



Sectoral and Inter-sectoral Integration of Biodiversity in Uganda

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1. Introduction

Uganda¹ (2011) reported that over the years Government of Uganda has put in place a number of policy and legal frameworks as well as plans for sustainable natural resource management including biodiversity conservation while environmental mainstreaming is emphasized in all government policies and programmes. The following policy and legal instruments, among others, provide for ownership and call for greater participation in the management of biodiversity.

2. National Environment Management Policy

The National Environment Management Policy (NEMP) of 1994 has a provision for biodiversity conservation. It calls for biodiversity to be conserved and managed sustainably for national socio-economic development. The policy aims at sustainable social and economic development, which maintains and enhances environmental quality and resource productivity on a long-term basis to meet the needs of the present generation without compromising the ability of future generations to meet their own needs.

The NEMP provides for the development of comprehensive policies, strategies and actions for biodiversity conservation, establishment of collaborative arrangement for protected area management with local communities, enactment and/or reactivation of legislation on the management of natural resources to provide for biodiversity conservation, among others.

Most of the key national policies like the Wildlife Policy, the Forestry Policy, and the Wetlands Policy, have been revised to include provisions of the NEMP and biodiversity conservation.

3. Agriculture policy

The objective of the National Agriculture Policy in relation to the environment is to promote farming systems and land-use practices that conserve and enhance land productivity in an environmentally sustainable manner. The Agriculture policy further recognizes that land is a natural resource for agriculture and that land use, land prices and customs have implications on biological resources as well as on the soil, water and living resources which farmers depend on for agricultural production.

4. National Fisheries Policy

The Government through the National Fisheries Policy aims at sustainable utilization of fisheries resources by maintaining stable fish production, improved domestic consumption and fish exports and modernizing the activities of fishing communities to achieve human development indicators. Other government interventions through the Policy include: provision of resources to upgrade landing sites and quality control laboratories to meet international standards, provision of resources to strengthen the Uganda Bureau of Standards (UBOS) and the Inspectorate Section of the Fisheries Department.

¹ Uganda (2009). Fourth National Report to the Convention on Biological Diversity, National Environment Management Authority, Ministry of Water and Environment, 11 May 2009, 132 pp.

5. Energy Policy

The goal of Uganda's energy policy is to meet the energy needs of Uganda's population for social and economic development in an environmentally sustainable manner. The energy policy recognizes that Uganda has abundant opportunities to develop its energy resources, especially hydroelectric power and biomass. Wood is by far the most important source of energy in Uganda. Even though the importance of petroleum and electric power is growing, it is expected that wood fuel will continue to be the dominant source of energy in Uganda for the foreseeable future. Most of this energy is consumed in the form of firewood and charcoal at domestic level and by small and medium scale processing enterprises. As the human population grows, the pressure on forests, which harbors a significant proportion of Uganda's biodiversity, will mount and there will ultimately be a direct relationship between biomass energy consumption and conservation of biological diversity.

The energy policy also recognizes that energy development and environmental damage are intricately related. The policy recognizes the need to mitigate both the physical and social environmental impacts created by energy development.

The recent discovery of oil in Uganda has been located in the Albertine Graben where most of wildlife protected area lies. Out of the 22 wildlife-protected areas in Uganda, oil is believed to occur in 10 of them. There are concerns about the impact of oil development on biodiversity conservation in the areas. However with proper planning and monitoring, these two activities could coexist.

6. Tourism Policy 2003

The national Tourism Policy seeks to assist in efforts to promote the economy and livelihood of the people essentially through poverty alleviation by encouraging the development of sustainable quality tourism. It also seeks to market Uganda as a favored tourist destination for ecotourism in a country renowned for its rich biodiversity. The future of tourism in Uganda based on biodiversity is very bright. The country has 10 National Parks, 10 Wildlife Reserves and 7 Wildlife Sanctuaries, some of which are acclaimed as being among Africa's best. The country's main wildlife attraction for foreign visitors is the rare mountain gorilla, found in Bwindi Impenetrable National Park and Mgahinga National Park. Many other species of primates can also be seen, including chimpanzees and monkeys. Kibale National Park alone contains 12 different types of primate, while Ruwenzori National Park is regarded as one of the most spectacular in Africa.

