

**MAINSTREAMING ENVIRONMENT AND NATURAL
RESOURCE
ISSUES IN SELECTED GOVERNMENT SECTORS**

Status, Considerations and Recommendations

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LIST OF ACRONYMS

ACODE	Advocates Coalition for Development and Environment
BFP	Budget Framework Paper
CID	Criminal Investigation Department
CSOs	Civil Society Organisations
DFID	Department for International Development
DS&IP	Development Strategy and Investment Plan
DWD	Directorate of Water Development
ENR	Environment and Natural Resources
ENR-SWG	Environment and Natural Resources Sector Working Group
NGDP	National Gross Domestic Product
HSSP	Health Sector Strategic Plan
JAR	Joint Annual Review
JLOS	Justice Law and Order Sector
LGDP	Local Government Development Programme
LGs	Local Governments
LSSP	Land Sector Strategic Plan
MAAIF	Ministry of Agriculture, Animal Industry and Fisheries
MoES	Ministry of Education and Sports
MoFPED	Ministry of Finance, Planning and Economic Development
MoU	Memorandum of Understanding
MTEF	Medium Term Expenditure Framework
MoWLE	Ministry of Water, Lands and Environment
NAADS	National Agricultural Advisory Services
NARO	National Agricultural Research Organisation
NARS	National Agricultural Research System
NEMA	National Environmental Management Authority
PEAP	Poverty Eradication Action Plan
PMA	Plan for Modernisation of Agriculture
SIP	Sector Investment Plan
SWA	Sector Wide Approach
SWG	Sector Working Group
UNEP	United Nations Environmental Programme
UWA	Uganda Wild Life Authority
WSSP	Water Sector Strategic Plan

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This research report is part of the on going research and advocacy work being carried out by ACODE to enhance the mainstreaming of Environment and Natural Resources in different government sectors. It has been acknowledged that there is a close link between poverty and environment. The environment and natural resources as a sector is also closely linked with other sectors such as agriculture, trade, industry, transport, construction, and this makes the ENR sector the nucleus for development of an integrated economy. Mainstreaming of Environment and Natural Resources issues in government sectors and programmes therefore is critical in realising the ultimate objective of the Poverty Eradication Action Plan.

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EXECUTIVE SUMMARY

Environment and Natural Resources (ENR) are not only important in contributing to Uganda's economic growth but are also key in reducing poverty through providing employment, livelihood and food security. In addition, they act as a source of natural wealth for public and private investments. ENR which are mainly constituted of land, forests, fisheries, wetlands, water, soils, climate, minerals etc., contribute to approximately 54% of the National Gross Domestic Product (NGDP). However, these resources have been largely exploited in an unsustainable manner.

Many development programmes have an effect on, or have been affected by the exploitation of these natural resources. At the same time, the mandate for management and exploitation of ENR cuts across different sectors and institutions. Programmes for poverty reduction which are coordinated within the framework of Poverty Eradication Action Plan (PEAP), are natural resource-based but are scattered in many government sectors. To achieve PEAP objectives therefore, ENR management and exploitation must be integrated in all government programmes and this is what is termed as mainstreaming.

This study aims at establishing the extent to which ENR issues are integrated and/or mainstreamed in selected government sectors. The study is limited to mainstreaming ENR in selected six government sectors out of the total sixteen. These selected sectors include: agriculture; health; water and sanitation; roads and works; justice, law and order sector; and local government. The study is further limited to the analysis of the progress in mainstreaming ENR in sector policies, strategies, plans and budgets. The study does not analyse the extent to which sectors have mainstreamed ENR at implementation level.

In the agricultural sectors, progress of mainstreaming has been noted at all sector policies, strategies and budgets. ENR issues are captured at the Plan for Modernisation of Agriculture (PMA) policy level and are further mainstreamed within Ministry of Agriculture, Animal Industry and Fisheries (MAAIF) Development Strategy and Investment Plan (DS&IP). The PMA main document and MAAIF DS&IP capture issues of ENR as priority issues for implementation in the medium term and budgets are embedded in projects which are being implemented in the sector. The agricultural Sector Budget Framework Paper highlights ENR as priority within the medium and long term. ENR has been captured in most NAADS planning documents such as the National Agricultural Advisory Services (NAADS), Natural Resource Strategy and in the Guidelines for Selection of Farm Enterprise. Although this is so, very few of ENR-based enterprises have been chosen by farmers. There is also recognition of ENR-based technologies in the National Agricultural Research System (NARS).

In the Health, as well as Water and Sanitation sectors, ENR has been mainstreamed to some extent. The Ministry of Health, for example, developed an Environmental Health Policy although there is no plan or strategy yet for its implementation. The second Health Sector Strategic Plan for 2005/06-2009/10 does not emphasise any issues related to environmental health and yet it is expected to be comprehensive. There is no explicit sanitation policy although some issues of sanitation are captured in the Health and Water policies. At the same time, no specific policy questions related to sanitation have arisen to require policy responses. In regard to the absence of an institutional framework for implementation of sanitation programmes, the framework only exists in form of a Memorandum of Understanding (MoU).

In the Justice Law and Order Sector (JLOS), the judicial system in ENR is un-reachable while the administrative redress is almost non-existent. The experience shows that current justice programmes normally focus on criminal and commercial justice with limited extension to environmental justice. However, the second JLOS investment plan mentions of administering land justice and other environmental education within the short and medium-term but there are no funds allocated for these activities in the budget. JLOS, with support from NEMA, has been raising the capacity of some JLOS officials both at national level and in local governments especially in the area of environmental information and in the administration of environmental justice.

In the roads and works sector, mainstreaming ENR has been done through the development of administrative and operational environmental guidelines for assessing and integrating ENR concerns with clear checks and balances of ensuring that construction of roads and works promote, and do not degrade the environment. The sector further developed environmental and waste disposal guidelines for all construction works which are regularly enforced.

