



The Natural Resource Manifesto | 2016 - 2021

Citizens' Cross-cutting issues on the Extractives Industry in Uganda

Background

The presidential and parliamentary elections in February 2016 will avail Ugandans an opportunity to make informed decisions on the kind of government they want. Elections give citizens a chance to choose leaders who are committed to deliver on the citizens' aspirations.

Consultations were undertaken with religious leaders, Civil Society and community members in the oil, gas, and mining regions in Uganda, specifically in Hoima, Mubende, Iganga, Tororo, Soroti, and the Rwenzori Sub Regions. The recommendations herein are a result of the consultations made; people's realities and needs on the ground. These have been reduced into a manifesto document to be shared with all stakeholders.

Objectives and purpose of the manifesto

This manifesto is aimed at helping citizens share with their leaders what they want done in the extractives sector. The major focus is for citizens to demand for issues listed herein from their leaders or those intending to lead. On the part of politicians this manifesto is intended to guide them into what the citizens want and the issues that citizens would like to see in their manifestos and what they would prefer to be implemented once the leaders are elected

The Issues are listed here below:

1. Occurrence of minerals, oil, gas and their ownership

The Uganda Constitution (article, 244) ambiguously provides that Minerals and Oil and Gas are held by government "on behalf of the state". Due to the link between the government and the state, one wonders whether the citizens are also covered. This amendment needs to be reverted to the position before the 2005 amendments making it clear that the minerals, ores, oil and gas are held by Government "on behalf of citizens".

2. Laws on minerals and oil and gas

Government should ensure that the laws that govern mining, oil and gas are properly upheld and put in practice by all stake holders. The provisions on benefit sharing, royalties and participation of nationals should be enforced transparently. Government should make public what every mining and oil and gas company and electricity generation company is paying in royalties to ensure transparency and accountability. This will help communities to appropriately plan their development programs.

3. Land and property rights

Given the fact that Mining, oil and gas are all found on land, their exploitation always increases pressure on land hence leading to various social, economic and cultural conflicts among the host communities.

Focus should be put on protection of rights of communities to own, access and use land. This may include; government land, land with oil, gas and minerals. Measures should be put in place to ensure extraction of oil, gas and minerals does not interfere with citizen's right to access and utilize land, and where it does, compensation should be offered adequately, fairly and in a timely manner.

4. Compensation for land and property in mineral rich areas

Adequate compensation should be given in exchange for land and property affected in activities relating to extractives. Priority should be given to resettlement of citizens as opposed to paying out land taken in relation to extractive business. Compensation for land and all forms of property affected should always be done expeditiously. All payments for compensation should be paid out in full before land is taken and citizens are evicted.

The Government should develop a National Compensation and Resettlement Policy to address all these challenges regarding human displacement by Extractive industry developments and other projects.

5. Employment and national content in oil, gas and mining sectors

Government should fast track the National Content policy and law to guide on employment, training, service delivery and investment especially by Ugandans. There is urgent need for more skilling institutions like the Uganda Petroleum Institute - Kigumba, so that citizens are trained in time to participate in the mining, oil and gas sector.

6. Infrastructure and mineral development

Government should provide incentives for Ugandans to join in the mineral sector. The incentives should include soft loans and capital to small scale miners, providing accessible data and policies that allow Artisanal and Small Scale Miners (ASM) to co-exist with large scale miners.

This should follow by developing infrastructure in natural resource rich areas such as roads, hospitals, water and electricity to enable the development of the mining sector and setting up affordable and accessible testing labs for the oil and gas sector.

7. Promotion of transparency and accountability in the extractives sector

Government should sign up to the Extractives Industries Transparency Initiatives (EITI) as stipulated in the National Oil and Gas Policy. Government should publish records showing what companies have paid it in the oil, gas and mining sector. All companies should be required to publish what they pay to government and government publishing when it receives it on a yearly basis.

Awarding of Contracts and licenses issued to companies in the oil, gas and mining sectors should be made public. Government should facilitate members of the community to access contracts it has signed with all companies in the oil and gas sector.

8. Environmental protection

All Environmental Impact Assessments (EIAs) relating with oil, gas and mining should be done in consultation with the community. Community consultation should be made mandatory for all development projects and no EIA should be approved without proof of community consultation. These EIAs hold equally be made available and easily accessible to the public upon request

9. Access to justice

Government should put in place complaint mechanisms where people aggrieved by activities relating to oil, gas and minerals can make complaints. The existing justice systems also need to have their capacities aligned to deal with the unique challenges posed by the mining, oil and gas sector, adequately and in a timely process.

Such mechanisms should involve company complaint mechanisms, community based complaint mechanisms and formal justice mechanisms. Special consideration should be put in place for the vulnerable such as women, children and disabled people who may have limited resources to access justice.

10. Gender in the Sector

Legislations and policies on Mining, oil and gas should include specific provisions on Gender equality and equity to benefit women who are adversely affected by displacement and other challenges if the extractive industry is not sensitive to their roles.

Subject	Central Government	Local Government
<p>Oil Gas and Mining Sector issues for the redress</p>	<p>Establishment and operationalisation of institutions under the oil and Gas Laws such as the Petroleum Authority and the National Oil Company.</p>	<p>Ensure protection of rights of communities to own access and use land in mineral rich areas.</p>
	<p>Ensure access to information by Making agreements /contracts public to promote transparency and accountability in the sector</p>	<p>Ensure that land owners have access to their land titles and files at any time</p>
	<p>Provide incentives for Ugandans to work in the mineral sector as large and small scale miners.</p>	<p>Create avenues for registration of land to protect the rights of communal land owners.</p>
	<p>Ensure access to justice for people affected by extractives activities by putting in place proper and accessible com- plaint mechanism</p>	<p>Make bi-laws to improve women participation in the extractives sector</p>
	<p>To update land valuation system and figures to ensure adequate compensation</p>	<p>Ensure protection of rights of communities to own access and use of land in mineral rich areas.</p>