7. Draft National Policy on Plant Genetic Resources

A draft National Policy on Plant Genetic Resources for Food and Agriculture (PGRFA) has been prepared by the National Agricultural Research Organization (NARO). PGRFA are the basis and foundation of our agricultural system and therefore the cornerstone of our economy and livelihoods. The policy is due for submission to Cabinet for approval.

8. National Policy on Biotechnology and Biosafety (2008)

The objective of this young policy is to promote biotechnology development and to use it, taking due measures to meet safety concerns to overcome important social and environmental problems with the view of improving the quality of life.

The policy has provisions on risk assessment and risk management to ensure human and biodiversity health and environmental integrity. The policy also:

- Provides for risk assessment and management for all biotech applications
- Provides for national capacity building in biotechnology through research and training
- Ensures public and environmental safety in biotech applications

9. Decentralization Policy (1994)

In an effort to take services nearer to the people, the Government of Uganda adopted the decentralization policy which focuses at the district and sub- county levels as the priority planning and implementation levels. In terms of the CBD, the policy:

- Supports empowerment of actors and institutions at lower levels to manage their natural resources including biological resources;
- Enhances community sharing of benefits and costs of environmental and natural resources management;
- Ensures increased community participation and decision making in environmental and natural resource management;
- Provides for decentralized planning for natural resource management to the district and lower levels sub county levels.

10. Integration of biodiversity considerations into national and sectoral laws and regulations

Major National Laws relevant to the CBD

Uganda has enacted several laws to regulate environment and natural resource management. Some of these laws and how they affect biodiversity conservation are discussed below.

The Constitution of Uganda, 1995

The Constitution of Uganda, which is the supreme law of Uganda, recognizes and makes special provisions for environment and natural resources. The Constitution has a number of Articles which are relevant to the CBD, for example, Article 237(2)(b) mandates Parliament to make laws which authorize the central government or local governments, to hold in trust for the people, and protect natural lakes,

rivers, wetlands, forest reserves, game reserves, and national parks, and to reserve land for ecological and tourist purposes for the common good of all citizens.

The Local Government Act Cap. 243

This act consolidates and streamlines the existing law on Local Governments in line with the Constitution to give effect to the decentralization and devolution of functions, powers and services. Through the enabling provisions and following the poor track record of 'top down' centralized, bureaucratic management and regulation of natural resources by the state, emphasis is now being put on community-based natural resources management (CBNRM). This is because it is now a common consensus that communities and community-based institutions are better positioned to both respond and adapt to locally specify social and ecological conditions and to represent local interests and preferences. The Act provides for the functions and powers of Local Government Councils.

Accordingly, District Environment Committees have been put in place in several districts in the country. District Environment Officers have been recruited by the Local Governments and are members of the District Technical Planning Committees to ensure that environmental concerns including biodiversity are integrated into development programmes.

The Land Act, Cap. 227

Section 44 provides for the Government or a local government to hold in trust for the people and protect natural lakes, rivers, wetlands, forest reserves among others, for ecological and touristic purposes for the common good of the citizens of Uganda. It also requires Government or local government not to lease or otherwise alienate these natural resources which could be subjected to unsustainable utilization.

The National Environment Act, Cap. 153

This Act addresses the inadequacies of previous natural resource legislations, introduces the participatory approach in biodiversity conservation, and recognizes the importance of international treaties such as the CBD, CITES, Ramsar and the International Undertaking on Plant Genetic Resources, among others. In addition, the Act has provision for equitable use and sharing of benefits from the conservation of biological resources and urges NEMA to issue guidelines on special measures for the protection of species, ecosystems and habitats faced with extinction.

The National Forestry and Tree Planting Act, 8/2003

This Act establishes the National Forestry Authority whose functions are to manage all the country's Central Forest Reserves; provide various forest services on contract to Governments other agencies, councils and clients and operate the National Tree Seed Centre and National Biomass Centres. In terms of the CBD, the Act:

- Establishes a framework for the forest sector's management and planning.

- Provides for the impact assessment relating to the forest sector.
- Provides for community and private sector participation in the management of forests.
- Provides for the declaration of protected forests by the Minister in consultation with the various stakeholders for purposes of conserving biological diversity
- Emphasizes the protection of endangered, threatened and rare biological species.
- Provides for public educations and awareness raising including some other technical services related to the forest sector.