In the Local Government, the majority of the District Development Plans have budgets that are targeting implementation of ENR based enterprises. A strategic plan for mainstreaming environment in Local Government planning exists and funds are allocated for associated activities in the budget. With the assistance of National Environment Management Authority (NEMA), guidelines for mainstreaming Environment and Natural Resources have been developed and widely disseminated. The Ministry of Water Lands and Environment (MWLE) now sub divided into Ministry of Lands, Housing and Urban Development, and Ministry of Water and Environment has over time built the capacity of district land boards. NEMA is further providing a number of capacity building programmes in the area of environment.

The progress and efforts made in mainstreaming ENR in these selected sectors are, however, not coordinated which results into sectors implementing some programmes that are not responsive to ENR concerns. Although ENR is considered cross-cutting, most sectors do not bother to consider ENR as part of their core business and yet ENR programmes are key in achieving sector mandates and objectives. The Environment and Natural Resources Sector Working Group (ENR-SWG) should spearhead the process of strengthening mainstreaming of ENR in other sectors. With the support of the Ministry of Finance, Planning and Economic Development, there is need to lobby all sectors during the budgeting process to ensure that financial resources are allocated to ENR-related programmes and activities. The Ministry of Finance, Planning and Economic Development should, during the budgeting process, make it compulsory, by issuing budgeting guidelines for every sector to budget for ENR as a cross cutting issue. It is also recommended that the Environment and Natural Resources Sector Working Group should cause the development of sector specific guidelines for mainstreaming ENR issues in government sectors by providing leadership to the process. There is need to train ENR sector liaison officers on the nexus between poverty and environment and institute a regular monitoring programme to assess the progress of implementing ENR programmes in sectors. The ENR-SWG should develop and follow-up this monitoring programme.

1. INTRODUCTION

Environment and Natural Resources (ENR) are crucial to the economy in many ways but also vulnerable to the extent that their exploitation and sustainability can be affected by actions of different actors in society. ENR issues and concerns are cross-sectoral but also key in every sector in terms of reducing poverty and therefore need to be accorded highest priority within the overall framework of the Poverty Eradication Action Plan (PEAP) which aims at reducing the proportion of people living in absolute poverty to a level below 10% by 2017. Because of the cross-cutting nature of ENR issues, actions to address them require involvement of all relevant sectors. It is from this background that during the PEAP revision in the year 2003, the Environment and Natural Resources PEAP revision sub-committee under the auspices of the then Ministry of Water, Lands and Environment prepared guidelines for mainstreaming ENR issues in the PEAP, and other government sectors and programmes. The overall objective of these guidelines was to provide guidance to different sectors on how they can integrate cross cutting ENR issues in their sectoral plans and programmes. The purpose of this study therefore, was to assess the extent to which ENR issues have been integrated, and propose actions that can accelerate the mainstreaming of ENR issues in government sectors and programmes.

1.1. Scope and coverage of the study

For purposes of this study, mainstreaming of ENR in sectors is categorised in two broad areas. The first category of mainstreaming is through evaluating whether sectors are committed to integrate ENR in the respective programmes, projects and activities. This commitment is evaluated by assessing the extent to which sector policies, strategies, plans and budgets address ENR issues. The second category of mainstreaming is a further step which evaluates or ascertains that finances have been allocated to ENR issues and the actual programme activities targeting ENR areas are implemented.

This study is limited to category one of evaluating whether the government has committed itself in addressing cross-cutting ENR areas in their policies, programmes and budgets. The study is further limited to six main sectors out of sixteen¹ which are clustered into interrelated sub-sectors to pursue common visions, strategies and goals and also to aid planning and implementation of government programmes. The six main sectors under this study are: Roads and Works; Health; Agriculture; Water and Sanitation; Local Government; and

¹ The 16 sectors of government include; Macro Economic Framework; Education; Health; Water; Environment and Natural Resources; Social Development; Agriculture; Transports, Works and Communications; Justice, Law and Order; Public Administration; Security; Conflict Resolution and Disaster preparedness; Accountability; Local Government; Civil Society; Cross Cutting Issues and Economic services.

Justice, Law and Order Sectors. The selection of the sectors was principally based on how these sectors are impacted upon by an unstable environment and their strong link to poverty reduction. It should also be indicated that the mainstreaming guidelines had focused on them most and hence they provided a good reference for analysis.

This study report is arranged in four main sections. The first section covers the introduction and purpose of the study, the objectives, scope and the approaches used in undertaking this study. Section two provides the importance and justification for mainstreaming ENR in other sectors. Section three provides the findings of the study and specifically on the status of mainstreaming ENR in the selected sectors. This section looks at selected government sectors and reviews their plans and programmes to analyse the extent to which ENR issues are integrated and/or mainstreamed. The section also draws results and outcomes from interviews and discussions from selected sector officials on the extent and progress of mainstreaming ENR issues. This section feeds into section four which outlines the identified gaps and issues that help in drawing conclusions. These gaps, issues and conclusions are used to propose actions that can accelerate mainstreaming of ENR issues in government sectors and programmes.

1.2. Methodology

This study benefited from the review of relevant documents. The Key documents reviewed include the guidelines for mainstreaming ENR in government sectors as indicated in Table 1, sector policies, strategies, plans and budgets. The aim of this review of documents was to ascertain sector commitments in mainstreaming or integrating ENR issues in sector policies, plans and budgets.

The review of relevant documents was supported by field visits to interview relevant officials from selected government departments. The main target for interviews were officials involved in planning and budgeting, environmental desk or liaison officers in the selected ministries and heads of departments relevant for mainstreaming of cross-cutting issues.

