru William Leslie the Team Leader of Friends of Zoka for having exposed their illicit trades in illegal cross boarder logging.

Recommendations;

- a) Government of Uganda should undertake independent investigations into human rights violations committed against Environmental Human Rights defenders and bring the perpetrators to account;
- b) The Government of Uganda should recognize and ensure a conducive working environment for environmental human rights defenders through among other avenues passing the Human Rights Defenders Protection Bill into law.

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⁴ Conserving Environment and Enhancing Community Resilience: Key Climate change Priorities during before and after COVID 19 ACODE Policy Briefing Paper 53 of 2020

⁵ Climate Change as a Driver for Poverty in Uganda Article by EarthFinds Vol 4 November 2020 accessed on 26th May 2021

⁶ Uganda's Voluntary National Report (June 2020) noted that 'over the medium term, focus has been on: increasing power generation capacity to drive economic development, expanding the electricity transmission grid network among others', with unmatched investment in renewable energy options.

⁷ UCSD.et. al (2019). UCSD, JEEP and INFORSE East Africa's Press Statement (23 Sept) on the occasion of Uganda Energy Week 2019 and the UN Climate Action Summit 2019:

<https://www.scribd.com/document/427010872/UCSD-JEEP-INFORSE-East-Africa-Press-Statement-Energy-Week-2019> accessed May 23, 2021

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⁹ The above reference filed at the East African Court Justice (EACJ) on the 14th October 2020.