The Wildlife Act, Cap. 200

Under the Wildlife Act, the Uganda Wildlife Authority is charged with the responsibility of managing, coordinating and controlling human activities within and without wildlife-protected areas to ensure maximum sustainable utilization of wildlife resources in Uganda.

To ensure that government policy is not frustrated, the Wildlife Act requires a management plan to be prepared for each wildlife protected area, compliance with statutory requirements by the community in the management of wildlife and carrying out of environmental impact assessments and environment audits and monitoring which augurs well for biodiversity conservation and its sustainable use. Protected area management is one of the priority programmes of the CBD.

Other regulations relevant to biodiversity conservation

Besides the above major policies and laws, there are regulations which govern environment management including biodiversity conservation. Examples of these regulations include the following:

The National Environment (Access to Genetic Resources and Benefit Sharing) Regulations, 2005

These regulations relate to Article 15 of the CBD which calls upon Parties to put in place measures including legislative measures for access to Genetic Resources and Benefit Sharing. The regulations prescribes procedure for access to genetic resources for scientific research, commercial purposes, bioprospecting, conservation or industrial application; the sharing of benefits derived from genetic resources and promoting the sustainable management and use of genetic resources, thereby contributing to the conservation of biological resources of Uganda. The regulations apply to access to genetic resources or parts of genetic resources, whether naturally occurring or naturalized, including genetic resources bred for or intended for commercial purposes within Uganda or for export.

The National Environment (Environmental Impact Assessment) Regulations S.I. 153-1

Article 14 of CBD among others requires Parties to the Convention to put in place procedures for EIA for proposed projects that are likely to have adverse effects on biodiversity with a view to avoiding or minimizing such effects.

The National Environment (Wetlands, Riverbanks and Lakeshores Management) Regulations S.I. 153-5

The regulations regulate activities within the protection zones for river banks and lake shores to ensure that biodiversity is protected. The regulations provide for sustainable management of wetlands, riverbanks and lakeshores to protect their vital functions including protection of biodiversity therein.

The National Environment (Mountainous and Hilly Areas Management) Regulations S.I. 153-6

The regulations provides for sustainable utilization and conservation of resources including the biodiversity in mountainous and hilly areas by and for the benefit of the people and communities living in the area for the present and future generations.

National Biosafety Bill

This Bill is being prepared by the Uganda National Council for Science and Technology. When enacted, the law will give effect to the National Policy on Biotechnology and Biosafety (2008).

Integration of biodiversity considerations into national and sectoral plans and strategies

11. The National Environment Action Plan 1995

Government of Uganda developed a National Environment Action Plan (NEAP) in 1995 which provides a framework for addressing environment and natural resource management concerns including deforestation, soil erosion, loss of biodiversity and drainage of wetlands, among others. Complementing the NEAP in addressing biodiversity into the different sectors are the following sector plans:

- The Wetland Sector Strategic Plan 2001-2010
- The National Forest Plan 2002
- The National Forestry Authority Business Plan
- Uganda Wildlife Authority Strategic Plan
- The National Biodiversity Strategy and Action Plan 2002
- Vision 2025
- Land Sector Strategic Plan (2001-2011)
- District Environment Action Plans

These plans are implemented at sector level within established time frames and with resources provided by the central Government and donors.

12. Poverty Eradication Action Plan (PEAP)

For more than 10 years, the key planning tool has been the Poverty Eradication Action Plan (PEAP). The PEAP has been Uganda's national development framework and medium-term planning tool. It has also been the Poverty Reduction Strategy Paper (PRSP), guiding the formulation of Government policy and the implementation of programmes through sector wide approaches and a decentralized system of governance.

The PEAP is reviewed regularly and the latest draft, which is in advanced stages, will be transformed into a five year National Development Plan (NDP). Key issues relevant to biodiversity conservation in the draft NDP include:

- Improvement of the quality and productivity of the environment, natural resource base towards sustainable economic growth and poverty reduction (including restoration and rehabilitation of degraded natural forests and woodlands, wetlands, watersheds, grasslands and other key ecosystems).
- Establishment of effective incentive mechanisms for benefit sharing, sustainable use and conservation of natural resources (e.g. introduction of appropriate taxation mechanisms as incentives and promotion of payment for ecosystem services).
- Improving the knowledge base, information sharing and exchange, and education towards increased capacity and empowerment (e.g. by supporting education, public awareness and communication on natural resources including biodiversity).
- Improving natural resource governance towards increased efficiency and equity (e.g. by empowering local communities to participate in natural resource management for accountability and equitable use).