2. MAINSTREAMING ENVIRONMENT AND NATURAL RESOURCES IN GOVERNMENT SECTORS

2.1. The Guidelines

The multi-sectoral nature of the interventions required to effectively address the current environmental challenge is now well recognized. However, the challenge has always been how to guide these sectors to ensure that they address ENR issues relevant to their sectors and which fall outside the

traditional scope of their mandate. During the revision process of the Poverty Eradication Action Plan (PEAP) in the year 2003, the ENR PEAP Revision Subcommittee of the Environment and Natural Resources Sector Working Group (ENR-SWG) with the support of the Advocates Coalition for Development and Environment (ACODE) prepared guidelines for the ENR integration process. The guidelines were developed as a result of the demand that was expressed during the PEAP revision process on what specific actions would be required of some of these sectors to demonstrate that they were effectively integrating relevant ENR issues in their sectors. The overall objective of the guidelines therefore, was to provide guidance to different sectors on how they can integrate cross cutting ENR issues in their sectoral plans and programmes and how such integration can be monitored. While not seeking to be exhaustive, the guidelines sought to provide generic actions that could be taken by selected institutions whose work either positively or negatively impact on the environment and natural resources base of the country. The table below provides a summary of the guidelines for mainstreaming ENR in different government sectors.

Table 1: Mainstreaming ENR Issues in Government Programmes

Sector	ENR Issue	Action Required	Input and process Indicator
Agriculture	Unsustainable utilisation of ENR for economic growth	promote sustainable agricultural practices Promote studies on maximum sustainable yield	% budget allocated to sustainable agriculture practices Budget allocated to MSY related studies
	The role of ENR in micro economic stability not appreciated	PMA/NAADS develop awareness programmes for ENR promotions	-Budget allocated for awareness programmes -No of awareness programmes developed and implemented
	Agric. Advisory services delivery approach inappropriate to ENR	Support delivery of ENR advisory services	% of NAADS budget allocated to ENR advisory service and # of ENR enterprises selected
		Provide market information	Proportion of people accessing market information
	Accelerated land degradation reduces the income of the poor	Support sustainable agriculture	% of the poor living in marginal land and % of HH applying sustainable agric. Practices
	Limited focus on ENR concerns affecting pastoral communities	Develop Water for production strategy	Availability of water for production and domestic use
	Research and technological developments does not effectively address ENR	Support ENR based research and development	% of budget allocated to ENR technologies % of HH adopting ENR technologies
Health, Water and Sanitation sectors	Lack of a comprehensive environmental health strategy	Develop an environmental health plan	Environmental health plan in place
	Inaccessibility to safe and clean water increases the vulnerability of the poor to health hazards	Formulate sanitation policy. Develop an environmental health plan	Budget allocated to sanitation Budget allocated to environmental health
	Low social services delivery to nomadic population is a threat to ENR	Develop a special programme for social service delivery	Budget allocated targeting health centres with sanitation facilities
	Inadequate leadership role in the implementation of sanitation provisions	Establish a institutional framework for implementation of sanitation programmes	Institutional framework in place and operational
Justice Law and Order	Limited access to justice on ENR issues perpetuates ENR degradation	Train judges and other law enforcement in ENR issues	Amount of money allocated for training on ENR issues
		Develop awareness programmes on environmental rights	Number of ENR cases reported
		Develop use friendly guides on access to justice	Manual on access to justice in place
	Poor compliance and weak enforcement of ENR laws	Operational land administration institutions Train police, magistrates and prisons in environmental laws	Functional district land boards Amount of money allocated for ENR related training and number of reported ENR crimes
Roads and Works	Economic infrastructure development such as roads does not effectively dress ENR issues	Ensure that EIA is done for all economic infrastructural developments	Mitigation measures and guidelines in place and enforced
Local Government	Inadequate public and private investments in ENR	Integrate ENR concerns in ENR budgets	%ge of local government budgets allocated to ENR sector
	Limited capacity to manage the decentralised ENR functions	Build local government capacity for planning and implementation of ENR activities	Number of skilled persons working in ENR sector in Districts - by sectors
	Limited access to land and common property resources	Develop land administration institutions	Functional district land boards and tribunals Proportion of people with secure access to land

Source: Adopted and re-modified from the Guidelines for Mainstreaming ENR in sectors (2003)

2.2. Importance of ENR to the economy

In understanding why ENR should be mainstreamed into other sectors, it is crucial to know the cross-cutting nature of the ENR and their importance to the economy. Uganda is endowed with diverse natural resources ranging from land, forests, fish, livestock, soil, wetlands, minerals, water, wildlife, crops and climate that provide sources of livelihoods and means of reducing poverty for the majority of the population.

The poverty levels of majority of the poor Ugandans is closely related to people's reliance on ENR for food, energy, water, housing, good health, employment and income generation. The 2003 estimates indicated that Natural Resources contribute approximately 54% of the country's GDP and more than 90% of Uganda's energy requirements². Over 85% of the Ugandan population live in rural areas and are employed in natural resource-based activities, particularly agriculture. Therefore, sustainable natural resource utilisation, is key to Uganda's efforts to ensure poverty reduction. A synopsis of the economic value of key ENR sectors shows how important ENR can be linked to poverty reduction and well managed natural resources.

In regard to fisheries, fish contributes significantly to the economy through direct employment of over 300,000 and indirect employment of over 1.2 million Ugandans. In 2005, fish exports earned the economy over US\$ 143 million in form of foreign exchange through fish exports to premium markets only³. The wildlife resources, on the other hand, provide means of livelihoods for rural poor in form of food, plant resources and game meat, non-timber wood products, etc. Wildlife, more importantly, provides opportunities to invest in tourism industry, which is number one foreign exchange earner⁴.

