



REPUBLIC OF UGANDA

# **SUMMARY REPORT**

## **COMPLIANCE WITH CANCUN SAFEGUARDS DURING REDD+ PROCESS (2008-2020)**

**Ministry of Water and Environment  
Kampala**

**29<sup>th</sup> June 2021**

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## ACRONYMS

ADC	Austrian Development Cooperation
BSA	Benefits Sharing Arrangements
CDO	Community Development Officer
CoP	Conference of Parties (of UNFCCC)
CSA	Country Safeguards Approach
CSO	Civil Society Organization'
DEO	District Environment Officer
DESS	Department of Environment Support Services
DWD	Directorate of Water Development
DWRM	Directorate of Water Resources Management
EIN	Environment Information Network
ERP	Emissions Reductions Programme
ER-PIN	Emissions Reduction Programme Idea Note
ESMF	Environmental and Social Management Framework
FCPF	Forest Carbon Partnership Fund
FDIP	Forest Dependent Indigenous People
FGRM	Feedback and Grievances Redress Mechanism
FREL	Forest Reference Emission Levels
FSSD	Forestry Sector Support Department
IP	Indigenous People
IPPF	Indigenous Peoples Process Framework
MDA	Ministries, Departments and Agencies
MEMD	Ministry of Energy and Minerals Development
MIST	Management Information System
MLHUD	Ministry of Lands, Housing and Urban Development
MoGLSD	Ministry of Gender, Labour and Social Development
MRV	Measurement, Reporting and Verification
MUK	Makerere University Kampala
MWE	Ministry of Water and Environment
NARO	National Agricultural Research Organization
NBDB	National Biodiversity Data Bank
NCCAC	national Climate Change Advisory Committee
NEMA	National Environment Management Authority

NFA	National Forestry Authority
NFMS	National Forest Monitoring System
NGO	Non-Government Organization
NTC	National Technical Committee
NWIS	National Wetlands Information System
OPM	Office of the Prime Minister
PF	Process Framework
PLR	Policy, Law and Regulations
RAP	Resettlement Action Plan
REDD	Reducing Emissions from Deforestation and Forest Degradation
RE-SIP	REDD+ Strategy and Implementation Plan
RPF	Resettlement Process Framework
SESA	Strategic Environmental and Social Assessment (of REDD+ Strategy and Implementation Plan)
SIS	Safeguards Information System
UBOS	Uganda Bureau of Statistics
UNFCCC	United National Framework Convention on Climate Change
UNREDD	United National – REDD Programme
UWA	Uganda Wildlife Authority
WMD	Wetlands Management Department

# 1. INTRODUCTION

## 1.1 The report

This is Uganda's first Summary information on how all the Cancun safeguards are being addressed and respected. Uganda has prepared this report in order to comply with the UNFCCC requirement of providing periodic information about safeguards upon commencing implementation of REDD+ activities and subsequently, at last every four years or at any time by submitting them to the UNFCCC.

This report provides the following information:

- a. REDD+ activity or activities that are included in the summary of information.
- b. National circumstances relevant to addressing and respecting the safeguards.
- c. Description of each safeguards in accordance with national circumstances.
- d. Existing systems and processes relevant to addressing and respecting safeguards, including Safeguards information system.
- e. How each safeguard has been addressed<sup>1</sup> and respected<sup>2</sup>.
- f. Other relevant information

## 1.2 Objectives and purpose of the report

The key objective of this report is disclose how Uganda's REDD+ process has addressed and respected Cancun Safeguards. In addition to Cancun safeguards, that Uganda implemented World Bank safeguards policies and processes as part of the requirements under the FCPF.

The purpose of this report is serve as a key tool for legitimizing Uganda's REDD+ Strategy and Implementation Plan whose strategic policy options significantly contribute towards national priorities in the National Development Plans, country commitments towards Sustainable Development Goals, and promoting confidence in REDD+ safeguards processes.

This report responds to local, national and internal audiences, especially current and future REDD+ investments and partners championing Results based payments.

## 1.3 Report outline

The report outline is intended to focus the report on information that effectively communicates Uganda's compliance with Cancun Safeguards during the REDD+ process. The report summarizes Uganda's efforts in 5 Chapters and makes reference to the main documents that would provide specific or detailed actions taken.

Chapter 1 introduces the report and its objectives and report outline. Chapter 2 provides information on Policy, legal and Regulatory environment for Safeguards in Uganda, national REDD+ process as per FCPF process as well as national environmental social, cultural and economic context. Chapter 3 presents the methodology for preparing this report, while Chapter 4 provides information on the country approach and actions take to respect or address Safeguards during the REDD process. Chapter 5 provides information of national Policy approaches towards addressing Cancun safeguards while

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**Definition:** Addressing safeguards is understood to mean ensuring that a body of policies, laws and regulations (PLR), and associated institutional arrangements is in place 'on paper' to deal with the potential environmental and social benefits and risks – including gender risks – associated with REDD+ policies and measures

<sup>2</sup> **Definition:** Respecting safeguards is understood to mean that these PLRs are implemented and enforced, through the associated institutional arrangements, in such a way that this implementation affects real and positive outcomes on the ground, in line with the REDD+ safeguards, including gender risks – associated with REDD+ policies and measures.

Chapter 6 is the conclusion and recommendations geared towards strengthening country performance towards respecting the safeguards and country commitment to monitor and report on the safeguards.

## 2. NATIONAL CONTEXT

### 2.1 National Policy, legal, institutional environment

#### 2.1.1 Institutional arrangements

**Institutional arrangements for REDD+ Process:** were established since 2008 and functioned satisfactorily during the REDD+ Readiness phase. REDD+ management, coordination and supervision structures and processes are fully developed. However, the effectiveness and sustainability of these arrangements and processes will need to be enhanced by further mainstreaming the REDD+ management and coordination structures with mandates of REDD+ institutions during REDD+ Strategy implementation and by increasing institutional and manpower capacities.

**REDD+ management, coordination and supervision structures and processes** were fully operational with full time REDD+ Secretariat embedded in the Ministry of Water and Environment (MWE), National REDD+ Steering Committee, National Technical Committee and three Taskforces.

REDD+ Readiness processes were **highly consultative** with engagement of stakeholders at various levels. Information about REDD+ process was widely disseminated countrywide and across sectors, including indigenous peoples (IPs).

**Institutional arrangements for REDD+ Strategy implementation:** MWE is the lead institution for the overall implementation and coordination of REDD+ Strategy and Implementation Plan. MWE will function through FSSD, NFA, DWD and DWRM. FSSD will provide technical and coordination responsibility on behalf of MWE. MWE will collaborate with UWA (forests in wildlife conservation areas, wildfires), MAAIF (CSA and livestock rearing), MEMD (sustainable fuel wood utilization, energy efficiency technologies), the MOLGSD, District Departments (Local Forest Reserves, Forest outside protected areas, CSA, Sustainable fuel wood and commercial charcoal production, Energy efficient cooking stoves, Integrated wildfire management). However, since the Strategic Options cut across several economic sectors (forestry, environment, energy, agriculture, wildlife, land), there is need for a strong mechanism of sectoral coordination and provision of incentives.

The Lead institutions for each Strategic Options and sub-options as well as collaborating institutions are outlined in REDD+ Strategy and Implementation Plan ( <https://www.mwe.go.ug/library/ugandas-redd-strategy-and-action-plan> )

#### 2.1.2 Policy, Legal and Regulatory environment (PLR)

Uganda has adequate PLR for successful implementation of the REDD+ Strategy. There are some gaps or weaknesses (e.g., inadequate policy implementation, weak law enforcement, institutional capacities, weak policy coordination) that will be addressed through:

- a. Strengthening the role of the Policy Implementation Monitoring Unit under the Office of the Prime Minister (OPM) in REDD+ Implementation. The Unit has responsibility of ensuring that; i) REDD+ related policies and laws are implemented by the responsible Ministries, Departments and Agencies (MDAs) including the local governments; ii) all Ministries, Departments and Agencies (MDAs) and local governments prepare and implement plans of the various REDD+ policies; iii) ensuring that required subsidiary legislation such as ordinances and by-laws and plan are formulated in order to facilitate implementation of REDD+ policies and laws at the local level; and. put in place a monitoring and evaluation strategy tailored for REDD+ implementation through which relevant policies and laws will be periodically monitored, and implementation bottlenecks regularly addressed.

- b. Mobilizing funding and human resources to implement the REDD+ Strategy. The Government through the Ministry of Finance, Planning and Economic Development shall provide financing for REDD+ policy implementation, including financing adequate staffing levels within the MDAs and Local Governments. The Government shall ensure that institutions responsible for REDD+ implementation including local governments are adequately staffed.
- c. Strengthening human resources through staff skilling and orientation to REDD+ Strategy implementation.
- d. Strengthening involvement of civil society organizations and private sector to promote responsible forest management, develop new forest investment opportunities.

## 2.2 Uganda's REDD+ process (FCPF led process)

REDD+ is an international mechanism for providing result-based payments for reducing emissions from deforestation and forest degradation, forest conservation, sustainable management of forests and enhancement of carbon stocks (REDD+). It offered an opportunity to support sustainable development in Uganda through managing its forests in a balanced way to contribute to long-term sustainable economic growth, to support the livelihoods of local, rural and forest dependent communities, and to ensure that its important natural heritage is conserved.

The national REDD+ Process in Uganda started in 2008, when Uganda became a participant of the Forest Carbon Partnership Facility (FCPF) after approval of the Forest Carbon Partnership Readiness Plan Idea Note (ER-PIN). Since 2013, REDD+ process was implemented with funding in form of grants from FCPF, Austria Development Cooperation (ADC), UN-REDD National Programme, and the Government of Uganda.

Uganda embarked on implementing a REDD+ Readiness phase whose objective was to contribute to a design of a socially and environmentally viable national strategy for reducing emissions from deforestation and forest degradation, a national reference scenario of emissions from deforestation and forest degradation (FREL), a Measurement, Reporting and Verification mechanisms (MRV), National Forest Monitoring Systems (NFMS), a Strategic Environmental and Social Assessment (SESA) and Environmental and Social Management Framework (ESMF) and Safeguards Information System (SIS). These grants were also utilized to analyze a National Feedback and Grievances Redress Mechanism (FGRM) for REDD+, propose Benefits Sharing Arrangements (BSA) for REDD+, Enhance Stakeholder Engagement and Feedback in Readiness Process, support to the Coordination and Monitoring of REDD+ Readiness Process. Uganda was also able to mobilize support preparation of its Forest Investment Plan as a roadmap for priority activities for implementation of Uganda's REDD+ Strategy.

By June 2021, Uganda has completed preparing its:

- a. National REDD+ Strategy and Action Plan (RE-SAP); <http://www.mwe.go.ug/library/uganda-national-redd-strategy-2020>,
- b. Forest Reference Emissions Level (FREL)<sup>3</sup> (<http://www.mwe.go.ug/library/uganda-frel-217,2018>)
- c. Feedback Grievance and Redress Mechanism (FGRM); , <http://www.mwe.go.ug/library/feedback-and-grievance-redress-mechanism-uganda-redd-process>;
- d. Benefit Sharing Arrangements (BSA); <http://www.mwe.go.ug/library/redd-benefit-sharing-arrangements-uganda-redd-process>
- e. Strategic Environmental and Social Assessment (SESA); <https://www.mwe.go.ug/library/strategic-environmental-and-social-assessments-ugandas->

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<sup>3</sup> Uganda made first submission of her FREL in January 2017; updated the FREL in July 2017; received endorsement from UNFCCC TAP in April 2018

[redd-process](http://www.mwe.go.ug/library/strategic-environmental-and-social-assessments-ugandas-redd-process) and Environmental and Social Management Framework (ESMF); <http://www.mwe.go.ug/library/strategic-environmental-and-social-assessments-ugandas-redd-process>,

- f. National Forest Monitoring System (NFMS); Uganda-nfms.org and
- g. Safeguards Information System(SIS); <https://www.mwe.go.ug/library/safeguards-information-system-national-redd>

During the same period, Uganda:

- a. Submitted a Technical Note to UNFCCC; and
- b. Initiated a design of Emissions Reduction Programs (ERP) targeting to complete design of two ER-PINs for implementation of the REDD+ Strategy in the Albertine Rift and Mount Elgon ecosystems.

In addition, Uganda's capacity to implement the National REDD+ Strategy has been strengthened at various scales and across various sector and players.

