

INADEQUATE ENFORCEMENT AND COMPLIANCE OF
ENVIRONMENT LAWS AND STANDARDS AT LOCAL
AND NATIONAL LEVELS—CHALLENGES/LIMITATIONS,
BEST PRACTICE, OPPORTUNITIES, ACTIONS AND
RECOMMENDATIONS

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By

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Vision

A competitive, profitable and sustainable agricultural sector

Mission

To transform subsistence farming to commercial agriculture

Mandate of MAAIF

To promote and support sustainable and market oriented agricultural production, food security and household incomes

Relation of Agriculture to the environment

- Humans and other animals rely on other forms of life on land for food, clean air, clean water.
- Plant life makes up 80% of the human diet
- Forests, which cover 30% of the Earth's surface, help keep the air and water clean and the Earth's climate in balance
- They are home to millions of animal species

Legal frameworks cont'd

1. Soil & Water Conservation Policy 1940s

- Measures were; incorporation of appropriate conservation practices into the farming systems
- ~~SWC awareness campaigns~~
- Gazetting fragile and environmentally important areas, such as national parks
- Conservation of vegetative cover, and controlling erosion by regulating bush-burning, overgrazing and quarrying

Legal frameworks cont'd

2. National Land Use policy 2006-Policy statement No. 6.

To promote farming practices that will reduce soil erosion hazard and enhance soil productivity

National Land Use policy-Policy statement No. 7

To promote sustainable use of marginal lands and fragile ecosystems

3. The National Environment (Minimum Standards for Management of Soil Quality) Regulations, 2001. This establishes and prescribes minimum soil quality standards to maintain, restore and enhance the inherent productivity of the soil in the long term; and establishes minimum standards for the management of the quality of soil for specified agricultural practice among others

Legal frameworks cont'd

4. Prohibition of Burning of Grass Act. Decree 5/1974

Penalty is five hundred shillings or imprisonment for a period not exceeding three months or both.

5. ~~Cattle grazing Act 1945P~~ prescribes the maximum number of cattle that may that any person may be permitted to graze on any particular area of land. Penalty for allowing animals to wander in the area is 20,000 shillings or up to two years in prison

5. National Forestry and Tree Planting Act 2003

Legal frameworks cont'd

6. The National Environment (Hilly And Mountainous Area Management) Regulations, 2000 whose principle among others emphasises to every land owner or occupier shall while utilizing land in a mountainous and hilly area (a) observe the carrying capacity of the land; (b) carry out soil conservation measures. It proposes Sub-committees on soil conservation (RDC-Chairperson, DAO, DFO, DEO, A member of the local environment committee; and 2 other members appointed by the district environment committee

Legal frameworks cont'd

7. The National Environment (Wetlands, River Banks and Lake Shores Management) Regulations, No. 3/2000

Stipulates promotion of soil conservation measures along river banks and lake shores including;

~~(i) Bunding, (ii) terracing, (iii) mulching (iv) tree planting or agro-forestry (v) grassing (vi) soil engineering, compaction and placement of fills (vii) zoning and planning (viii) gabions; and (ix) control of livestock grazing~~

8. Land Act 1998 as amended CAP 227. Matters of land tenure and security, functioning of tribunals

Challenges to enforcement and compliance of environment laws and standards

Arable land is disappearing faster and of the country's total area of 241,551 km² about 30% is highly degraded.

- Inadequate political support at national and local levels
- Little research on known indigenous conservation practices which can be adapted to particular situations and locations
- Functionality of district and environment committees

Challenges cont'd

- Weak coordination between institutions at National Level for example the Uganda Strategic Investment Framework for Sustainable Land Management (U-SIF SLM) 2010 – 2020 is a multi-sectoral-MAAIF,MWE,MLUD, ME & Minerals & MTIC

- Weak linkages between MDAs and DLGs
- Inadequate technical capacity at all levels
- At district level, environmental concerns not well understood and therefore not mainstreamed

Challenges cont'd

- Lack of participation of stakeholders in the formulation of the policies. Need to define the problem with the end-users (farmers)
- Lack of acknowledgement of the legitimacy of the policy by stakeholders

- Lack of support in the implementation of the policy
- No mechanism in place to monitor the implementation and compliance to the environmental laws and standards
- Lack of up to date data on soils status for the country-maps, extent of degradation, etc

Challenges cont'd

- Out dated acts like the burning of grass act 1974
- Low levels of community awareness of policies which affect them
- Lack of involvement of cultural & religious institutions yet the policies affect their people leading to their misinterpretation
- Insecurity on land may not encourage occupants to uphold environmental laws coupled with inequalities (women) and fragmentation

Effects

Extensification for agricultural production but land is inelastic therefore;

- Invasion of fragile areas like wetlands in search for virgin areas and water
- Invasion of steep areas which leads to serious erosion, land slides, siltation of water bodies and flooding, diseases, loss of property and human lives

Opportunities

- Government support for the existing laws, policies and regulations
- Partnerships with development partners notably the UNCCD, GEF, FAO, UNDP, GIZ
- Environmental change is now real to most producers and therefore re-examination is taking place
- Global concern

Actions & Recommendations

- Capacity building through the MAAIF's interventions to DLGs and the farmers. It is recommended for this to continue
 - Build capacity and support DLGs to come up with Ordinances and bye-laws
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- Building more synergies with existing interventions for farmers to see
 - Working with more partnerships and to continue seeking for the same
 - Increased public awareness and education of farmers on sustainable natural resources use

Actions & Recommendations cont'd

- Creation of incentives and penalties for enforcement of environmental laws and standards
- Participation of stakeholders in the formulation and implementation of policies
- Involvement of civil societies
- Community participation in the monitoring and reporting

Actions & Recommendations cont'd

- Complete soil survey of Uganda, map and classify the soils at a scale of 1:50,000 and probably use a better scale for better details
- Disseminate soil survey information to stakeholders
- Good practices on fires, charcoal burning as has been taken on by some Districts like Pakwach and others should emulate

Laws should include standards, guidelines and regulations which enable easy implementation and should be strengthened

If done

Sustainable Development Goals;

1-of No Poverty, 2- End Hunger, achieve Food Security and Improved Nutrition and Promote Sustainable, 13-to take urgent action to Combat Climate change and its impacts reduce the loss of life and property

If done cont'd

by helping more vulnerable communities to be more resilient to floods, landslides, droughts, pests and diseases and 15-
Protect, Restore and Promote Sustainable Use of Terrestrial Ecosystems, Sustainably Manage Forests, Combat Desertification, and Halt and Reverse Land Degradation and halt Biodiversity loss will all be achieved

THANK YOU