Wetlands have both direct and indirect income opportunities to the rural people in form of environmental goods and services that improve the quality of life of the rural population. There are direct benefits that accrue to the population as a result of well-managed wetlands and these include: fish, fuel wood, sand and gravel, clay, clean water and agriculture, among others. Water resources, alone, are crucial in the development of water supply systems for irrigation, livestock especially in dry areas, and even fish farming. Access to clean water and sanitation facilities guarantees a healthy population and in turn reduced costs on health services and treatment

² B. K. Kabanda (2003), Eradicating Poverty in Uganda Using Natural Resources. Paper Presented at a Joint Workshop on Integrating Environment and Natural Resources in PEAP Revision.

³ Premium markets include the EU, USA, Australia, Middle East and does not include exports to the regional markets such as Democratic Republic of Congo, Rwanda, Kenya and Sudan.

⁴ Ibid.

especially of environmental related diseases such as cholera, bilharzias, typhoid and dysentery⁵.

Furthermore, climate contributes to poverty eradication through the delivery of meteorological services that involve comprehensive weather and climate information required by farmers in agriculture and transport sectors. Forests are important in providing direct employment currently estimated at over 100,000 and indirect employment estimated at 750,000. Forests further provide timber and non-timber products and also protect watersheds necessary to support agriculture and fisheries, soil improvements and thus sustainably contribute to food security through increases in farm yields and influencing microclimate⁶.

Land is also a very important natural resource as everything thrives on it. Access to, and wise use of land resources within the context of the PEAP, therefore, is important in eradication of poverty. Both the rich and the poor use land for small scale and large scale agriculture and therefore land is a strong linkage to poverty reduction.

Table 2: Contribution of selected ENR sub sectors to the economy

ENR sub-sector	% Contribution to NGDP	Persons directly employed	Year Reported	Date and Source of information
Fisheries	6%	300,000	2003	PEAP (2004), Yaron and Moyini (2003)
Forestry	6%	100,000	2002	PEAP (2004), National Forest Plan (2002)
Climate & Climate Change	Indirect*	Indirect	Na	Na
Wetlands	Indirect	320,000	2002	PEAP (2004)
Wildlife	2.7% (est.)**	70,000	2003	PEAP (2004), UWA (2004)
Energy and Minerals	16.7%	Na		PEAP (2004)

* The contribution of climate is indirect because it directly contributes to other sectors

** This is calculated from the 2003 estimates of US\$ 160 million from Wildlife-based tourism

Notwithstanding this importance, many development programmes have negatively impacted on these natural resources. Poverty Assessment studies by Ministry of Finance Planning and Economic Development (MoFPED) in 2002 and 2003 indicated that the quality and value of environment and natural resources was declining as a result of poor linkages between development programmes and ENR use.

Some studies especially those alluded to in the PEAP indicate that natural resource degradation is about 17% of Uganda's GDP distributed between forestry (6%) and soils (11%) alone. This cost is even higher if other natural

⁵ Ibid.

⁶ Ibid.

resources such as wetlands, fisheries, wildlife are considered. The table below demonstrates the cost of environmental degradation to the economy.

Biodiversity conservation	UGX506 billion
Forest conservation	UGX3.756 billion
Wildlife conservation	UGX55-353 billion
Soil degradation	UGX225 billion
Rangeland degradation	UGX815 million
Wetlands encroachment	UGX2 billion
Water hyacinth pollution	UGX870 million
Contamination of water systems	UGX38-61 billion

Source: Moyini and Muramira, 2001

The above estimates make it apparent that failure to achieve improvements in environment and natural resources conditions, and continued ENR degradation would make achievements under the PEAP short lived.

In the context of PEAP and sustainable development, therefore, there are key messages that need to be derived from the importance of ENR to poverty reduction. A snapshot of these key messages reveals that ENR is a good vehicle for empowering communities and poverty reduction.

2.3. Why mainstream ENR in other sectors?

Noting the importance of ENR in the economy, there is need to understand government's commitment of sustainable use of natural resources so as to strike a balance between economic development and conservation of these resources. Striking this balance will require that cross-cutting ENR issues are mainstreamed in other government development programmes. Although the PEAP mentioned ENR, HIV/AIDS and gender as cross cutting areas, the guidelines for 2003/04 PEAP revision listed only gender and HIV/AIDS as the main cross-cutting areas that should be mainstreamed into other sectors.

Discussion on the importance of ENR already indicates that the mandate for management and exploitation of ENR cuts across different actors and institutions. Programmes for managing soil degradation, for example, are within the mandate of the agricultural sector while soil conservation activities, such as tree planting and water conservation are the mandate of ENR sector. Addressing ENR issues is therefore important for different sectors to achieve their mandate.

Programmes for alleviation of poverty especially under PEAP, are natural resource-based and are scattered in all government sectors. This calls for all sectors to ensure that ENR issues are clearly covered by the respective sectors.

Box 1: Why Mainstream ENR?

- Poverty reduction programs are ENR-based;
- Mainstreaming ensures increased benefits from holistic and multi-sectoral approach; and
- ENR issues are key in achieving sectoral mandates.

Mainstreaming is also important because it ensures increased benefits from a holistic and multi-sectoral approach to development. It also helps in improving co-ordination and synergies among several sectors. Box 1 summarizes why mainstreaming ENR in other government sectors is considered important.

3. STATUS OF MAINSTREAMING ENR IN SECTORS

Many government sectors have got plans and strategies with an objective of integrating and/or mainstreaming cross-cutting ENR issues in their sectors. In some of the sector plans, cross-cutting ENR issues are only mentioned while some go further to include these areas in the work plans and budgets. This section provides an analysis of some selected sectors on the extent to which they have integrated ENR issues in their policy and planning processes.