Further, Uganda's REDD+ Strategy and Action Plan triggered the following World Bank safeguard policies; i) OP4.01 Environmental Assessment; ii) OP4.36 Forests, (iii) OP 4.04 Natural habitats; (iv) OP4.10 Indigenous Peoples; and (v) OP4.12 Involuntary Resettlement. To address these, Uganda has developed and disclosed safeguards instruments in June- October 2020 namely; an Environmental and Social Management Framework (ESMF) <https://www.mwe.go.ug/library/environmental-and-social-management-framework>; a Process Framework (PF) <https://www.mwe.go.ug/library/process-framework-implementation-ugandas-national-redd-programme>, and an Indigenous Peoples' Planning Framework (IPPF) <https://www.mwe.go.ug/library/indigenous-peoples%E2%80%99-planning-framework-june-2021>

## 2.3 The national environmental, social, gender-related, economic and cultural circumstances

### 2.3.1 Changes in forest and vegetation cover

The forest estate in Uganda shrunk from 24% of the total land area in 1990 to 9% in 2015 (**Error! Reference source not found.**). A total of 3.05 million hectares of forests have been lost in 25 years. Out of this loss about 2.2 million hectares were from woodlands. The records also show that the forest estate outside of protected areas reduced from 68% of the total area of forested land in 1990 to 61% in 2005 and to 38% in 2015 – a loss of nearly half of the unprotected forests in just 25 years. Over the same period, 46% of protected woodlands, mostly those under National Forestry Authority, were lost.

The key **drivers** of deforestation and forest degradation in Uganda<sup>4</sup> are i) expansion of subsistence agriculture, ii) unsustainable harvesting of tree products, mainly for charcoal, firewood and timber, iii) expanding settlements and impacts of refugees, iv) free-grazing livestock, v) wildfires, vi) artisanal mining operations and vii) oil exploration activities<sup>5</sup>.

The **underlying causes** include i) high rates of population growth and ii) high dependence on subsistence agriculture, natural resources and biomass energy<sup>6</sup>, as well as competing economic returns

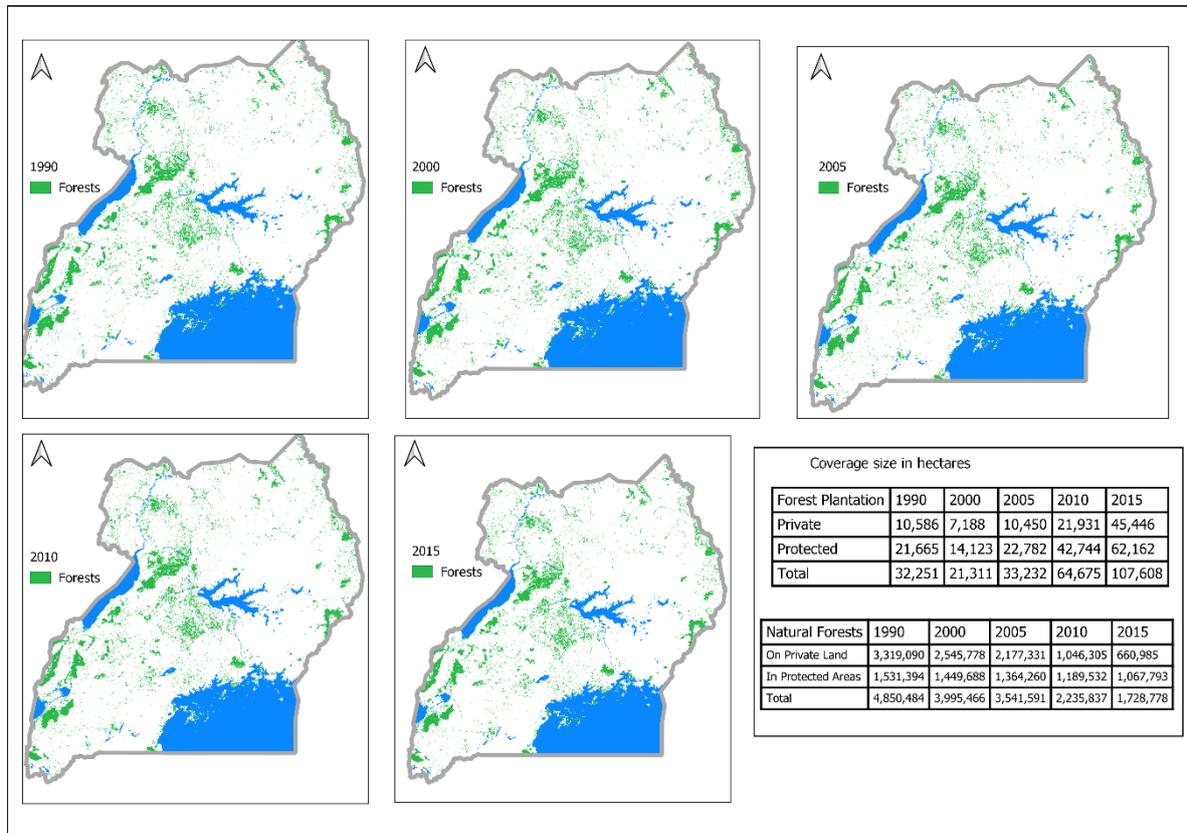
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<sup>4</sup> Oy Arbonaut Ltd (2016) *Draft REDD+ Options Assessment Report*.

<sup>5</sup> Drivers of deforestation and forest degradation will be ranked in order of severity or significance once an on-going assessment is complete.

<sup>6</sup> Baastel et al (2015) *Economic Assessment of the Impacts of Climate Change in Uganda*.

from land that disfavour long-term investments in forestry. Other underlying causes include i) weak forestry governance, ii) weak policy implementation, iii) climate change and, iv), land tenure systems<sup>7</sup>.



Source: NFA (2017)

Figure 2-1:: Trends in Forest and vegetation cover (1990-2015)

### 2.3.2 National REDD+ Strategies

The national REDD+ Strategies are derived from the Strategic Options (SOs) that seek to address important environmental, social and institutional factors (Table 2-1).

<sup>7</sup> Four tenure systems operate in Uganda: customary, freehold, *Mailo*, and leasehold (see Annex F for details). Insecure tenure on *Mailo* and customary land is often linked with high rates of forest loss and degradation, while secure tenure (including leased public land) promotes long-term investments, including forestry. Natural forest cover is nevertheless reducing across *all* tenure systems as trees are cleared in favour of more economically attractive opportunities.

Table 2.1: Strategic Options for addressing deforestation and forest degradation in Uganda

Strategic option 1: Climate smart agriculture
<ul style="list-style-type: none"> <li>○ SLM and agroforestry practices;</li> <li>○ Rainwater harvesting with collection tank and drip irrigation;</li> <li>○ Greenhouse cultivation of vegetables;</li> </ul>
Strategic option 2: Sustainable fuelwood and (commercial) charcoal production
<ul style="list-style-type: none"> <li>○ Commercial small-holder and community bioenergy woodlots;</li> <li>○ Commercial small-holder and community poles and timber plantations;</li> <li>○ Improved charcoal kilns linked to bioenergy woodlots;</li> </ul>
Strategic option 3: Large-scale commercial timber plantations
<ul style="list-style-type: none"> <li>○ Commercial transmission pole and timber plantation;</li> <li>○ Commercial pole and saw log plantation;</li> <li>○ Improved charcoal kilns linked to plantation sites;</li> </ul>
Strategic option 4: Restoration of natural forests in the landscape
<ul style="list-style-type: none"> <li>○ Designated areas for natural forest regeneration;</li> <li>○ Restoration of degraded protected natural forest (i.e. national parks and forest reserves and forests on privately owned land);</li> <li>○ Devolution of forest management through PFM and similar set-ups;</li> <li>○ Traditional and customary forest management practices;</li> </ul>
Strategic option 5: Energy efficient cooking stoves
<ul style="list-style-type: none"> <li>○ For fuelwood;</li> <li>○ For charcoal</li> </ul>
Strategic option 6: Integrated wildfire management
<ul style="list-style-type: none"> <li>○ Integrated wildfire management</li> </ul>
Strategic option 7: Livestock rearing in Cattle Corridor
<ul style="list-style-type: none"> <li>○ Change to exotic cattle varieties and cross-breeding;</li> <li>○ Agroforestry fodder production;</li> <li>○ Establishment of drinking water dams</li> </ul>
Strategic option 8: Strengthen Policy implementation for REDD+
<ul style="list-style-type: none"> <li>○ Strengthen Policy implementation for REDD+</li> </ul>

The identified SOs guided the design to strategies that tackled the drivers and underlying causes of deforestation and forest degradation. The REDD+ Strategies are deemed to be able to result in significant reductions of emissions and provide many positive impacts on both the environmental and social sides, but also potentially negative ones. Through SESA process, it is acknowledged that REDD+ Strategy options do not endanger possibilities for future generations, provided that these options are implemented as stated in the National REDD+ Strategy and Action document.

The National REDD+ Strategy and Action Plan describes strategies and actions intended to address policy approaches which promote sustainable forest management, biodiversity conservation and enhancement of forest carbon stocks. The REDD+ Strategy and Action Plan aims at addressing issues of deforestation and forest degradation and eventually will contribute to the mitigation of climate change impacts. It will help to improve the status of forest resources, mitigate climate change effects, promote fair and balanced benefits including gender consideration and the welfare of communities in general and forest dependent indigenous communities. In this way negative perceptions, attitudes and practices by forest, trees, and climate change management stakeholders will be improved which will in turn contribute to sustainable socioeconomic development. It will increase awareness of all categories of stakeholders about climate change, role of forests in climate change mitigation and the forests role in providing non-carbon benefits will substantially contribute to wise use of forest resources.

Over-all, Uganda's REDD+ strategic options aim to turn current wood and biomass extraction into sustainable abatement activities (i.e. strategic option activities). Whilst each of the 8 strategic option

will add to the mitigation capacity in its own manner, the main idea is to gradually stop the use of wood coming from natural forests and to replace it with wood coming from planted forests, improve the efficiency of wood use and prevent wildfires (Table 2-1).

Many of the proposed strategic options have strong links to watershed management and opportunities for gender activities, involvement of forest dependent and marginalized vulnerable people.

The first six of the final strategic options have negative marginal abatement cost coefficients, which means that they are cost efficient. Ultimately the amount of carbon that will be abated upon implementation of each of the strategic option, for a period of 25 years range from 3.6 to 16,049 MtCO<sub>2</sub>eq tons while the maximal abatement potential of the proposed strategic options is 31,284 MtCO<sub>2</sub>eq, which is an average 341 Mt carbon per year and/or 1,251 MtCO<sub>2</sub>eq per year. Since this performance is above the expected BAU scenario for the national carbon emissions, it means that these activities will be financially viable, and their beneficiaries will generate surplus income from their investment, even in the absence of carbon financing in the investment plans.

Strategic option 7 does not have a set carbon mitigation target as the carbon mitigation target for livestock management has been included in scope of other strategic options. Even the strategic sub-option 7.3 *Establishment of agroforestry fodder plantations* focuses on annual fodder production, which means that most carbon sequestration will be used as fodder for livestock and is therefore not available for carbon trading. Strategic Option 8 is an over-arching option as it strives to increase the efficiency of the others, while it is not bringing additional carbon emission reduction impacts by itself.

Uganda's REDD+ strategy is designed to best function as an integral and multi-sector strategy that address deforestation and forest degradation widely, whilst contributing towards other rural sectors such as agriculture, wildlife, energy among others.

The overall strategy is national, but it will be jurisdictionally operated mainly at district level via the four sub-national Water Management Zones of Albert, L. Victoria, Kyoga and Upper Nile (Figure 2-2). Uganda is preparing Emissions Reduction programmes anchored on these Water Management Zones with investments aligned to most appropriate landscapes and sub landscapes within each Water Management Zone.



Source (MWE, 2014)  
 Figure 2-2: Uganda's four sub-national watershed management zones.

Implementation of the REDD+ Strategy is planned to be integrated into the governmental administration of those ministries and authorities, which have leading roles in the implementation and coordination of the implementation of the eight main strategies. This may require revisions of staff job descriptions in ministries and agencies responsible for forestry, agriculture, livestock, environment or renewable energy to reflect REDD+ Strategy implementation and coordination responsibilities commensurate with the mandate of their institutions. The REDD+ will thus be fully incorporated into the management structures and budgets of these ministries, and agencies.

### 2.3.3 Risks and benefits

The identified *environmental* negative impacts (Table 2-2) should be able to be handled through professional and scientifically-based planning and implementation, and application of known best practices, with stakeholder participation.