13. Implementation of other biodiversity related Conventions in Uganda

Over the last four decades, Uganda has participated in major international meetings on sustainable development, endorsed important international declarations and ratified several international treaties in the field of environmental protection. Major international conventions that Uganda has signed and/or ratifies include the Convention on Biological Diversity, the Convention to Combat Desertification, the Ramsar Convention on Wetlands and the United Nations Framework Convention on Climate Change, among others. Although many of these agreements have not set any specific targets or indicators for monitoring progress towards environmental sustainability, they represent the expressions of the international community to work together towards achieving sustainable development.

Convention on International Trade in Endangered Species of wild flora and fauna (CITES)

This is a convention that brings together biodiversity conservation and wildlife trade. The purpose of CITES is to ensure that no species of wild fauna or flora becomes or remains subject to unsustainable exploitation because of international trade. CITES regulates trade in threatened/endangered species of listed species through a system of permits.

Uganda has put in place a CITES Management Authority (Ministry of Tourism, Trade and Industry) and CITES Scientific Authority (represented by Uganda Wildlife Authority (UWA) for wild fauna, Forestry Inspection Division now Forestry Sector Support Department for wild flora and Fisheries Department for fisheries).

The functions of the CITES Management Authority include:

- Granting permits and certificates on behalf of the Government of Uganda
- General communications and representation of the Party with the Secretariat and with other Parties
- Preparing and submitting Annual Reports (on trade) and biennial reports (on legislative and administrative matters) for the Secretariat and for haring with other Parties to the Convention Instruments for regulating wildlife trade put in place by UWA include Wildlife Use Rights Guidelines and Regulations, Standard operations procedures for applying and approval of proposals, Inspection checklist, Baseline surveys/ studies, Wildlife trade guidelines and a Management Information System (MIST) to help with data entry, analysis and dissemination.

Uganda is currently developing national legislation aimed enhancing the enforcement of CITES at the national level. The law will specify mechanisms for monitoring wildlife trade and enforcement of CITES, specify offences and penalties and provide for reporting mechanisms, court action and other general procedures.

The Lusaka Agreement

The Lusaka Agreement was adopted on 8th September 1994 basing on a number of factors including the recognition that the conservation of wild fauna and flora is essential to the overall maintenance of Africa's biological diversity and that wild fauna and flora are essential to the sustainable development of Africa. Parties to the Agreement include Congo (Brazzaville), Kenya, Tanzania, Uganda, Zambia and the Kingdom of Lesotho.

Uganda is currently drafting legislation for enforcement of the Lusaka Agreement on Cooperative Enforcement Operations directed at illegal trade in wild fauna and flora. This law will establish the Lusaka agreement national bureau, spell out its functions and provide for other general procedures including reporting.

UWA has a Law Enforcement Unit based in Kampala responsible for, among others, coordinating operations aimed at reducing and ultimately eradicating illegal wildlife trade. The unit staff normally inspect wildlife consignments at ports of entry and exit. At the regional level, the unit collaborates with Lusaka Agreement Task Force (LATF) for information sharing and joint operations. The unit also closely works with Uganda Customs, Uganda Police and other law informant organs in curbing illegal trafficking of wildlife and wildlife products.

United Nations Framework Convention on Climate Change (UNFCCC)

Uganda signed the UNFCCC on 13th June 1992 and ratified it on 8th September 1993. The objective of the UNFCCC is to achieve, in accordance with the relevant provisions of the Convention, stabilization of Greenhouse Gas (GHG) concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. As a signatory to the UNFCCC, Uganda has carried out a number of activities in support of UNFCCC implementation, including:

- Designated the Department of Meteorology as the UNFCCC Focal Point;
- Compiled a national inventory of sources and sinks of GHGs;
- Carried out vulnerability, adaptation and mitigation assessments;
- Developed a National Adaptation Programmes of Action (NAPA);
- Carried out capacity building activities on the UNFCCC in general and Clean Development Mechanism in particular;
- Carried out public awareness activities on global warming and climate change.