3.1. Mainstreaming ENR in National Policies and Budget Processes

With regard to the overall government policy framework, ENR issues have been mainstreamed in the 2004/05-2007/08 PEAP. Under Section 1.4 in the introductory chapter, ENR are stated as crosscutting. It also features in detail under chapter four which is a pillar on enhancing production, competitiveness and incomes. Noting that guidelines for 2003 PEAP revision highlighted ENR as cross-cutting, mainstreaming ENR in the PEAP is, therefore, crucial and the need to highlight its importance and the far reaching consequences on the development of the country is necessary.

3.2. Mainstreaming ENR in the Agricultural Sector

In the agricultural sector, ENR issues have been integrated in the main sector framework; the PMA, MAAIF Development and Investment Plan (DS&IP), the National Agricultural Advisory Services (NAADS), Annual Sector's Budget Framework Papers (BFP) and in the National Agricultural Research Organisation (NARO)/National Agricultural Research System (NARS). A look at each of these brings forward the progress and problems of mainstreaming ENR in the sector.

3.2.1. Mainstreaming ENR in the PMA

The agriculture specific policy framework, the PMA, recognises ENR as very critical in modernising agriculture in Uganda. Among the main seven pillars of PMA, there is a pillar specific on ‘environment and natural resource utilisation and management’. At the time of developing the PMA, it was found important that issues of environment and natural resources are key and this was a reason why ENR was accorded a specific pillar to address these issues. The guidelines for mainstreaming ENR issues in sectors indicate that one key issue for agriculture to address is the unsustainable utilisation of ENR for economic growth. The PMA is highlighted as a strategy for ensuring sustainable utilisation of natural resources. The question which remains is to what extent has the PMA implementation responded to the pillar on natural resource utilisation and management?

The PMA annual reviews do not analyse ENR issues as cross-cutting but as a separate pillar of PMA. Under the PMA, a sub-committee on ENR was created to oversee ENR-related activities and PMA annual reviews rate this pillar to be “somewhat successful”. The measure of success is seen from the number of ENR-related policies and strategies that have been developed. Among the reported ones include the National Land Policy and Land use policy (these policies are still drafts and are yet to be approved by cabinet), the associated Land Sector Strategic Plan (LSSP); the Wetland Policy and the associated Wetland Sector Strategic Plan (WSSP). This cannot be considered sufficient for PMA to be translating pillar objectives into actions. What is important is to relate the amount of money PMA has disbursed or the influence it has exerted towards the implementation of environment and natural resources projects and programmes.

PMA secretariat together with the development committee of Ministry of Finance Planning and Economic Development developed guidelines as a reference tool for those seeking to submit project and programme proposals to government for PMA compliance and clearance. Within the guidelines, a criterion was developed to ensure that all government projects and programmes address sustainable use and management of natural resources⁷.

As the 2005 PMA Joint Annual Review (JAR) and Evaluation⁸ notes, much of the progress on the environmental and natural resources pillar has been at policy and strategy rather than at the level of implementation. The review also notes that, at district level, both technical staff and farmers appear to

⁷ PMA and MFPED (2003): Guidelines for Project/Programme Submission for PMA Compliance and Clearance for Funding. PMA Steering Committee and MFPED Development Committee July 2003. pp7

⁸ Oxford Policy Management. November 2005. A Joint Evaluation Uganda’s Plan for Modernization of Agriculture: Danish Ministry of Foreign Affairs Copenhagen.

understand the severity of environmental problems caused by inappropriate agricultural practices. In the PMA, land tenure issues remain crucial and require attention for successful implementation of PMA. To the greatest extent, the PMA through its pillars integrates issues of ENR but the challenge remains on how financial resources can be realised by the implementing institutions of ENR-based activities.

3.2.2. Mainstreaming ENR in MAAIF Development Strategy and Investment Plan

The activities of MAAIF are in line with overall objective of the Agricultural sector as detailed in 1998 Post-Constitutional Restructuring of MAAIF Report. This partly is to promote farming systems and land use practices that conserve and enhance land productivity in an environmentally-sustainable manner⁹.

In 2005, MAAIF developed a strategy to implement public sector responsibilities of the Agricultural sector. The strategy is comprehensive but largely focuses on the public roles and functions of the centre institutions including MAAIF and her agencies, as well as those in Local Governments. The strategy notes that MAAIF promotes the sustainable use of natural resources in its programmes throughout the country. Among key Ministry undertakings is the promotion and development of the capacity of rural population in managing crop, livestock and fish for poverty reduction. The key supportive functions are; sustainable exploitation of fish stocks, sustainable utilisation of soils for agriculture, and understanding the importance of water, forests and wetlands to agriculture. The DS&IP mentions how cautious the population should be on the effects of using, for example, inorganic inputs and their environmental risks.

The agricultural sector strategy further allocates resources that focus on ENR issues. In the programme area number two of the strategy, which is on “Capacity building for irrigation, drainage, water harvesting, soil and water conservation and rangeland management”, there is a budget within the sector MTEF ceilings to cater for development of standards for optimum use of natural resources. In the same programme area, approximately US\$ 220 million is earmarked for this area each year for the three years (2005 - 2008) in the medium term.

Furthermore, the DS&IP provides the responses to questions highlighted in the guidelines for mainstreaming ENR in sectors. The ENR guidelines highlight two actions for the agricultural sector. One is on promotion of sustainable

⁹ see the Post Constitutional Restructuring of MAAIF Report (2003)

agricultural practices while the second is on promoting studies on maximum sustainable yield. MAAIF DS&IP action areas respond to these issues including the one on the accelerated land degradation which reduces the income of the poor. In support of MAAIF DS&IP, Parliament in December, 2005 approved a project on Farm Income Enhancement and Forest Conservation to be financed by Government of Uganda (GoU) and the African Development Bank (ADB). The project which is to be implemented by both MAAIF and Ministry of Water, Lands and Environment (MWLE) as it then was has two main components - Forestry Support component and Agricultural Enterprise Management component. The forestry support component focuses on community watershed management and tree planting. The agricultural enterprise management component focuses on four main sub-components which include; small scale irrigation and crop development; soil fertility management; apiculture promotion and agriculture marketing. As seen from the components, this project will largely contribute to sustainable utilisation of water, land and soil resources for economic growth hence ENR.