Table 2.2: Confirmed Environmental Risks

Strategic Option	Risk
So1: Climate Smart Agriculture	<ul style="list-style-type: none"> <li>Increased nutrient load from fertilizers leading to eutrophication of water bodies</li> <li>Cultivation of some vegetables that are more pest prone, such as tomatoes</li> </ul>
Strategic option 2. Sustainable fuelwood and (commercial) charcoal production	<ul style="list-style-type: none"> <li>Reduced groundwater quantity by some tree species</li> </ul>
Strategic option 3. Large-scale commercial timber plantations	<ul style="list-style-type: none"> <li>Loss of natural ecosystems</li> <li>Increased nutrient load from fertilizers leading to eutrophication of water bodies</li> </ul>

	<ul style="list-style-type: none"> <li>• Pollution from chemicals with effects on biodiversity, e.g. loss of pollinators</li> <li>• Reduced groundwater quantity by some tree species (disturbance/reduction of flow to water springs)</li> </ul>
<b>Strategic option 4. <i>Restoration of natural forests in the landscape</i></b>	<ul style="list-style-type: none"> <li>• No serious environmental problem identified</li> </ul>
<b>Strategic option 5. on <i>Energy efficient cooking stoves</i></b>	<ul style="list-style-type: none"> <li>• No serious environmental problem identified</li> </ul>
<b>Strategic option 6. <i>Integrated wildfire management</i></b>	<ul style="list-style-type: none"> <li>• Loss or displacement of biodiversity</li> <li>• Increases in susceptibility to invasiveness</li> <li>• Reduced regeneration of species that need fire/heat to germinate</li> </ul>
<b>Strategic option 7. <i>Livestock rearing in the Cattle Corridor</i></b>	<ul style="list-style-type: none"> <li>• Displacement or loss of biodiversity (vegetation manipulation, acaracides disposals, vermin/problem animal management)</li> <li>• Trampling of vegetation around water dams and tanks</li> </ul>
<b>Strategic option 8. on Strengthening of policy implementation for REDD</b>	<ul style="list-style-type: none"> <li>• Not applicable</li> </ul>

The following identified negative impacts and risks (Table 2-3) on the *social* side will require deliberate actions to resolve the issues, such as (but not limited to) land tenure, land use planning, inequalities regarding land tenure and land ownership between men and women, political interference, the need to avoid eviction of people and the situation of indigenous marginalized and forest dependent people.

Table 2.3: Confirmed Social risks

Strategic Option	Risk
<b>So1: Climate Smart Agriculture</b>	<ul style="list-style-type: none"> <li>• Loss of traditional agricultural practices</li> <li>• Inequitable participation and benefiting from the technologies of CSA.</li> </ul>
<b>Strategic option 2. <i>Sustainable fuelwood and (commercial) charcoal production</i></b>	<ul style="list-style-type: none"> <li>• Displacement of food production</li> <li>• Reduced traditional ecological knowledge</li> </ul>
<b>Strategic option 3. <i>Large-scale commercial timber plantations</i></b>	<ul style="list-style-type: none"> <li>• Competition for land with food production</li> <li>• Human-wildlife conflicts</li> </ul>
<b>Strategic option 4. <i>Restoration of natural forests in the landscape</i></b>	<ul style="list-style-type: none"> <li>• Continued or increased human-wildlife conflicts</li> <li>• Distortion of social norms and systems</li> </ul>
<b>Strategic option 5. on <i>Energy efficient cooking stoves</i></b>	<ul style="list-style-type: none"> <li>• Loss of social constructs associated with traditional cooking methods and cuisines</li> </ul>
<b>Strategic option 6. <i>Integrated wildfire management</i></b>	<ul style="list-style-type: none"> <li>• Disrupts/interferes with the cultural values and practices associated with wildfires</li> </ul>
<b>Strategic option 7. <i>Livestock rearing in the Cattle Corridor</i></b>	<ul style="list-style-type: none"> <li>• Land use conflicts between livestock, crops and wildlife</li> <li>• Disrupted cultural values/attachments and traditional systems</li> </ul>
<b>Strategic option 8. on Strengthening of policy implementation for REDD</b>	<ul style="list-style-type: none"> <li>• Not applicable</li> </ul>

### 2.3.4 Environmental and Social Management Framework

The REDD+ Environmental and Social Management Framework (ESMF) should address outstanding issues not addressed in the National REDD+ Strategy and Action Plan (2020). Although included in the discussion and guidelines included in the REDD+ Strategy and Action Plan document, the following issues are regarded outstanding since the REDD+ Strategy and Action Plan does not include full action to solve the issues, and they are likely to directly or indirectly affect REDD+ implementation. Accordingly, there are two issues identified by the SESA and addressed in the ESMF:

- a. Land tenure; and
- b. Resettlements.

The importance of clear *land tenure arrangements* is stressed in several Strategic Options. However, this activity is not included in the REDD+ Strategies but regarded as a separate undertaking that need be implemented in parallel with REDD+ Strategy and Action planning and implementation.

From a SESA perspective there is a need for a forestry sector policy for *people's voluntary and involuntary resettlements*. There is already a national policy for resettlements following the provisions of the Land Act, being applied in road and other infrastructure development and in oil sector, etc. However, the SESA sees a need to develop a policy clearly applicable for forestry sector cases based on the existing national policy and laws. A draft policy framework is included in the ESMF.

There is also a need to settle the issue of *compensations to forest-dependent people evicted earlier* from protected areas. This point refers to forest reserves and other protected areas such as wildlife reserves and national parks. The issue falls outside of the REDD+ implementation and is not included in the ESMF. However, a solution is needed not only to solve this historic injustice but also to get still forest-dependent earlier evicted people interested in participating and benefiting from the REDD+ projects, in particular its SOs 1, 2, 4 and 6. It is from the SESA recommendations that the Government takes action to solve the issue following both the national law and international safeguards.

### 3. METHODOLOGY

This summary of information about how the Cancun safeguards were addressed and respected by Uganda during the REDD+ Readiness phase is based on the information in the Self-Assessment Report (R-Package) report submitted to the UNFCCC in July 2018 (and revised submission of July 2020) and additional information synthesised from the documentation of Uganda's REDD+ process since 2009. This information has been submitted in Uganda's Annual reports to FCPF and to UNREDD in 2019. The Summary information report has been prepared by Uganda's REDD+ Secretariat in consultation with some members of the Taskforces and National Technical Committee.

The Self-Assessment Report and Annual Reports submitted to FCPF were reviewed and endorsed by the **National Climate Change Advisory Committee (NCCAC)**: a Statutory body that served as Steering Committee for Uganda's REDD+ Process. The NCCAC serves as an official platform for policy-level stakeholder participation and provides policy-level guidance and coordination. The NCCAC is comprised of policy-level representatives from key government and non-government institutions with significant mandate over climate change issues and or interest in REDD+. The NCCAC adopted representatives of Indigenous Forest dependent people, Local Governments and private sector.

**Taskforces:** Three Taskforces (namely: Strategic Environmental and Social Assessment (SESA/Safeguards); Policy Legislation & Regulations; and, Methodological/Measurement, Reporting and Verification (MRV)) were formed and utilized to serve as platforms for specialists or experts for provision of technical inputs into REDD+ process and activities. Members comprises of individuals nominated because of their technical expertise and relevance to the R-PP components. Membership to the Taskforce was drawn from REDD+ stakeholder's institutions or independent specialists from private practice, CSOs/NGOs and academia.

**National Technical Committee (NTC):** comprised of members from REDD+ stakeholders at managerial or senior level, provided technical oversight and guidance to the REDD+ process, including among others, ensuring adherence to REDD+ principles, national policy and legal frameworks and World Bank and UNFCCC safeguards.

The methodology for preparing this Summary report acknowledges contributions by REDD+ Stakeholders including communities and forest dependent indigenous peoples who participated in the development and the REDD+ Strategy and Implementation Plan, SESA/ESMF, FREL /MRV and SIS. The UNREDD and World Bank provided inputs into the draft Report.

This report presents summary information on Uganda's performance towards addressing and respecting Cancun Safeguards during the REDD+ process since 2008. The report is not exhaustive of all process and action undertaken, including those steps undertaken to design the National Forest Plan (2017) and ongoing design of two Emission Reduction Programmes at subnational levels in Albertine and Mt. Elgon Landscapes, respectively. Further, the report does not report on approaches and steps taken by NGOs/CSOs and private sector players in designing and implementing their Carbon projects in Uganda.

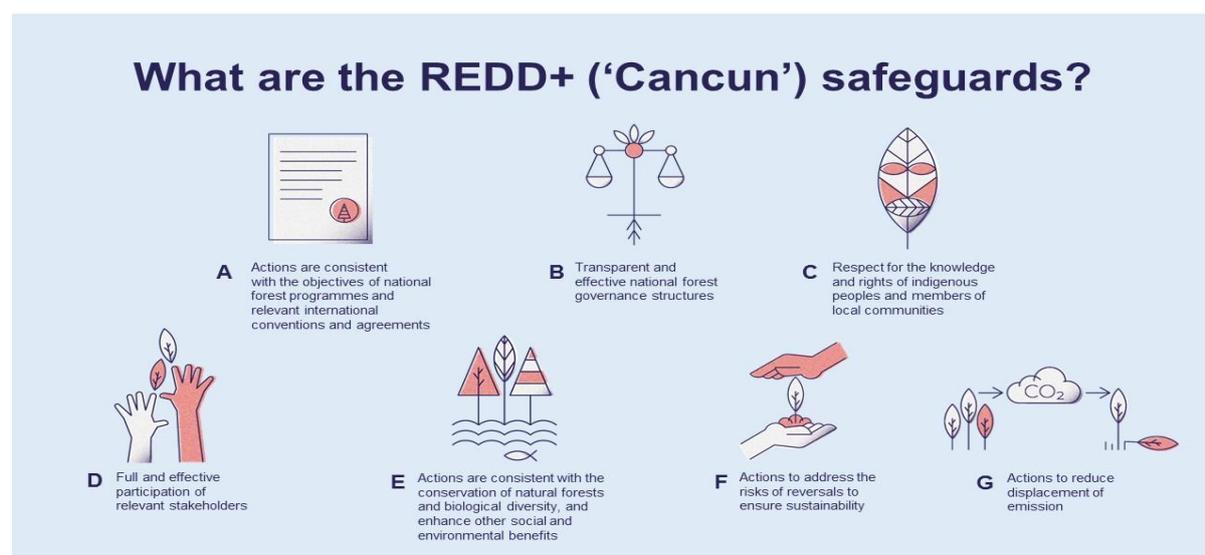
## 4. COUNTRY APPROACH TO ADDRESSING AND RESPECTING SAFEGUARDS

### 4.1 Safeguards framework considered

#### 4.1.1 Safeguards processes for REDD+ (globally)

The UNFCCC COP 16 in Cancun, Mexico, in 2010, defined seven safeguards to be applied when undertaking all REDD+ activities (referred to as the 'Cancun safeguards') (Figure 4.1). The three key UNFCCC safeguards requirements are:

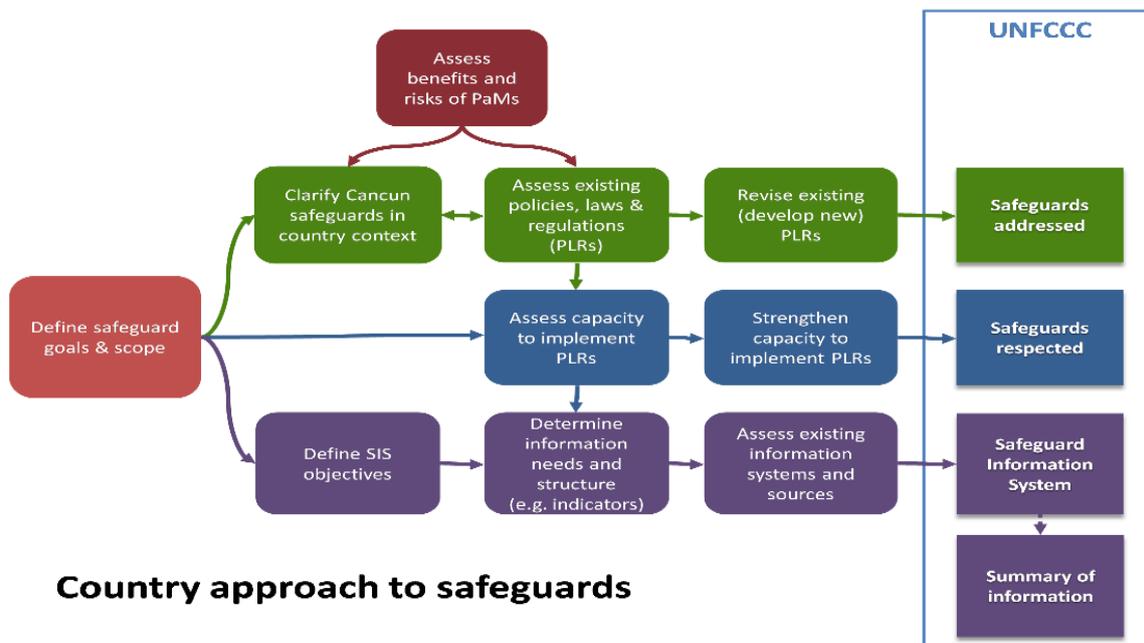
- Safeguards need to be 'addressed' and 'respected' throughout REDD+ implementation.
- National-level safeguards information system (SIS) needs to be put in place.
- Summaries of safeguards information, reporting on addressing and respecting, need to be produced periodically.