United Nations Convention to Combat Desertification (UNCCD)

The Government of Uganda signed the UNCCD in June 1994 and ratified it in September 1997. The objective of the UNCCD is to combat desertification and mitigate the effects of drought in those countries experiencing serious drought and/ or desertification, particularly in Africa, so as to achieve sustainable development. The Government of Uganda, like other country parties, is required to fulfil a number of obligations, which include, among others to:

- Adopt an integrated approach addressing the biophysical and socioeconomic aspects of desertification and drought;
- Integrate strategies for poverty eradication into efforts to address land degradation and drought;
- Give priority and demonstrate relevant commitment to combating desertification through allocating adequate financial resources to implement the National Action Plan to combat desertification in Uganda;
- Integrate the NAP into strategies for sustainable development and cooperation frameworks, such as poverty reduction strategies. Government of Uganda has undertaken a series of activities to implement the UNCCD in Uganda including:
 - Preparation of a National Action Plan (NAP) to combat desertification was undertaken in 1998;
 - Preparation of a road-map for resource mobilization for NAP implementation has been completed;

- Formulation of an Integrated Drylands Development Programme (IDDP) to operationalise NAP implementation at community level was undertaken; and
- Efforts to mainstream dry land issues into national development frameworks, Sectoral and District Plans are on-going.

The Ramsar Convention on Wetlands

The aim behind this convention is to halt the worldwide loss of wetlands and to conserve those that remain through wise use and management. It calls for international cooperation for sustainable development and targets activities with negative effect on wetlands, ensuring that they do not lead to loss of biodiversity or diminish the many ecological, hydrological, cultural or social values of wetlands. Uganda signed the convention on 4th March 1988 and ratified it on 4th July 1988.

Government has made progress in implementing the Convention and wetland management in general including the development of tools, procedures and methodologies for wetland management that incorporated the wise use concept.

The National Policy for the Conservation and Management of wetland resources was developed in 1995. The Wetlands Inspections Division (now Wetlands Management Department) in the Ministry of Water and Environment was established in 1998. The Wetland Sector Strategic Plan 2001-2010 to guide wetland management in the country is being implemented. A total of 12 sites spread across the country have been gazetted as Ramsar sites for special protection.

The Convention concerning the Protection of World Cultural and Natural Heritage, Paris, 1972

The principle objective of the World Heritage Convention is to protect objects of cultural and natural heritage which are of value to present and future generations of mankind. From the point of view of the conservation of biological diversity, it is the provisions relating to the conservation of the natural heritage that are relevant. The convention establishes a World heritage list on which the World Heritage committee may list those properties which form part of the World Cultural and Natural Heritage. Uganda signed the Convention in 1987. Since then, two sites, the Rwenzori National Park and Bwindi National Park have been inscribed as World Heritage Sites.

The African Convention on the Conservation of Nature and Natural Resources, Algiers, 1986

This Convention is the primary pan-African legal instrument for the conservation of the environment in general and biological diversity in particular. The Convention provides for measures to ensure conservation, utilization of soil, water, flora and fauna resources in accordance with scientific principles and taking into account the interest of the inhabitants. Accession to the Convention by Uganda was in December 1977, but due to lack of finance, many African States, including Uganda, have not been able to directly implement it.

14. Processes by which biodiversity has been integrated into the above policies, laws and plans

Central Government: At the centre, a number of government ministries, statutory and semi-autonomous agencies, and departments provide a wide range of services in biodiversity management. The key services provided at this level include planning and policy formulation; providing technical guidance and technical back-stopping to local governments; setting of standards and quality assurance; inspection, monitoring and evaluation.

Local Governments: Since the adoption of the decentralization policy in the early 1990s, the central Government has continued to ensure that the sector policies devolve environment and natural resource management responsibilities to local governments taking into account the principle of subsidiarity. The creation of the local environment and production committees at the different levels of local governments is part of the strategy to enlist their full participation and those of local communities in the biodiversity management. Some local governments have developed ordinances and bye-laws to regulate environment management at lower levels.

Private sector participation: Private sector involvement is often dismal due to limited interest given the apparent low available markets for biodiversity products. However the biotrade programme being supported by Uganda Export Promotion Board and current efforts by Uganda Investment Authority are gradually identifying biodiversity products which should attract private investment. For private sector to play a positive role in biodiversity management there is need for strong public agencies to provide oversight and monitoring of private sector activities.