This project, and specifically the components to be implemented in MAAIF, demonstrates the fact that the agricultural sector is cautious of ENR issues and mainstreams these issues in MAAIF development programmes. One point to note is that this project was not developed in response to the ENR mainstreaming guidelines. The development of MAAIF strategy and the Farm Income Enhancement Project started way back before the guidelines were developed and as we shall see later, at the time of research, the sectors did not know that these mainstreaming guidelines were in place. It means, therefore, that the development of the project and the strategy were already aware of the concerns that agricultural programmes often ignore activities to do with sustainable utilisation of natural resources such as land (soils) and forests. This, probably, is the reason why the project captured these ENR-related activities.

In light of promotion of studies on maximum sustainable yields, the MAAIF DS&IP, builds on two concrete studies. One on water for production and the other on maximum sustainable yields in fish stocks. The water for production study¹⁰ led to the development of Water for Production Strategy which is yet to be implemented by MAAIF and MWLE. The water for production study aims at increasing availability of water across seasons to maximise crop, livestock and fish production. However, the Water for Production Strategy is not yet implemented but financial commitments have been made towards its implementation. Recently, DANIDA earmarked US\$ 2 million for two years to kick-start the implementation of the strategy. The overall cost of the strategy is US\$ 393 million with GoU expected to contribute US\$ 167 million for over 10 years.

¹⁰ Water for Production Study, May 2002.

There are some issues, such as overlapping mandates among sectors and institutions, which are still affecting the implementation of this strategy. Key activities of the strategy relate to water sources development, water supply provision, water use management and maintenance of developed infrastructure. The current government structures mandate the MWLE as the lead agency for water supply development and MAAIF as the lead agency for water needs identification, use and management¹¹. The roles can be grouped under the water supply/source development and water use management of which either falls within different Ministries and sectors. In view of these conflicting roles and mandates, DANIDA has put a condition that to access the US\$ 2 million a Memorandum of Understanding (MoU) which details out the roles and responsibilities of each implementing agency, notably MAAIF and MWLE should, first be developed. This study was informed that a meeting has been planned at Permanent Secretary`s level and also for Ministers to finalise the MoU and implementation arrangements.

As regards to fish stock assessment studies, a number of inconclusive studies have been made mainly on Lake Victoria to determine fish stocks. Fish stock assessments provide the estimates on population of fish in a certain lake and it is against this population on stocks that the maximum sustainable yield is determined. As said, the studies on Lake Victoria have been done but their results have not been conclusive as they continue to be disputed by fisheries managers and scientists. Other studies are being planned on Lake Albert with the support of Lake Edward and Albert Fisheries (LEAF) pilot Project being supported by ADB.

As said before, the guidelines were not known to these sectors. Therefore, it cannot be asserted with certainty that progresses in mainstreaming were triggered by the ENR mainstreaming guidelines. Nonetheless, the named developments represent some steps being taken to mainstream ENR issues in the agriculture sector. In the absence of the guidelines though, the DS&IP to some extent addresses ENR issues. However, the extent of mainstreaming would have created a stronger effect if the guidelines were availed during the development of the strategy.

3.2.3. Mainstreaming ENR in MAAIF Budget Framework Papers

The guidelines issued by MFPED did not highlight environmental issues to be integrated in the BFP as was done for gender and HIV/AIDS. However, most of agricultural sector programmes affect, and are affected by the environment and the way natural resources are exploited. The agricultural

¹¹ see, Water for Production Strategy and Investment Plan 2005-2015. page vi of the Final Draft, April 2005. Water and Sanitation Sector, Directorate of Water Development, Ministry of Water Lands and Environment.

sector, therefore, has been attempting to bring issues of ENR in sector plans and strategies as it is in the PMA and MAAIF DS&IP.

The 2006/07-2008/09 agricultural sector BFP has issues of environment and natural resources integrated. First, by indicating that in the medium term, the sector will implement two main programmes related to management of natural resources notably, the Farm Income Enhancement Project and Water for Production Strategy. Second, the BFP indicates that in the medium term, the sector, among other priorities will improve environment and natural resources management (with an emphasis on soil management/productivity-enhancement interventions).

Furthermore, the BFP notes that the key challenges for the sector include the current husbandry practices which are characterised by, among others, minimal use of inorganic fertilisers. This could mean that soil productivity is declining as “nutrient mining” gathers pace. Given that the poor are more dependent than other socio-economic groups, on natural resources for their basic needs and food security, and that the transformation of the agricultural sector will only be possible if the land is able to sustain and increase yields of both crops and livestock, the BFP prioritises the sustainable use of soil and water for agricultural production. This challenge is reflected in the budget for the sector. There are many other areas in the BFP which are in response to ENR issues. Landing sites infrastructure development, for example, and programmes aimed at increasing fish production are emphasized and budgeted for in subsequent years of BFP.

ENR issues that have been brought out are as seen from the agricultural planners point of view and not through ENR guidelines. There is a possibility that there could be some ENR issues critical to agriculture but not easily detected by planners. The guidelines therefore should bridge this gap.

3.2.4. National Agricultural Advisory Services (NAADS)

The ENR mainstreaming guidelines highlight that agricultural advisory services delivery approach is inappropriate to ENR. The guidelines stipulate that NAADS should support delivery of ENR services and should also provide ENR-related market information. Furthermore, the guidelines require that PMA and NAADS should develop awareness programmes for promotion of ENR management.