Source: [www.UNREDD.org](http://www.UNREDD.org)

Figure 4-1: The Cancun Safeguards

REDD+ Countries have been guided to approach safeguards as constituted by the existing governance arrangements and processes – policies, laws, regulations, institutions, etc. that countries can draw on to respond to international REDD+ safeguards requirements in a way that is harmonious with national policy goals. In this way, it is expected that country approaches to safeguards could help stakeholders explore what the safeguards mean in their specific context; inform the design of more sustainable REDD+ actions; engender country ownership; and build confidence among private and public investors in REDD+ actions that will benefit people and nature. The main elements of country approaches are presented in the Figure 4-2.



### Country approach to safeguards

Source: www. UNREDD.org

Figure 4-2: Main elements to country approaches to Cancun safeguards

In addition to Cancun safeguards, that Uganda implemented World Bank safeguards policies and processes as part of the requirements under the FCPF.

### 4.1.2 The Warsaw Framework

UNFCCC COP 19, held in November 2013 in Warsaw, Poland, adopted the 7 decisions of the Warsaw Framework for REDD+. This section gives a quick overview about these decisions in order to lay foundations assessing Uganda’s performance in respect meeting the Warsaw requirement. The Warsaw Framework for REDD+ builds upon earlier decisions adopted by the COP (Box 1).

Box 1: UNFCCC Decisions regarding Safeguards

**Decision 9/CP.19:** Work programme on **results-based finance** to progress the full implementation of the activities referred to in decision 1/CP.16, paragraph 70. The COP in this decision, inter alia:

- Reaffirms that results-based finance may come from a wide variety of sources, public and private, bilateral and multilateral, including alternative sources
- Encourages financing entities, including the Green Climate Fund in a key role, to channel adequate and predictable results-based finance in a fair and balanced manner, and to work with a view to increasing the number of countries that are in a position to obtain and receive payments for results-based actions
- Decides to establish an information hub on the REDD Web Platform, to publish information on the results and corresponding results-based payments
- Requests the Standing Committee on Finance to consider the issue of financing for forests in its work on coherence and coordination
- Recognizes the importance of incentivizing non-carbon benefits for the long-term sustainability of the implementation of the activities referred to in decision 1/CP.16, paragraph 70

a. **Decision 10/CP.19: Coordination of support** for the implementation of activities in relation to mitigation actions in the forest sector by developing countries, including institutional arrangements. The COP in this decision, inter alia:

- Invites interested Parties to designate a national entity or focal point to serve as liaison with the secretariat and bodies under the Convention, on coordination of support, and may also be nominated to receive and obtain results-based payments
- Recognizes that in order to address issues related to the coordination of support, a number of needs and functions were identified

- Encourages national entities/focal points, Parties and relevant entities financing REDD+ to meet, on a voluntary basis, to discuss the needs and functions identified to address issues relating to coordination of support; with the first meeting to be held in conjunction with SBI 41 (December 2014)
  - Requests the Subsidiary Body for Implementation, at the latest, at its forty-seventh session (November-December 2017) to review the outcomes of these meetings
- b. Decision 11/CP.19: Modalities for national forest monitoring systems  
The COP in this decision, inter alia:
- Affirms that the activities referred to in this decision are undertaken in the context of the provision of adequate and predictable support to developing country Parties
  - Decides national forest monitoring systems should be guided by the most recent IPCC guidance and guidelines, as adopted or encouraged by the COP
  - Also decides that national forest monitoring systems should provide data and information that are transparent, consistent over time, suitable for MRV, and build upon existing systems while being flexible and allowing for improvement
- c. Decision 12/CP.19: The timing and the frequency of presentations of the **summary of information on how all the safeguards referred to in decision 1/CP.16, appendix I, are being addressed and respected.**  
The COP in this decision, inter alia:
- Agrees that the summary of information on how all of the safeguards referred to in decision 1/CP.16, appendix I, are being addressed and respected throughout the implementation of the activities referred to in decision 1/CP.16, paragraph 70, could also be provided, on a voluntary basis, via the REDD Web Platform
  - Decides that developing country Parties should start providing the summary of information after the start of the implementation of activities referred to in decision 1/CP.16, paragraph 70
  - Also decides that the frequency for subsequent presentations of the summary of information should be consistent with the provisions for submissions of national communications and, on a voluntary basis, via the REDD Web Platform
- d. Decision 13/CP.19: **Guidelines and procedures for the technical assessment** of submissions from Parties on proposed forest reference emission levels and/or forest reference levels  
The COP in this decision, inter alia:
- Decides that each submission of forest reference emission levels and/or forest reference levels shall be subject to a technical assessment
  - Invites Parties and relevant international organizations to support capacity-building for development and assessment of forest reference emission levels and/or forest reference levels
  - Adopts the guidelines and procedures for the technical assessment, as contained in the annex to this decision
- e. Decision 14/CP.19: **Modalities for measuring, reporting and verifying**  
The COP in this decision, inter alia:
- Decides that measuring, reporting and verifying anthropogenic forest-related emissions by sources and removals by sinks, forest carbon stocks, and forest carbon stock and forest-area changes is to be consistent with the methodological guidance provided in decision 4/CP.15, and any guidance on the measurement, reporting and verification of nationally appropriate mitigation actions by developing country Parties as agreed by the COP
  - Decides that data and information should be provided through a technical annex to the biennial update reports, underlining that the submission of the technical annex is voluntary and in the context of results-based payments
  - Further decides to include two additional LULUCF experts in the technical team of experts for the international consultation and analysis of results-based actions reported in a technical annex to the biennial update reports, and agrees that these LULUCF experts will develop a technical report on their analysis of the technical annex and identified areas for technical improvement
  - Also agrees that results-based actions that may be eligible to appropriate market-based approaches that could be developed by the COP may be subject to any further specific modalities for verification
- f. Decision 15/CP.19: **Addressing the drivers of deforestation and forest degradation**  
The COP in this decision, inter alia:
- Encourages Parties, organizations and the private sector to take action to reduce the drivers
  - Also encourages to continue work to address drivers, and to share information
  - Further encourages developing country Parties to take note of the information shared

## 4.2 Governance arrangements and processes for Safeguards

### 4.2.1 Policies, Laws and Regulations

Uganda's PLRS are adequate for handling Safeguards. The REDD+ Strategy and Implementation Plan integrates required PLR measures as well as the requirements and capacities for their implementation/enforcement. However, the following Safeguard issues not integrated in the REDD+ Strategy and implementation Plan are addressed in the ESMF:

- **Land tenure:** the problems of land ownership and shared utilisation rights need be solved to avoid conflicts so that user(s) of a piece of land can be certain that the returns from an investment in the land (e.g. land productivity or a forest plantation) come back to the user. Land tenure issues are in the Strategy mentioned in the description of several Strategy Options, but not included in the REDD+ implementation programme. Instead, ongoing land administration management programme should be strengthened, and run in parallel with REDD+ implementation activities.
- **Compensation to forest-dependent people earlier evicted:** from protected areas. This point refers to forest reserves and other protected areas such as wildlife reserves and national parks. It is an issue that falls outside of REDD+ implementation. However, a solution is needed not only to solve an historic injustice but also to get forest-dependent people earlier evicted from protected areas to become interested in joining the REDD+ programme, in particular SOs 1, 2 and 4. The issue of compensation to earlier evicted people is not further dealt with in the ESMF since it falls outside of the REDD+ scope of work.
- **People's voluntary and involuntary resettlements:** There is already a national policy for resettlements following the provisions of the Land Act<sup>8</sup>, being applied in road and other infrastructure development and in oil sector, etc. The SESA found that there is a need to develop a policy clearly applicable for forestry sector cases, based on the national policy. However, implementation of REDD+ activities will as much as possible focus on avoiding causing need for resettlements.

Note: These policy gaps are being addressed through ongoing Forestry Policy Review.

### 4.2.2 Coordination mechanisms for safeguards

- **National level:** The implementation and coordination of ESMF and other safeguards tools will follow the national arrangements for implementing the REDD+ Strategy Options. This is intended to entrench safeguards responsibility in institutions taking lead in implementing each of Strategic policy options. However, the Ministry of Water and Environment (MWE) is the lead institution for the over-all implementation and coordination of safeguards.

MWE will function through the DESS, Forestry Sector Support Department (FSSD), the National Forest Authority (NFA), the Directorate of Water Development (DWD) and the Directorate of Water Resources Management (DWRM). DESS will provide technical and coordination responsibility on behalf of the MWE.

MWE will collaborate with the Uganda Wildlife Authority (UWA; forests in wildlife conservation areas, wildfires), the Ministry of Agriculture, Animal Industry and Fisheries (MAAIF; Climate Smart Agriculture (CSA) and livestock rearing), the Ministry of Energy and Mineral Development

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<sup>8</sup>Draft Land Acquisition, Resettlement and Rehabilitation Policy of Uganda

(MEMD; sustainable fuel wood utilization, Energy Efficiency technologies), Districts (Local Forest Reserves, forest outside protected areas, CSA, sustainable fuel wood and (commercial) charcoal use, energy efficient cooking stoves, integrated wildfire management). The Office of the Prime Minister (OPM) through department responsible for Disaster Preparedness will supervise the involvement of refugees. The Ministry of Gender Labour and Social Development (MoGLSD) will supervise actions that support ethnic minority and marginalized people.

- **District Level:** The primary responsibility for compliance with ESMF will rest with the District Environment Officer (DEO), the Community Development Officer (CDO) and the designated Environmental Focal Person at the Sub County who will be responsible to oversee proper execution and implementation of ESMF safeguards in all sub projects.
- **Community level:** community members will be responsible for identifying the environmental, social issues and local practices that may be adopted to mitigate them. Communities will also play a role in implementing some mitigation measures such as planting trees and grass during sub project implementation.
- **Technical Support:** The service of the consultants may also be utilized to undertake the annual sample environmental audit of all the financed subprojects.

### 4.2.3 Information management and systems

The ESMF proposes annually updated statistical data and information on how each of the REDD+ strategic options are being implemented in each region and district of Uganda and feed this information into the exiting information systems. This information will be especially important for carbon trading purposes, but even without carbon trading it will be crucial for the national REDD+ programme operations. The reporting shall involve stakeholders including relevant government agencies, formal and informal forest users, private sector entities, civil societies, indigenous people and other forest-dependent communities.

The following are existing information systems that will support the SIS:

- Environmental and Social Management System (ESMS) - National Agricultural Research Organization (NARO)
- Eco Survey Management Information System - Ministry of Water and Environment (MWE)
- Environment Information Network (EIN) Uganda Clearing House - National Environment Management Authority (NEMA)
- Land Information System (LIS) - Ministry of Lands, Housing and Urban Development (MLHUD)
- Management Information System (MIST) - Uganda Wildlife Authority (UWA)
- National Biodiversity Data Bank (NBDB) - Makerere University Kampala (MUK)
- National Forest Monitoring System (formerly the National Biomass Monitoring Database) - National Forestry Authority (NFA)
- National Wetlands Information System (NWIS) - Wetlands Management Department (WMD)
- Uganda National Household Survey – Uganda Bureau of Statistics (UBOS)
- Demographic and health survey - Uganda Bureau of Statistics (UBOS)
- Annual Agriculture Survey - Uganda Bureau of Statistics (UBOS)
- National Service Delivery Survey - Uganda Bureau of Statistics (UBOS)

Details on structure, functioning and capacities of each of the above systems are provided in the SIS document.

- a. **Benefit Sharing Arrangements (BSA):** The Benefit Sharing Arrangements for Uganda's National REDD+ Strategy, (<https://www.mwe.go.ug/library/benefit-sharing-arrangements-ugandas-redd-strategy>) was developed in 2018. The BSA takes into account **best practices** of Benefit Sharing schemes within<sup>9</sup> and outside Uganda and other benefit sharing **options** which could be adopted to fit within the national and local circumstances.