Civil Society Organizations: Because of their close relationship with communities and the poor, civil society organizations have become instrumental in delivering key services that support biodiversity conservation and poverty eradication. Civil society organizations are engaged in providing a range of services including planning, community empowerment, capacity building and advisory services. A number of NGOs such as World Wide Fund for Nature (WWF), CARE and Environmental Alert are playing a significant role on direct service delivery to local communities. Other leading national NGOs such as IUCN, Advocates Coalition for Development and Environment (ACODE), Uganda Wildlife Society and others have been active in the development of sectoral policies and plans which are related to biodiversity conservation.

Local Communities: The involvement of local communities in the effective management of natural resources is cited as one of the principles of the National Environment Policy as well as a strategy of the National Environment Action Plan. The national Environment Act supports greater community participation by providing for the establishment of district and local environment committees. These committees ensure a bottom-up approach from the lowest level of local government to the central government. Typically, the stakeholder list includes farmers, district staff from line ministries relevant to biodiversity conservation, representatives from the same line ministries, NGOs, the private sector, donors, and research and training institutions. Generally, efforts are made to in-build gender

considerations within the participation, analysis of issues and formulation of policies, laws and plans. In practice, however, gender representation is usually biased towards men.

Donors: Government of Uganda considers the Poverty Eradication Action Plan (PEAP) now being transformed into the National Development Plan (NDP) as the key framework under which development assistance should be executed. Donors are discouraged from providing funds through individual projects and programmes, but rather under a common basket or pool fund. Furthermore, in view of the decentralization policy, donor agencies are encouraged to support implementation of District Development Plans (DDPs).

Whereas GEF funds would be helpful in bridging the resource gap to address biodiversity concerns, Government's current policy of restricting foreign funding to ensure macroeconomic stability could limit national capacity to benefit from GEF funding. On the other hand, alternative financing of biodiversity programmes through bilateral or multilateral agencies is usually small and limited to processes rather than tangible actions to address on-the-ground issues affecting local communities.

15. The use of EIA to ensure that the policies and plans will avoid adverse impacts on biodiversity

The Environmental Impact Assessment Regulations define the process of undertaking EIA emphasising public participation and environmental auditing. When an EIA proves that a development is going to cause a significant loss of biodiversity, it is either stopped or given a number of mandatory mitigation measures to implement to minimize the foreseen biodiversity loss.

By applying and using the EIA regulations, some proposed projects that would lead to high biodiversity are required to mitigate the foreseen loss and hence biodiversity protected. The protected biodiversity still forms a basis for providing livelihoods to many, especially rural communities, who directly depend on utilization of natural living resources.

The use of positive incentives may sometimes contribute to making favourable decisions to reduce biodiversity loss. Examples of positive incentives may be found in collaborative management of protected areas by government institutions and communities living adjacent to the PAs. The common incentive measures used include: revenue sharing, joint decision making where the local community participates in decision making concerning the resources. In the wildlife sector, there are revenue sharing schemes between local communities and Uganda Wildlife Authority while in the forestry sector there is a sow log grant scheme whereby some farmers are facilitated to establish their own forest plantations for their own possession and management.

Perhaps the greatest incentive is provided in the National Constitution, the Land Act, as well as the National Forestry and Tree Planting Act, which recognize the rights of Ugandans to own not only land, but also the natural resources on it. A land owner who has a forest on his land is paid directly by anyone interested in harvesting forest resources from the land, while the land owner can use them freely as long as it is done within the law (ensuring sustainable harvesting). Measures to remove perverse incentives are still not widely recognized and used in Uganda.

16. Policy challenges for biodiversity conservation

It is clear from the foregoing discussion that, in general, Uganda has adequate policies, laws and plans to conserve its biodiversity ensure sustainable use and equitable sharing of its benefits. In terms of legislation, the most significant challenge is one of enforcement due to inadequate staff or their motivation. There are also problems associated with inadequate political will. A few examples of policy weaknesses include:

Changes in land use of protected areas

There have been instances where high population growth and densities around highly biodiverse forest reserves have led to a spillage of settlements into the PAs. Government has ultimately had to degazette parts of such reserves in order to maintain social harmony. Examples include Mt. Elgon Forest Reserve (6,000 ha) which was degazetted to resettle the Ndorobo tribe.