Mainstreaming ENR in NAADS is, probably, among the commonly discussed issues on mainstreaming ENR in government sectors. The NAADS master

document recognises the need to sustain the productivity of natural resources to support agriculture¹².

Concerns on the lack of appreciation of ENR in NAADS programme started as early as January 2002. At this time, some of the natural resources sectors complained that the enterprise selection criteria under NAADS was not favouring some ENR sectors such as fisheries. This triggered off a series of discussions that NAADS should ensure that ENR issues are mainstreamed in all its programmes. As a result of these discussions, a NAADS Natural Resource Strategy of 2003 was developed. The key elements of the strategy are, among others, the description of key natural resource issues for NAADS and the activities/process, outputs and outcomes of the strategy.

In August 2003, a study commissioned by NAADS Environment and Natural Resources Task Force and facilitated by Tumushabe and Turyatunga (2003) on integrating environment and natural resources in the NAADS implementation process was undertaken. The study which was conducted in nine sub-counties selected in three districts reveal, among others that there is some progress on integrating some ENR issues in NAADS especially in areas of on-farm integration of ENR. The study however, found no evidence of any ENR-based enterprise being selected by farmer groups.

In 2004, NAADS entered into a partnership agreement with NEMA for purposes of strengthening the human and institutional capacity of NAADS so as to ensure that NAADS integrates ENR concerns in policy formulation, planning and budget processes. The requirements of each of the parties are contained in the agreement.

Early 2006, ACODE commissioned a study to investigate in detail the extent to which environment and natural resources issues are being integrated in the implementation of the NAADS programme¹³. The study analyses in detail the extent to which NAADS is addressing ENR issues. The key conclusions were that integration of ENR in NAADS is still limited largely due to the knowledge gap about the link between poverty and environment, lack of sufficient information on potential ENR-based small and medium scale enterprises, their profitability, marketability, and risks involved.

This study also benefited a lot from the recently concluded PMA Joint Annual Review/Evaluation for 2005. The PMA evaluation analysed the progress of a number of PMA pillars in relation to the PMA agreed undertakings for

¹² Republic of Uganda (2000), National Agricultural Advisory Services. Master Document of the NAADS Task Force and Joint Donor Group. Ministry of Agriculture, animal Industry and Fisheries.

¹³ Khaukha S. and Twesigye B. (2006), Monitoring the Integration of Environment and Natural Resource Issues in the implementation of NAADS program, a Case Study of Luwero and Soroti District - Final Draft report, March 2006.

2004. The 4th PMA Joint Review, in relation to ENR issues, concluded that 'Environmental issues were inadequately addressed under NAADS'. As an undertaking for PMA, the evaluation tasked PMA to ensure that ENR issues are integrated in NAADS programmes¹⁴. The main Joint Evaluation report, noted that "environment issues are not being effectively addressed as crosscutting issues, particularly by NAADS. This should be addressed as part of a broader review of enterprise provision under NAADS".

Box 2: Agreed Undertaking under the PMA Annual Evaluation 2005

"NAADS in collaboration with NEMA to draw-up an action plan to develop capacity of service providers to handle environmental issues (should be part of the training program of service providers)"

Means of Verification Indicator

"Environmental issues and Concerns integrated into NAADS service providers contracts"

NAADS, according to the guidelines for mainstreaming crosscutting ENR, was expected to develop awareness programmes for ENR promotion and also provide market information for ENR-based products. The NAADS mid-term evaluation indicated that in the areas visited during the evaluation, there is some evidence of mainstreaming ENR in NAADS programmes. In some districts for example, it is reported that District Ordinances on soil protection have been developed¹⁵. It is also indicated in the evaluation report that "Natural resource management, especially soil conservation and soil fertility management, is a permanent feature of service provision in all enterprises and usually clearly indicated in the terms of reference of the service providers". The evaluation further reports that all NAADS farmers have been trained in natural resource management as they develop their enterprises and some farmers have adopted practices like ploughing without burning the grass, crop rotation, ploughing along the contours, leaving strips, etc. There is evidence of activities to protect the natural resource base within NAADS. While noting that the guidelines for service providers are clear about integrating ENR, the evaluation notes that adoption has been minimal and recommends that "natural resources management measures have to be re-assessed on their practicality for the NAADS target farmers; awareness does not make a difference if implementation is impractical"¹⁶.

The Key questions that arise here are: Was NAADS aware of the ENR mainstreaming guidelines? If these guidelines were made available, would that constitute sufficient effort to mainstream ENR issues in NAADS programme? While it may not be required to provide answers for such questions at this stage, successful mainstreaming of ENR will benefit from such answers.

¹⁴ see PMA Joint Annual Review, (2005), Aide Memoiré and Workshop Proceedings page 13, November 2005

¹⁵ See the NAADS Mid term Evaluation Report (2005) pp72

¹⁶ NAADS Evaluation Report (2005) pp 73.

On another note, it has not been possible to get and discuss responses from NAADS secretariat on the extent to which the strategies, required actions and programmes have been translated into actions by NAADS. NAADS officials claim that many firms that have been undertaking independent assessments of NAADS progress and performance have been distorting some facts. NAADS officials rather preferred to be involved at the initial design and development of methodologies of such studies. While it can be noted that there are complexities which relate to implementation of NAADS as a programme, the officials argue that many of these independent firms do not understand these complexities and end up wrongly stating the facts on the implementation, progress and impact. To this effect, NAADS decided not to be involved and not to participate in discussing the progress of integrating ENR issues in NAADS programmes. However, NAADS was represented at the dialogue organised by ACODE and the Ministry of Water, Lands and Environment (as it then was) where the preliminary findings were shared. The NAADS representative, in his response, indeed agreed with the findings but hastened to add that the analysis did not take care of the challenges and complexities involved in the integration process.