In order to accommodate different local and national contexts, the following three elements in the design of benefit sharing processes are emphasized:

- **Recognize the differences and linkages between project-level BSA and national-level BSA.** The national – level context provides framework that accommodates site specific or project level mechanism of sharing REDD+ benefits. Through national BSA, such subnational schemes will be designed and applied, where appropriate. Uganda's BSA will learn from each approach and use these lessons to continuously strengthen the national BSA arrangement.
- **Mechanisms for addressing grievances:** The BSA scheme at national and sub national level will ensure transparency through providing free access to information about the contracts and action plans. Both national BSA frameworks and sub national action plans for benefit sharing have; i) measures for public disclosure; ii) sound feedback and grievance mechanisms which encourage inputs from local stakeholders; iii) mechanisms for third-party monitors (e.g., civil-society actors); and, v) measures for revising action plans over time in response to new information and changing circumstances.

- b. **Feedback and Grievances Redress Mechanism:** Uganda's FGRM (<https://www.mwe.go.ug/library/feedback-and-grievance-redress-mechanism-uganda-redd-process>) is designed to contribute to conflict detection, prevention and resolution, as well as transforming conflicts associated with implementation of REDD+ Strategy and Implementation Plan into peaceful co-existence and community cohesion. The FGRM emphasizes conflict transformation because of its critical and potential role in improving and restoring the relationships among communities affected by conflict. In addition, the FGRM is designed to channel grievances into an acceptable, institutionalized system for resolving conflicts that are likely to occur during REDD+ Strategy implementation. The FGRM focuses on dialogue and problem solving as an intermediate way for stakeholders to discuss and resolve conflicts. The FGRM is expected to primarily address interest-based REDD+ conflicts, meaning conflict in which groups with some form of interdependency have a difference in (perceived) interest, for example, disputes related to benefit sharing, forest use, forest boundaries and forest ownership.

The FGRM aims to streamline existing grievance redress mechanisms that are either informal or formal. The formal ones include the court system while the informal ones include grievance redress mechanisms used by cultural or traditional institutions. The FGRM is not intended to replace the existing grievance redress mechanism but to serve as a hybrid structure that creates a more effective platform for resolving conflicts and addressing grievances resulting from the REDD+ Strategy implementation activities. In the event that people or communities affected by REDD+ related conflicts do not find the intervention and resolutions of the FGRM satisfactory, the FGRM recommends seeking legal redress through the mainstream formal court system.

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<sup>9</sup> Benefits Sharing Arrangements in Uganda target access and use of resources within protected areas such as Collaborative Forest Management (under NFA), Collaborative Resources Management and Revenue Sharing Arrangements (under UWA).

### 4.3 Summary action to address Warsaw Framework

Uganda has completed the following Warsaw Frameworks in compliance with the UNFCCC Standards and requirements.

- **Component 1: Readiness Organisation and Consultation**
  - **Sub-component 1a:** National REDD+ Management Arrangements.
  - **Sub-component 1b:** Consultation, Participation and Outreach:
- **Component 2: REDD+ Strategy Preparation**
  - **Sub-component 2a:** Assessment of Land Use, Land Use Change Drivers, Forest Law, Policy and Governance
  - **Sub-component 2b:** REDD+ Strategy Options
  - **Sub-component 2c:** Implementation Framework
  - **Sub-component 2d:** Social and Environmental Impacts
- **Component 3: Reference Emissions Level/Reference Levels**
  - **Component 3:** Reference Emissions Level/Reference Levels: Uganda will submit to UNFCCC updated FREL in the coming year, 2021
- **Component 4: Monitoring Systems for Forests and Safeguards**
- **Sub-component 4a:** National Forest Monitoring System: The task of completing design of the National Forest Information Monitoring system is well underway. The forest inventory process focused on areas previously not covered. On mapping, the LULC Maps that include 13 classes (5 for forest and 8 for other Land Uses) consistently with the other LULC maps produced since the 1990 are being made for 2018.
  - The NFMS IT infrastructure is in phase of completion and currently includes all the relevant information on the same server. Institutional.
  - The following additional work will be addressed in near future (subject to funding availability).
    - ✓ Training national level experts in the assessment of forest degradation, GHGi inventory
    - ✓ Training District Forest Officers in Data capture and sharing
    - ✓ Finalizing arrangements for Right to access Data
    - ✓ Finalizing data sharing and management Protocols
    - ✓ Generating information on Forest Plantation and Wild fires and entering this information into the NFMS.
  - **Sub-component 4b:** Information System for Multiple Benefits, Other Impacts, Governance, and Safeguards.

### 4.4 Summary of actions taken to respect to Cancun Safeguards

Uganda's progressed well towards meeting the requirements for respecting the Cancun safeguards (Table 4-2).

Table 4.1: Snapshot summary of Uganda's action towards respecting Cancun safeguards

Safeguard	Action taken
Actions are Consistent with the Objective of national Forest Programmes and relevant international Conventions and agreements	<p><b>a. Assessment of PLR:</b> the assessment generated issues and recommendations that were addressed during the REDD+ Process.</p> <p><b>b. Ownership and participation:</b> The REDD+ process was led by the Ministry responsible for forestry. The process actively engaged with government institutions responsible for forestry resources within forestry protected areas (Forest reserves) at national (National Forestry Authority) and subnational levels (District Local Governments) , agency responsible or forested wildlife protected areas (Uganda Wildlife Authority); Forestry research and training (Universities and Research Institutes); government agencies reasonable for other sectors that impact or</p>

	<p>contribute to forestry ( agriculture, tourism, trade, mining, energy, land use, Public financing and economy, etc.), national focal points for UNFCCC, CBD, CITES, Paris Agreement/Climate Change, etc. as well as non-state actors (Private sector, NGOs/CSOs and Cultural Institutions).</p> <p>c. <b>Policy and legal framework:</b> The REDD+ process operated under the Forestry policy, law and regulations and respected polices, laws and regulations of wildlife, energy, oil and gas, tourism, agriculture, land, social development, human rights, refugees and international cooperation.</p> <p>d. <b>Uganda’s National Forest Plan (2013- 2023):</b> National REDD+ process incorporated the development the following objectives</p> <ul style="list-style-type: none"> <li>• Enhance the capacity of forestry institutions to enable them effectively perform their mandates</li> <li>• Increase the forest resource base by increasing forest cover to the 1990 levels</li> <li>• Increase economic productivity of forests and employment in the forestry sector</li> <li>• Raise incomes for households through forest-based initiatives</li> <li>• Restore and improve ecosystem services derived from sustainably managed forests</li> </ul> <p>e. The following safeguards tools have been put in place: ESMF, PF, IPPF, RPF, SIS and Gender Strategy. The preparation of these frameworks applied standard procedures, emphasizing technical analysis of issues and stakeholder consultations and inputs. These tools provide reference for compliance with safeguards standards. Through the working of the Taskforces and dedicated training in the development and application of these tools, there is reasonable workforce to spearhead the application of these frameworks. more so, CSOs/NGOs have experts in most of these frameworks and will support their institutions in monitoring compliance with the safeguards.</p>
<p><b>Transparent and effective national forest governance structures</b></p>	<p>a. REDD+ information was and continues to be widely disseminated through MWE website, national and subnational and community level dialogues and consultations with diverse stakeholders including dialogues and consultations with special interest groups (Vulnerable and Marginalized Groups, advocacy Civil Society/NGOs, Private Sector, Academia, etc.) as well as Forest dependent and indigenous people. National level dialogues and consultations have focused on mainstreaming REDD+ into environment and natural resource sector (ENR- Sector) and between the ENR-Sector and other economic sectors such as agriculture, energy, tourism, transport and works, wildlife, among others. There is enhanced awareness among various stakeholders at national, subnational and community levels of REDD+ issues.</p> <p>b. The following structures that provided platforms for engaging forestry stakeholders from government institutions, academia, CSOs, NGOs, indigenous people, private sector, cultural institutions, and individual experts ensured transparent and effective engagement of forestry stakeholders</p> <ul style="list-style-type: none"> <li>• REDD+ Steering Committee</li> <li>• National Technical Committee</li> <li>• Taskforces</li> </ul> <p>c. The REDD+ process involved establishment of and consultations with “Participatory” Structures at subnational levels (Districts) and for forest dependent people. Consultations were preceded by capacity building on issues of REDD+.</p> <p>d. REDD+ Process engaged a vibrant communication and outreach mechanisms by the REDD+ Secretariat and through print and audio media platforms. This effort included disclosure processes via websites, workshops /meeting and dissemination of published materials.</p> <p>e. The development and approval of REDD+ Strategy and implementation frameworks (BSA, FGRM, ESMF, SIS, etc.) were developed with sufficient consultations and inputs by stakeholders at national and subnational levels. The REDD+ Strategy was reviewed and approved through the stashed mechanisms, involving the Steering Committee and decisions making processes under the Lead ministry.</p>
<p><b>Request for knowledge and rights of indigenous</b></p>	<p>a. Stakeholders Participatory Structures for forest dependent people/indigenous people provided the platform for consulting and providing feedback to the forest dependent people/indigenous people. These processes were mainly led by the CSO and other</p>

<b>peoples and members of local communities</b>	<p>rights based organizations. Consultations and feedback messages were translated in vernacular for ease of communication.</p> <p>b. Forest dependent people/indigenous people representatives actively participation the REDD+ Steering Committee and National Technical Committee.</p> <p>c. The processes leading to design of SESA/ESMF, SIS, GRM and BSA sought participation of forest dependent people/indigenous people and communities through consultations meetings, provision of feedback and publicizing the REDD+ process and outcomes in vernacular.</p> <p>d. An IPPF was developed to enhance the participation of forest dependent people/indigenous people</p>
<b>Full and effective participation of Stakeholders</b>	<p>a. The following structures that provided platforms for engaging forestry stakeholders from government institutions, academia, CSOs, NGOs, indigenous people, private sector, cultural institutions, and individual experts ensured transparent and effective engagement of forestry stakeholders</p> <ul style="list-style-type: none"> <li>• REDD+ Steering Committee</li> <li>• National Technical Committee</li> <li>• Taskforces</li> </ul> <p>b. The REDD+ process involved establishment of and consultations with “Participatory” Structures at subnational levels (Districts) and for forest dependent people. Consultations were preceded by capacity building on issues of REDD+.</p> <p>c. REDD+ Process engaged a vibrant communication and outreach mechanisms by the REDD+ Secretariat and through print and audio media platforms. This effort included disclosure processes via websites, workshops /meeting and dissemination of published materials.</p> <p>d. The development and approval of REDD+ Strategy and implementation frameworks (BSA, FGRM, ESMF, SIS, etc.) were developed with sufficient consultations and inputs by stakeholders at national and subnational levels. The REDD+ Strategy was reviewed and approved through the stashed mechanisms, involving the Steering Committee and decisions making processes under the Lead ministry.</p>
<b>Actions are consistent with conservation of natural forests and biological diversity and enhance other social and environmental benefits</b>	<p>The REDD+ Strategy Options were subjected to a SESA that confirmed their consistence with conservation of natural forests and biological diversity and enhance other social and environmental benefits</p> <p>An ESMF that addresses confirmed environmental and social concerns was prepared to guide the implementation of strategies to tackle these issues.</p>
<b>Actions to address risks of reversals to ensure sustainability</b>	<p>a. An assessment of perceived risks and their respective mitigation measures for institutional arrangements at the national level was undertaken and incorporate in the REDD+ Strategy and Implementation Plan.</p> <p>b. A safeguards Information Systems (SIS) was development and capacity for its implementation build at national and subnational levels.</p>
<b>Actions to reduce displacement of emissions</b>	<p>a. An assessment of perceived risks and their respective mitigation measures for institutional arrangements at the national level was undertaken and incorporate in the REDD+ Strategy and Implementation Plan.</p>

## 4.5 The safeguards information system

Uganda developed a Safeguards Information System (SIS) (<https://www.mwe.go.ug/library/safeguards-information-system-national-redd>) whose objective is to capture and report on performance of REDD+ safeguards to UNFCCC, Uganda government and public at large. Specifically, the SIS aims to; i) produce

summaries of information on REDD+ safeguards for UNFCCC; ii) provide assurances on safeguards implementation and non-carbon benefits to donors; iii) provide information to the Ugandan government on contributions to sustainable development; and, v) provide assurances to local stakeholders on their social and environmental priorities. The SIS shows how safeguards are addressing risks and opportunities of REDD+ identified through consultations with all stakeholders during the SESA for the National REDD+ Strategy and will help to maintain broad support for REDD+ activities among local communities and other Ugandan stakeholders.

The SIS process undertook a detailed analysis of Uganda's policies, laws and regulations with respect to the Cancun Safeguards. Annex 1. presents the summary of the PLR assessment (findings and recommendations) while details are presented in the SIS document.

The SIS will provide the following functions during REDD+ Strategy implementation: i) information collection; ii) compilation; iii) analysis and interpretation; iv) quality assurance and validation; v) Information dissemination and management.