Weak Policy and legal mechanisms for wildlife conservation outside PAs

Wildlife outside protected areas has continued to receive little attention as far as conservation is concerned. This has been attributed to the rapidly receding wildlife population outside gazetted areas all over the country. What makes this a very serious omission is that wildlife knows no boundaries. They therefore remain largely unprotected when they stray from the reserves into private or public land.

Extensive deforestation on private, communal and (the former) public lands due to inadequate legal protection

About 70% of Uganda's forests are outside PAs, and is thus more prone to degradation due to lack of legal protection. It is because of this reason that there is noticeable extensive deforestation in non-gazetted tropical high forests, woodlands and bush lands caused by heavy and uncontrolled utilization, encroachment and over-harvesting. In general, conservation of biological diversity outside protected areas has not received the attention that it deserves. Thus deforestation and loss of biological diversity have been more extensive and severe outside the protected areas system. Legal provisions to address the overgrazing and poor farming techniques such as shifting cultivation, which also contribute to extensive and unnecessary clearing of woody vegetation, are inadequate.

17. The use of the ecosystems approach

The ecosystem approach is a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way. Application of the ecosystem approach will help to reach a balance of the three objectives of the Convention. At its second meeting, the Conference of the Parties has affirmed that the ecosystem approach is the primary framework for action under the Convention (decision II/8). The Conference of the Parties, at its fifth meeting, endorsed the description of the ecosystem approach and operational guidance and recommended the application of the principles and other guidance on the ecosystem approach.

The seventh meeting of the Conference of the Parties agreed that the priority at this time should be facilitating implementation of the ecosystem approach. Uganda through, NEMA and other sectoral agencies, has been using the Ecosystem Approach in the last eight years to restore degraded ecosystems particularly in wetlands, river banks and lake shores throughout Uganda. Uganda has also been promoting regional cooperation in applying the ecosystem approach across national borders through participation in various regional projects and programmes including Lake Victoria Environment Management Project (LVEMP) and the Mt. Elgon Regional Ecosystem Conservation Programme (MERECF) under the East African Community (EAC), among others.

The country has further created an enabling environment for the implementation of the ecosystem approach through the development of the NBSAP and through various national and sectoral policies, laws and regulations for major ecosystems such as inland waters, wetlands, forests, mountainous areas, and dry and subhumid lands.

18. The extent of inclusion of biodiversity in environmental impact assessments and strategic environmental assessments

The relevant environmental impact assessment regulations and guidelines do specifically require clear statements of how any proposed policies, projects and programmes will affect biodiversity or biological resources. The Third Schedule of the National Environment Act, 2005 gives a list of projects to be considered for environmental impact assessments including (a) dams, rivers and water resources; (b) forestry related activities; (c) agriculture and (d) natural conservation areas including creation of national parks, formulation or modification of forest policies, water catchment policies, policies for the management of ecosystems, commercial exploitation of natural fauna and flora and introduction of alien species of fauna and flora into ecosystems.

The First Schedule of the Environment Impact Regulations, 1998 requires that the following issues be considered in the making of environmental impact assessments:

- Biological diversity e.g. effect on number of wild animals and vegetation.
- Sustainable use e.g. wetland resource degradation and breeding populations of fish.
- Ecosystem maintenance e.g. fragile ecosystems

EIA Guidelines also require that statements be made on how a project or policy will affect biological resources including vegetation, animals and aquatic ecology.

Some Sectoral policies and laws also have provision for EIA to be carried out for example the National Forestry and Tree Planting Act, Uganda Wildlife Act and Wetlands Policy. A number of Sector guidelines have also been developed for example in the energy sector and fisheries sector which take into account biodiversity issues.

19. Impacts of EIA on observed changes in the status and trends of important biodiversity components

The development of tourism facilities like hotels in PAs are likely to negative impact on the landscapes and biodiversity resources in the PAs. These pressures have generally been kept to a minimum due to strict conduct of EIAs and supervision of such projects. Degradation of riverbanks as a result of hydroelectric power construction has also been significantly minimized by EIA thus reducing siltation and saving important inland water biodiversity such as fish. The construction of extensive infrastructure such as roads and electricity lines to stimulate socio-economic development of Uganda has also had reduced impact on biodiversity due to stringent EIA followed by environmental audit controls. These measures have supported a major objective of the NBSAP which is to reduce and manage negative impacts on biodiversity.