Information for feeding into the SIS shall be obtained from diverse sources at local and national levels across the sectors participating in REDD+ Strategy implementation. This information will be supplemented by existing information systems of government ministries, agencies and NGOs/CSOs such as the Environmental and Social Management System (ESMS), Eco Survey Management Information System, Environment Information Network (EIN) Uganda Clearing House, Land Information System (LIS) - Management Information System (MIST) , among others<sup>10</sup>. A mechanism for capturing this information is described in the SIS document.

With regards to International norms and commitments relevant to Uganda, the following instruments were assessed: Convention on Biological Diversity, United National Declaration on the Rights of Indigenous Peoples and associated requirements for Free, Prior and Informed Consent, the REDD+ SES, FCPF Readiness Assessment Framework, World Bank Operational Policies and Environmental and Social Standards, Green Climate Fund policies and safeguards, currently the International Finance Corporation Performance Standards.

The assessment recommended that Uganda Domesticates key international agreements such as the UNFCCC (1992), Paris Agreement (2015), *ILO Convention 169 on Indigenous and Tribal Peoples (1989)* etc. into Uganda's laws.

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<sup>10</sup> Uganda SIS (2020)

## 5. POLICY APPROACH TO ADDRESSING SAFEGUARDS

### 5.1 Global practice towards addressing safeguards

Over the last nine years since the Cancun safeguards were agreed in December 2010, countries have been developing their approach to safeguards following a conceptual framework for a Country Safeguards Approach (CSA), albeit in slightly different format. In general, CSA involves: the following elements, among others:

- a. the country's legal framework of policies, laws and regulations (PLR);
- b. an institutional framework defining the roles, responsibilities and procedures of the different entities;
- c. feedback and grievance redress mechanisms to enable stakeholders to make complaints and seek redress related to safeguards; and
- d. a safeguards information system (SIS) to provide information on how safeguards are addressed and respected.

In this regards, the actual safeguards at country level are the country's policies, laws and regulations which ensure that the Cancun safeguards are '**addressed**'. These policies, laws and regulations (PLRs) are implemented through institutions, processes and procedures which ensure that the Cancun safeguards are '**respected**'. Therefore, 'Country Safeguards Approach' (CSA) ensures that relevant policies, laws and regulations are implemented and reinforced through effective institutional processes and procedures, informed by a safeguards information system and strengthened by a feedback and grievance redress mechanism, together, effectively addressing the risks and opportunities of the REDD+ strategy and activities in compliance with UNFCCC decisions related to the Cancun safeguards.

In summary, the CSA identifies and implements the country's own safeguards that address the specific risks and opportunities of the country's REDD+ strategy and the country context, through a country-led and -owned approach. The CSA builds on and strengthens the country's existing legal and institutional frameworks and information systems.

### 5.2 Country practice approach

#### 5.2.1 Policy, legal, regulatory and institutional practices

Uganda SESA comprehensive assessed the country PLR in relationship with the Cancun safeguards. The assessment identified strength and gaps in the PLR as reported in SESA report, <https://www.mwe.go.ug/library/strategic-environmental-and-social-assessments-ugandas-redd-process> . The conclusions of this assessment is presented in Table 5-1.

Table 5.1: Summary assessment of Uganda's PLR against Cancun safeguards

Safeguards	In country practice	Gaps in PLR against Safeguards				
<b>Safeguard A</b>	<p>Uganda has adequate policy, legal and regulatory arrangements for forestry governances. These include</p> <table border="1" data-bbox="394 395 1440 1362"> <thead> <tr> <th data-bbox="394 395 887 430">Policy</th> <th data-bbox="887 395 1440 430">Legislation</th> </tr> </thead> <tbody> <tr> <td data-bbox="394 430 887 1362"> <ul style="list-style-type: none"> <li>• The Uganda Forestry Policy (2001)</li> <li>• The Uganda National Land Policy (2013)</li> <li>• The National Climate Change Policy (2015)</li> <li>• The National Environment Management Policy for Uganda (1994)</li> <li>• The Draft National Environment Management Policy for Uganda (2014)</li> <li>• Policy for the Conservation and Management of Wetland Resources (1995)</li> <li>• The National Water Policy (1999)</li> <li>• Uganda National Policy on Conservation and Sustainable Development of Wildlife Resources (2014)</li> <li>• The Renewable Energy Policy for Uganda (2007)</li> <li>• The Energy Policy for Uganda (2002)</li> <li>• National Agriculture Policy (2013)</li> <li>• National Oil and Gas Policy for Uganda (2008)</li> </ul> </td> <td data-bbox="887 430 1440 1362"> <p><b>Laws</b></p> <ul style="list-style-type: none"> <li>• Constitution of Uganda (1995)</li> <li>• The National Forestry and Tree Planting Act (2003)</li> <li>• National Environment Act (2019)</li> <li>• The Land Act (Cap 227 Laws of Uganda)</li> <li>• The Local Governments Act (Cap 243 Laws of Uganda)</li> <li>• The Uganda Wildlife Act (2019)</li> <li>• The Mining Act (No. 9 of 2003)</li> <li>• Water Act (Cap 152 Laws of Uganda)</li> <li>• The Prohibition of Burning of Grass Act (Cap 33 Laws of Uganda)</li> <li>• The Petroleum (Exploration, Development and Production) Act (No 3 of 2013)</li> <li>• Petroleum (Refining, Conversion, Transmission Act and Midstream Storage) (No 4 of 2013)</li> <li>• The Timber (Export) Act (Cap 151 Laws of Uganda)</li> <li>• The Local Governments Act (Cap 243)</li> </ul> <p><b>Regulations</b></p> <ul style="list-style-type: none"> <li>• National Forestry and Tree Planting Regulations (2016)</li> <li>• The Environmental Impact Assessment Regulations (S.I. 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No. 13/1998)</li> <li>• Land Regulations (S.I No 100 2004)</li> <li>• National Environment (Access to Genetic Resources and Benefit Sharing) Regulations (2005)</li> </ul>	<ul style="list-style-type: none"> <li>• Poor enforcement of existing PLRs (e.g. the Forestry Committees provided for under the National Forestry and Tree Planting Act (2003) (“NFTPA”) have never been put in place since the coming into force of the law; the Tree Fund provided for under the NFTPA has never been established. Some of the structures are not properly facilitated by government to do their work.</li> <li>• The Environmental Tribunal that could potentially resolve REDD+ related disputes are not yet established.</li> <li>• While the PLRs provide for the establishment of community forests, in practice not many community forests have been established.</li> </ul>
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	<p><b>Guidelines</b></p> <ul style="list-style-type: none"> <li>• National Guidelines for Implementing Collaborative Management in Uganda (2003)</li> <li>• Guidelines for Mainstreaming Climate Change Adaptation and Mitigation in Agricultural Sector Policies and Plans (2018)</li> <li>• Guidelines for the Registration, Declaration and Management of Community Forests (2015)</li> </ul> <p>These PLR make adequate provisions aiming at ensuring:</p> <ul style="list-style-type: none"> <li>• Consistency with regional and international commitments on climate; contribution to national climate policy objectives, including those of mitigation and adaptation strategies</li> <li>• Coordination among agencies and implementing bodies for REDD+, national forest programmes and national policy(ies) that enact the relevant international conventions and agreements</li> <li>• Consistency with the achievement of the Sustainable Development Goals; contribution to national poverty reduction strategies.</li> <li>• Consistency with international commitments on the environment; contribution to national biodiversity conservation policies (including National Biodiversity Strategies and Action Plans)</li> <li>• Consistency with the State's human rights obligations under international law, including the core international human rights treaties and ILO 169, where applicable.</li> </ul>	
<p><b>Safeguard B</b></p>	<p>Uganda has a transparent national forest governance policy and practices structures anchored in the National Forest and Tree Planting Act (2003) and National Forestry Policy (2002) and several forestry relate regulations. The following provisions were assessed during SESA (Section 8.3 SESA (<a href="http://www.mwe.gov.ug">www.mwe...</a>)); granting access to forestry information, accountability, tenure and rights over forest land, access justice and management of disputes related to forest/land governance, gender equality and empowerment, benefit sharing, participatory forest management, institutional arrangements national and subnational levels, forest regulation and law enforcement.</p>	<ul style="list-style-type: none"> <li>• Land policies, laws and regulations recognize competing interests in land ownership (registered owner Vs squatters) which is a source of many conflicts and therefore likely impact on the observance of Cancun safeguards.</li> <li>• Right of Access to Information Act (2005) and the Access to Information Regulations</li> </ul>

		<p>(2011) contravene the Constitution of Uganda by providing for wider restrictions to access to information from public offices than is allowed under Article 41 of the Constitution.</p> <ul style="list-style-type: none"> <li>• There are outdated laws such as the Official Secrets Act (1964) which may hinder access to information by ordinary citizens under the new legal framework.</li> </ul>
<b>Safeguard C</b>	<p>The Constitution of Uganda and subsidiary legalisation define indigenous people and provides for respect of knowledge and rights of indigenous peoples and members of local communities. They recognize collective rights to lands and forest resources, right to compensation and/or other remedies in the case of involuntary resettlement and/or economic displacement, right to share in benefits when appropriate, Free, prior and informed consent, recognition and protection of indigenous peoples' and local communities' traditional knowledge and cultural heritage, among others.</p>	<ul style="list-style-type: none"> <li>• Ugandan PLRs do not have clear provisions for the sharing of revenue (benefits) from REDD+ such as is the case with oil revenue (Public Finance Management Act (2015)) or minerals under the Mining Act (2003) – 17% of revenue from mineral permits goes to district local governments (DLGs) &amp; 3% to the land owner.</li> </ul>
<b>Safeguard D</b>	<p>Uganda PLR provide for identification of relevant stakeholders, legitimacy and accountability of bodies representing relevant stakeholders, recognition and implementation of procedural rights including consultation and participation, provision of information to stakeholders to facilitate their effective participation</p>	<ul style="list-style-type: none"> <li>• Environmental Impact Assessment (EIA) reports are compiled in technical language that is not easily understood by stakeholders;</li> <li>• Failure to give adequate time to stakeholders to study the EIA reports. Ignoring of stakeholder comments;</li> <li>• Withholding of the approved EIA reports from the public thus stifling any attempt to challenge the decisions of the regulator; and</li> </ul>

		<ul style="list-style-type: none"> <li>• Lack of capacity by stakeholders to challenge EIA reports in courts of law even when they ignore stakeholder views.</li> </ul>
<b>Safeguard E</b>	Uganda's PLR define natural forest and biological diversity, provide measures for avoiding or minimizing adverse impacts on natural forests, biological diversity and ecosystem services, provide measures that promote conservation, of natural forest and biological diversity, measures for avoiding or minimizing adverse social impacts as well as measures that promote and enhance human well-being with special attention to the most vulnerable and marginalized groups.	<ul style="list-style-type: none"> <li>• Lack of economic or other incentives to conserve natural forests.</li> </ul>
<b>Safeguard F</b>	Uganda's PLR require assessment of risks of reversal to past practices and loss of benefits achieved as well as promote and support actions to address the risk of reversals/non-permanence	<ul style="list-style-type: none"> <li>• Poor or weak enforcement of existing policies, laws and regulations.</li> </ul>
<b>Safeguard G</b>	Ugandan PLRs do not require assessment of risks of displacement of activities nether do they promote and support actions to address the risk of displacement.	<ul style="list-style-type: none"> <li>• Lack of policies, laws and regulations to promote and support actions to address the risk of displacement</li> </ul>

## 5.2.2 The Country practices during REDD process

Uganda applied the general global practice approach towards addressing the Cancun Safeguards during the REDD+ process. This approach was characterised of the following features:

**A: SESA of REDD+ Strategy options that involved an assessment** of the likely positive and negative environmental and social impacts of the REDD+ National Strategy Options. The Strategic Environmental and Social Assessment (SESA) assessed the likely positive and negative environmental and social impacts of the REDD+ Strategic Options; generated recommendations to the REDD+ Strategy work to address legal, institutional, regulatory and capacity gaps to manage environmental and social priorities associated with the drivers of deforestation and forest degradation; and provided inputs to the REDD+ implementation planning process so that environmental and social factors are addressed appropriately in the future REDD+ plans. Finally, the SESA has checked that the recommendations have been integrated into the National REDD+ Strategy.

The assessment combined policy, institutional and impact-centred approaches to strategic assessments<sup>11</sup>. Accordingly, this SESA provides following content:

- a. A description of environmental and social hotspots and their main characteristics;
- b. Results from the meta-study of relevant scientific publications, project reports, evaluation reports, and newspapers and magazines over the past five;
- c. Results from the consultations and interviews with key informants;
- d. Analysis of the key forest area land use trade-offs; of the opportunity cost of conserving forests versus developing these areas into alternative land uses such as forest and energy plantations or agriculture, among others;
- e. Identification of the environmental and social impacts of the National REDD+ Strategy;
- f. Analysis of the critical institutional, legal, regulatory, policy and capacity gaps underlying the key environmental and social issues identified;
- g. Assessment of the possibly triggered World Bank safeguards;
- h. Assessment of the Strategy effects with regards to gender, minorities and vulnerable people;
- i. Assessment of the prioritized REDD+ Strategic Options and sub-options; and
- j. Identification of key issues recommended to be addressed in the ESMF.

Over-all, the SESA found that the REDD+ Strategies to a high degree already addressed important environmental, social and institutional factors that would guide preparatory work or be components of the future REDD+ implementation plans. The SESA of the options concluded that professional and well-managed implementation of the options would result in significant reductions of emissions and provide many positive impacts on both the environmental and social sides, but also potentially negative ones. However, the SESA did not identify any impacts that are of such *strategic* character that they would endanger possibilities for future generations, provided that the options are implemented as stated in the National REDD+ Strategy document

The SESA identified some negative impacts and risks on the *social* side that would require deliberate actions to resolve them. These included: land tenure, land use planning, inequalities regarding land tenure and land ownership between men and women, political interference, the need to avoid eviction

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<sup>11</sup> This type of strategic assessment that combines assessments of environmental/social impacts and strategic policy/institutional aspects is sometimes called a hybrid SEA or SESA.

of people and the situation of indigenous marginalized and forest dependent people. These impacts and risk were recommended to be addressed through the Environmental and Social Management Framework (ESMF) (Section 4.2).

**B: Stakeholders engagement** in defining PLR and Safeguards through; i) constituting and facilitating at local, subnational and national level platforms for stakeholder consultations and participation in the assessment of REDD+ issues, designing REDD+ Strategic options, development of REDD+ Implementation frameworks (SESA/ESMF, BSA, FGRM, SIS, PF and IPPF), developing FREL, MRV, etc. Specific platforms for engaging with special interest groups e.g., Vulnerable and Marginalized groups (Forest dependent indigenous people), women, youth were facilitated; ii) Functional SESA Taskforce that supported the REDD+ process in order to ensure that Safeguards standards and requirements are pursued in all REDD+ process activities.

**C. Building capacity** for understanding and addressing safeguards through: i) Awareness and sensitization of general public about the safeguards standards and requirements that Uganda's REDD+ process was expected to address; ii) Training and capacity building aiming at increasing the knowledge and understanding of Safeguards of different stakeholder categories at subnational and national levels. Training and capacity building included production and dissemination of information about safeguards, conducting REDD+ Academy (supported by UNREDD), training seminars for the Task Forces, NTC and NCCAC.

**D. Respecting Safeguards:** the following safeguard tools and framework have been developed to guide the country in the efforts to respecting safeguards (ESMF, BSA, FGRM, SIS, PF and IPPF). These tools have been disclosed and training undertaken with selected stakeholders to enhance the capacity for applying these tools. In addition, the identified policy gaps (Table 4-1) are being addressed through an ongoing Forestry Policy Review.

### 5.3 Country policy approach

The following frameworks were developed during the REDD+ Process.

- a. **The Environmental and Social Management Framework (ESMF)** has been put in place, (<https://www.mwe.go.ug/library/environmental-and-social-management-framework>). The ESMF describes management interventions for the Environmental and Social issues assessed in SESA and how they should be implemented alongside the National REDD+ Strategy. The ESMF also provides a framework for how other identified environmental and social impacts and risks will be handled at national, district and lower levels in planning, implementation, monitoring and evaluation of REDD+ activities. The ESMF proposes implementation, monitoring and evaluation arrangements.

Specifically, the ESMF provides measures for addressing the following :

- *Land tenure:* measures for resolving problems of land ownership and shared utilisation rights in order to avoid conflicts so that user(s) of a piece of land can be certain that the returns from an investment in the land (e.g. land productivity or a forest plantation) come back to the user.
- *Compensation to forest-dependent people evicted from protected areas in the past:* measures for tackling the historic injustice associated with eviction of forest dependent people in 1980s and early 1990's and for getting forest-dependent people evicted from protected areas in the past to become interested in joining the REDD+ programme, in

particular SOs 1, 2 and 4. The issue of compensation of these people is not dealt with in the ESMF since it falls outside of the REDD+ scope of work.

- *People's voluntary and involuntary resettlement:* measures for applying National Policy on Resettlements to forestry sector cases. However, implementation of REDD+ activities will as much as possible focus on avoiding the need for resettlement.
- *Impact of small dams and valley tanks:* measures for avoiding, minimizing or mitigating negative biodiversity and social impacts of small dams and valley tanks during both the construction and operational phases of the project.

Section 6 of the ESMF provides guidance on Screening, project monitoring and management of contractor during REDD+ Strategy implementation; Section 8 provides guidance on management of environment and social risks during REDD+ Strategy implementation while Section 9 provides information on institutional roles and coordination mechanism for implementing the ESMF. Section 10 elaborates the Environmental and Social risks screening process and procures, while section 11 provide procedures for Information disclosure. Other procedures provided in the ESMF include: Feedback and Grievances mechanism (section 12); Chance Find Procedures (Section 13); Indicative outline of Cultural Heritage management plan (Section 14), Management of Pesticides (section 15) and Procedures for Annual Reviews and updating ESMF (Section 16).

- b. **Resettlement Policy Framework (RPF)** has been put in place to serve as the framework within which Resettlement Action Plans (RAP) will be developed. It will, in addition, facilitate the estimation of the magnitude of impact as a result of the proposed Emissions Reduction Programmes (ERP) land take and the likely financial implications which is vital input into the estimation of the total cost for the ERP.

Therefore, RPF will be used as a practical tool to assist REDD+ and ERP implementing agencies in designing and implementing strategies that will assist appropriately in handling any anticipated issues related to involuntary resettlements, and/or acquisition of land and restriction of access (using the Process Framework) to natural assets and resources during the implementation of the proposed ERPs. When specific planning information/feasibility study becomes available and the land areas are identified, RAP will be subsequently prepared consistent with this RPF and will be submitted for approval by the relevant authority before any land acquisition, resettlement, or any other impact on livelihood occurs.

- c. **The Process Framework (PF)** ( <https://www.mwe.go.ug/library/process-framework-implementation-ugandas-national-redd-programme> )has been put in place to serves as a practical tool to provide guidance to the REDD+ Strategy projects/subprojects in handling any anticipated issues related to acquisition of land and restriction of access to natural assets and resources in Uganda's Forest and Wildlife protected areas. The PF will be used during the planning, designing and implementation and monitoring of the proposed REDD+ project interventions. The framework articulates applicable laws, policies, processes and procedures and identifies structures and actors in REDD+ activity implementation as well as ways of going about handling grievances that may arise during implementation of REDD+ projects.

The main objectives of PF are:

- Provide an enabling environment in which affected communities or persons are able to participate in mitigating against negative impacts;
- Provide general guidance for land acquisition and use in legally designated parks and protected areas;

- Provide mechanisms for planning, accessing and implementation of interventions in restricted areas;
- Enhance identification and implementation of projects/sub-projects in legally designated parks and protected areas;
- Avoid, Minimize or Mitigate negative impacts of projects/sub-projects; and
- Provide mechanism for stakeholders' feedback.

Specifically, the PF it points out; i) restrictions of access to natural resources; (ii) what Strategic Options of REDD+ Strategy are likely to lead to land acquisition and access to natural resources issues; (iii) policies and laws applicable to and actors involved in the planning and implementation of REDD+ Strategy; (iv) how to go about handling land acquisition and use, and access restrictions of natural resources; (v) potential mechanism for addressing grievances; and (vi) defines roles of implementers/actors.

- d. **Indigenous Peoples' Planning Framework (IPPF)** (<https://www.mwe.go.ug/library/indigenous-peoples%E2%80%99-planning-framework-june-2021> ) is in place to serve as a framework for addressing core issues of inclusivity and participation of the Forest Dependent Indigenous Peoples in the planning processes, implementation and monitoring and evaluation of REDD+ projects/subprojects. The IPPF provides measures through and within which FDIP shall be constructively and inclusively engaged and participate in the REDD+ Strategy and Action Plan implementation. In addition, the IPPF identifies structures, actors and the REDD+ Strategic Options that have implications on FDIP. The IPPF provides ways of going about handling grievances that may arise.

The main objectives of IPPF are:

- Enhance and strengthen inclusive planning for the FDIP in design of REDD+ Projects and activities;
- Enhance participation of the FDIP in the identification and implementation of projects/sub-projects and activities;
- Avoid, Minimize or Mitigate negative impacts of REDD+ projects/sub-projects on the FDIP;
- Provide mechanism for targeting specific FDIP and addressing unique needs;
- Provide assurances on reaching and meeting specific needs of FDIP; and,
- Provide mechanism for feedback on REDD+ projects and activities.

Specifically, the IPPF does the following: (i) it defines who are FDIP and where they are; (ii) what strategic options of REDD+ Strategy have more direct bearing to the FDIP; (iii) identifies policies and laws applicable to and actors involved in the planning and implementation of REDD+ Strategy in FDIP; (iv) how to go about planning and implementation of REDD+ Strategy among FDIP, risks and opportunities; (v) identifies potential mechanism for addressing grievances; (vi) identifies and defines implementers/actors; (vii) guides the preparation of site specific Forest Dependent Indigenous Peoples Plans; and (viii) defines monitoring and evaluation mechanism

## 6. CONCLUSION AND RECOMMENDATIONS

**Conclusion:** Uganda has made good progress towards addressing key safeguards issues and respecting safeguards. This has been realised due enabling PLR environment in Uganda and World Bank Safeguards and Standards that provided enabling environment for addressing Cancun Safeguards with relative ease.

There are some gaps in Uganda's PLR that will be addressed during planned/ongoing forestry policy reforms in order to strengthen national respect to Cancun Safeguards. The identified gaps are specified in table 5-1. Likewise, it is expected that full implementation of the ESMF, BSA, GRM, PF, IPPF and other tools will make significant contribution towards addressing confirmed issues.

Uganda's progress will be periodically monitored and reported through the national Safeguards Information System framework.

**Recommendations:** In order to improve country safeguards approach, Uganda shall:

- a. Undertake appropriate Policy reforms to address outstanding issues relating land tenure, compensations and voluntary and involuntary resettlements. The Forestry Policy reform is ongoing.
- b. Strengthen institutional processes and approaches that respect Cancun Safeguards.
- c. Strengthen national capacity for monitoring and reporting on safeguards to UNFCCC.

Annex 1: Summary PLR for SIS

Cancun Safeguards	Relevant Ugandan policies, laws and regulations	Gaps in Uganda's policies, laws and regulations in relation to Cancun Safeguards	Recommendations
<p><b>a) That actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements</b></p>	<p>REDD+ actions are consistent with Uganda's national forest programmes and relevant international conventions and agreements. The objectives of Uganda's national forest programmes are set out in a number of policies, laws and regulations as well as regional and international conventions and agreements including:</p> <ul style="list-style-type: none"> <li>• The Uganda Forestry Policy (2001)</li> <li>• The Uganda National Land Policy (2013)</li> <li>• The National Climate Change Policy (2015)</li> <li>• The National Environment Management Policy for Uganda (1994)</li> <li>• The Draft National Environment Management Policy for Uganda (2014)</li> <li>• Policy for the Conservation and Management of Wetland Resources (1995)</li> <li>• The National Water Policy (1999)</li> <li>• Uganda National Policy on Conservation and Sustainable Development of Wildlife Resources (2014)</li> <li>• The Renewable Energy Policy for Uganda (2007)</li> <li>• The Energy Policy for Uganda (2002)</li> <li>• National Agriculture Policy (2013)</li> <li>• National Oil and Gas Policy for Uganda (2008)</li> <li>• Vision 2040</li> <li>• National Development Plan (2015/16 – 2020/21)</li> <li>• Uganda's Intended Nationally Determined Contribution (2015)</li> <li>• The National Forest Plan (2011/12-2021/22)</li> <li>• Uganda Green Growth Development Strategy (2017)</li> <li>• National Adaptation Plan for the Agricultural Sector (2018)</li> <li>• Constitution of Uganda (1995)</li> <li>• The National Forestry and Tree Planting Act (2003)</li> <li>• National Environment Act (2019)</li> <li>• The Land Act (Cap 227 Laws of Uganda)</li> </ul>	<p><b>Gaps in the legal and policy framework:</b></p> <ul style="list-style-type: none"> <li>• The ILO Convention 169 on Indigenous and Tribal Peoples (1989), which contains important provisions on the rights of indigenous peoples and marginalized local communities is yet to be ratified by Uganda.</li> <li>• The UNFCCC (1992) and the Paris Agreement (2015) are yet to be domesticated (i.e. made part of Uganda's laws). However, the draft National Climate Change Bill provides for the domestication of the UNFCCC and the Paris Agreement.</li> <li>• Lack of legislation to operationalize the National Climate Change Policy (2015). It noted however, that the National Climate Change Bill provides for the operationalization of the policy.</li> <li>• The NFTP provides for a limited role of local governments in the management central forest reserves. The law gives the mandate to manage central forest reserves to NFA (which has insufficient management capacity) leaving out the role and participation of district local governments. This has affected the effective management of some central forest reserves given that local governments who would otherwise contribute to the resolution of some of the forest management challenges often decline to do so citing the lack of an enabling law.</li> </ul> <p><b>Weaknesses related to implementation:</b></p> <ul style="list-style-type: none"> <li>• Poor enforcement of existing PLRs (e.g. the Forestry Committees provided for under the National Forestry and Tree Planting Act (2003) ("NFTP") have never been put in place since the coming into force of the law; the Tree Fund provided for under the NFTP has never been</li> </ul>	<ul style="list-style-type: none"> <li>• Ratify the ILO Convention 169 on Indigenous and Tribal Peoples (1989).</li> <li>• Domesticate the UNFCCC (1992) and the Paris Agreement (2015).</li> <li>• Enact legislation to operationalise the National Climate Change Policy (2015).</li> <li>• Strengthen enforcement of existing policies, laws and regulations.</li> </ul>

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- Land Regulations (S.I No 100 2004)
- National Environment (Access to Genetic Resources and Benefit Sharing) Regulations (2005)
- National Guidelines for Implementing Collaborative Management in Uganda (2003)
- Guidelines for Mainstreaming Climate Change Adaptation and Mitigation in Agricultural Sector Policies and Plans (2018)
- Guidelines for the Registration, Declaration and Management of Community Forests (2015).
- The East African Climate Change Policy (2010)
- East African Community Climate Change Strategy (2011)
- East African Community Climate Change Master Plan (2011-2031)
- The Lake Victoria Basin Climate Change Adaptation Strategy and Action Plan (2018-2023)
- Treaty for the Establishment of the East African Community (1999)
- East African Community Protocol on Environment and Natural Resources (2006)
- Agriculture and Rural Development Strategy for the East African Community (2005-2030)
- East African Community Vision 2050

established. Some of the structures are not properly facilitated by government to do their work.

- The Environmental Tribunal that could potentially resolve REDD+ related disputes are not yet established.
- While the PLRs provide for the establishment of community forests, in practice not many community forests have been established.
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	<ul style="list-style-type: none"> <li>• IGAD Environment and Natural Resources Strategy (2007)</li> <li>• NEPAD Action Plan of the Environment Initiative (2003)</li> <li>• United Nations Framework Convention on Climate Change (UNFCCC) (1992)</li> <li>• Kyoto Protocol (1997)</li> <li>• Paris Agreement (2015)</li> <li>• Decision 1/CP.16 The Cancun Agreements: Outcome of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention</li> <li>• Warsaw Framework for REDD-plus</li> <li>• United Nations Declaration on the Rights of Indigenous Peoples (2007)</li> <li>• United Nations Convention on Biological Diversity (1992)</li> <li>• United Nations Convention to Combat Desertification (1994)</li> <li>• Indigenous and Tribal Peoples Convention – ILO (1989)</li> </ul>		
<p><b>b) Transparent and effective national forest governance structures, taking into account national legislation and sovereignty.</b></p>	<p>Uganda has a number of policies, laws and regulations that provide for transparent and effective national forest governance structures including:</p> <ul style="list-style-type: none"> <li>• The Constitution of Uganda (1995)</li> <li>• The Right of Access to Information Act (2005)</li> <li>• National Forestry and Tree Planting Act (2003)</li> <li>• The Uganda Wildlife Act (2019)</li> <li>• The Access to Information Regulations (2011)</li> <li>• The Anti-Corruption Act (2009)</li> <li>• The Whistle-blowers Protection Act (2010)</li> <li>• The Anti-Money Laundering Act (2013)</li> <li>• The Leadership Code Act (2002)</li> <li>• Land Act (Cap 227)</li> <li>• Local Council Courts Act (2006)</li> <li>• Judicature Act (Cap 13)</li> <li>• Magistrates Courts Act (Cap 16)</li> <li>• Arbitration and Conciliation Act (Cap 4)</li> <li>• Equal Opportunities Commission Act (2007)</li> <li>• Public Finance Management Act (2015)</li> <li>• The National Gender Policy for Uganda (2005)</li> </ul>	<p><b>Gaps in the legal and policy framework:</b></p> <ul style="list-style-type: none"> <li>• Land policies, laws and regulations recognize competing interests in land ownership (registered owner Vs squatters) which is a source of many conflicts and therefore likely impact on the observance of Cancun safeguards.</li> <li>• Right of Access to Information Act (2005) and the Access to Information Regulations (2011) contravene the Constitution of Uganda by providing for wider restrictions to access to information from public offices than is allowed under Article 41 of the Constitution.</li> <li>• There are outdated laws such as the Official Secrets Act (1964) which may hinder access to information by ordinary citizens under the new legal framework.</li> </ul> <p><b>Weaknesses related to implementation:</b></p> <ul style="list-style-type: none"> <li>• Some government offices have not designated information officers as provided for in the law to</li> </ul>	<ul style="list-style-type: none"> <li>• Amend the land law and remove the legal recognition to multiple interests over the same piece of land.</li> <li>• Amend Right of Access to Information Act (2005) and the Access to Information Regulations (2011) to remove unnecessary and unconstitutional restrictions to access to public information.</li> </ul>

	<ul style="list-style-type: none"> <li>• The Domestic Violence Act (2010)</li> <li>• The Prohibition of Female Genital Mutilation (2010)</li> <li>• Convention on the Elimination of All Forms of Discrimination against Women (1979)</li> <li>• The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003)</li> <li>• Criminal Procedure Code Act (Cap 116)</li> <li>• The Trial on Indictments Act (Cap 23)</li> </ul>	<p>act as the focal person to whom requests for information should be addressed.</p> <ul style="list-style-type: none"> <li>• The present fees structure under the Access to Information Regulations is not affordable for the majority of Ugandans who live below the poverty line.</li> <li>• Lack of financial and human resources for institutions to carry out their functions.</li> <li>• Conflict of interest in instances where the adjudicators have an interest in the forest/land being contested by parties.</li> <li>• Corruption by the adjudicators of forest/land disputes.</li> <li>• Understaffing and case backlog in adjudication institutions.</li> <li>• Waning influence and respect for traditional and religious leaders in some communities.</li> <li>• Poor implementation of the PLRs.</li> <li>• Lack of awareness of laws granting access to information</li> <li>• Lack of capacity to pursue access to information.</li> </ul>	
<p><b>c) Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples.</b></p>	<p>There are number of Ugandan policies, laws and regulations that provide for respect of the knowledge and rights of marginalised local communities including the following:</p> <ul style="list-style-type: none"> <li>• The Constitution of Uganda (1995)</li> <li>• Equal Opportunities Act (2007)</li> <li>• The Land Act (Cap 227)</li> <li>• The National Environment Act (2019)</li> <li>• National Forestry and Tree Planting Act (2003)</li> </ul>	<p><b>Gaps in the legal and policy framework:</b></p> <ul style="list-style-type: none"> <li>• Ugandan PLRs do not have clear provisions for the sharing of revenue (benefits) from REDD+ such as is the case with oil revenue (Public Finance Management Act (2015)) or minerals under the Mining Act (2003) – 17% of revenue from mineral permits goes to district local governments (DLGs) &amp; 3% to the land owner.</li> </ul> <p><b>Weaknesses related to implementation:</b></p> <ul style="list-style-type: none"> <li>• Rampant abuse of rights of ownership of land by vulnerable and marginalized groups.</li> <li>• The policies, laws and regulations are disregarded, and persons are regularly deprived of property by government without fair and adequate compensation.</li> </ul>	<ul style="list-style-type: none"> <li>• Enforce laws on prior payment of fair and adequate compensation to land owners.</li> <li>• Introduce clear legal provisions for the sharing of revenue (benefits) from REDD+ such as is the case with oil revenue.</li> </ul>

<p><b>d) The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities, in the actions referred to in paragraphs 70 and 72 of this decision.</b></p>	<p>There are a number of policies, laws and regulations that provide for effective participation of relevant stakeholders including:</p> <ul style="list-style-type: none"> <li>• Uganda National Forestry Policy (2001)</li> <li>• National Forestry and Tree Planting Act (2003)</li> <li>• The Environmental Impact Assessment Regulations (1998)</li> <li>• The National Environment Act (2019)</li> </ul> <p>Forest sector co-ordination structures proposed under the Uganda Forestry Policy, 2001 provide for wide stakeholder participation and coordination across a wide range of stakeholders from all relevant sectors. These structures have representation from central government ministries involved in the forest sector, local governments, the private sector and civil society.</p> <p>A national consultative forum provided for by the Uganda Forestry Policy, 2001 allows the public, international partners and all interested countries to contribute to a regular debate on the forest sector, to improve sector coordination and inform national priorities.</p> <p>Existing government and non-governmental coordination structures are avenues through which effective stakeholder participation in REDD+ can be achieved. For example, the Policy Committee on Environment (PCE), and the National Climate Change Advisory Committee/Inter-ministerial technical committee on climate change should be used to ensure effective coordination of government agencies while the Environment and Natural Resources Civil Society Organisations Network as well as the Uganda Forestry Working Group – a network of civil society organisations involved in forestry issues – can be used to ensure effective participation of non-governmental actors.</p>	<p><b>Weaknesses related to implementation:</b></p> <ul style="list-style-type: none"> <li>• Environmental Impact Assessment (EIA) reports are compiled in technical language that is not easily understood by stakeholders.</li> <li>• Failure to give adequate time to stakeholders to study the EIA reports. Ignoring of stakeholder comments.</li> <li>• Withholding of the approved EIA reports from the public thus stifling any attempt to challenge the decisions of the regulator.</li> <li>• Lack of capacity by stakeholders to challenge EIA reports in courts of law even when they ignore stakeholder views.</li> </ul>	<ul style="list-style-type: none"> <li>• Enforce EIA regulations to improve stakeholder participation in REDD+ activities</li> </ul>
<p><b>e) That actions are consistent with the conservation of natural forests and biological diversity, ensuring that</b></p>	<p>There are a number of Ugandan policies, laws and regulations that are relevant to this safeguard including:</p> <ul style="list-style-type: none"> <li>• The National Forestry and Tree Planting Act (2003)</li> <li>• National Environment Act (2019)</li> <li>• The Constitution of Uganda (1995)</li> </ul>	<p><b>Gaps in the legal and policy framework:</b></p> <ul style="list-style-type: none"> <li>• Lack of economic or other incentives to conserve natural forests.</li> </ul>	

<p><b>the actions referred to in paragraph 70 of this decision are not used for the conversion of natural forests, but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits.</b></p>			
<p><b>f) Actions to address the risks of reversals.</b></p>	<p>Under Section 8 of the NFTP, before any central forest reserve is de-gazetted, the Minister is required to carry out consultations with the local council and the local community in whose area the forest reserve is located and obtain a resolution of Parliament signifying its approval to the action. In addition, the Minister is required to give simultaneous notice of the proposed declaration in the Gazette, in an appropriate print media, and in any other media that is likely to draw the matter to the attention of all interested persons; consult with the local community through public meetings and other means that will offer the local community an effective opportunity to express their views concerning the declaration of the reserve; and ensure that an environmental impact assessment is carried out. Under Section 8 of the NFTP, where an area of a central forest reserve is reduced, an area in another location equivalent in size to the reduction shall be simultaneously declared a central forest reserve. If a forest reserve is abolished, an area at least equivalent in size to the abolished reserve shall be simultaneously declared a central forest reserve.</p>	<p><b>Gaps related to Implementation:</b></p> <ul style="list-style-type: none"> <li>• Poor or weak enforcement of existing policies, laws and regulations.</li> </ul>	<p>Enforce existing policies, laws and regulations.</p>
<p><b>g) Actions to reduce displacement of emissions.</b></p>	<p>Ugandan policies, laws and regulations do not require assessment of risks of displacement of activities.</p>	<p><b>Gaps in the legal and policy framework:</b></p> <ul style="list-style-type: none"> <li>• Lack of policies, laws and regulations to promote and support actions to address the risk of displacement.</li> </ul>	<p>Put in place a regulatory framework to address displacement of emissions.</p>