3.2.5. Mainstreaming ENR in NARO/NARS

One of the key issues in the agricultural sector is that research and technological developments do not effectively address ENR. Research and technology development is one of the seven pillars of the PMA. To implement this pillar, the National Agricultural Research Organisation (NARO), in early 2002, spearheaded

Box 3: Expected Research Theme Impacts.

- Reduce losses due to adverse environmental and human effects;
- Enhance natural resource productivity;
- A cleaner and healthier environment;
- Improved social stability and effective delivery of agricultural technologies and information;
- Effective partnerships in technology generation and dissemination; and
- Innovative approaches in technology.

a process of developing a research policy. The National Agricultural Research Policy was approved in 2003. Until 2003, there was no consolidated and comprehensive agricultural research policy. The NARO Statute of 1992 was only put in place to guide public research institutions within the Ministry of Agriculture, Animal Industry and Fisheries.

It should, however, be noted that even in the absence of guidelines for mainstreaming ENR, NARO has been conscious of the issues of ENR in its research agenda. Since 2003, NARO has been implementing a project specifically addressing the integration of ENR into the research system. The project emphasis has been on promoting ENR-related technologies.

Further to this, in 2004 NARO developed a research plan and strategy that enhances research in facing the challenges of poverty eradication and sustainable growth. The plan outlines a series of research themes which guide resource allocation and spending within the national agricultural research system. Research theme number three is focused on enhancing integrated management of natural resources. The details within this theme, however, do not explicitly mention environment as an area for integration into the research agenda.

Nonetheless, the issue of environment is indirectly alluded to in the theme's goal of undertaking research which will "increase benefits from integrated management and utilisation of natural resources (water, soils, air, fauna and flora) and products derived there from". The issue of environment is further emphasised in the expected theme impact. The expected theme impacts are provided in Box 3. The theme is further broken down into projects which are costed.

Environment and Natural Resources to some extent have been mainstreamed in NARO and NARS. However, the mainstreaming process has not been guided by the technologies that enhance and promote ENR. The availability of the Guidelines on Integration of ENR could therefore enhance the existing efforts.

Box 4: Success Indicators in Mainstreaming ENR in the Agricultural Sector

- MAAIF DS&IP, Sector BFP have elements of ENR included and budgeted for;
- NAADS Natural Resource Strategy exist and ENR is included in service provision guidelines though not reflected in the implemented programs; and
- NARO strategy contains elements of promoting ENR-based technologies and budgets are provided for these promotions.

3.3. Mainstreaming ENR in Health, Water and Sanitation Sectors

Environmental factors are major determinants of health outcomes. One of the key objectives for poverty eradication is to improve the quality of life of the poor and some of the government efforts are focused on provision of health care, water and sanitation. There is, therefore, a strong linkage between environment, environmental sanitation, incidence of diseases and poverty in Uganda. Mainstreaming environment as well as natural resources in health, water and sanitation sectors, therefore, becomes crucial for poverty reduction.

Key ENR issues in relation to health, water and sanitation which are highlighted in the mainstreaming guidelines, include; lack of a comprehensive environmental health strategy or plan, and inadequate leadership role in the implementation of sanitation provisions. It should be noted that sanitation

provisions fall within the jurisdiction of many institutions¹⁷ with different mandates and therefore different sectors. This probably explains the issue of inadequacy in leadership role in the implementation of sanitation provisions which is also mentioned in the guidelines. Other key ENR issues related to health and water and sanitation include; inaccessibility to safe and clean water which increases vulnerability of the poor to health hazards; and low social service delivery (especially in areas of water and sanitation) to the nomadic population which constitutes a threat to ENR. Actions required for these issues were simplified to include: development of an environment health plan; formulation of a sanitation policy, development of a programme for social service delivery and establishment of an institutional framework for implementation of sanitation programmes. The progress reached in the implementation of the stated actions is detailed below.

(i) Development of a comprehensive Environmental Health Plan

The Environmental Health Division of the Ministry of Health has put in place a National Environmental Health Policy (2005)¹⁸. The policy establishes environmental health priorities of government and provides a framework for the provision of services and programmes at national and local government levels. It is probably important to note that the policy was developed in support of the overall National Health Policy with primary concerns of the health sector and Ministry of Health. However, as it is noted in the Environmental Health Policy, issues of environmental health are crosscutting. Consequently, the National Environmental Health Policy remains the overall policy framework in the implementation of environmental health in other health departments and agencies.

Ministry of Health officials indicate that the National Environmental Health Policy requires an environmental health plan that translates policy provisions into costed and phased priority actions for the medium term. However, the plan has not been developed. Moreover, browsing through the main Health Sector Strategic Plan II (HSSP-II) for the period 2005/06 - 2009/2010, there is no mention of any efforts of responding to issues of environmental health. Even if an assumption was used that a separate environmental health policy and therefore a separate plan would address environmental health issues, it would be inappropriate to ignore issues of environmental health in the overall HSSP-II. On the other hand, the HSSP-I, which covered the period 2000/01 - 2004/05, the issue of environmental health were covered with clear budgets that averaged 0.5% of the overall budget.

¹⁷ Provision of sanitation facilities falls within the mandates and jurisdiction of Ministries of Education and Sports, Health, as well as within Local Government. This means that in following the sectoral approach in monitoring progress in mainstreaming ENR, there is need to look at progress of this in all the three sectors of health, education, water and sanitation as well as the sector where local government issues are handled.

¹⁸ National Environmental Health Policy, July 2005.

(ii) Formulation of National Sanitation Policy

Institutional responsibilities for sanitation are shared between Ministries of Health; Education and Sports; Water Lands and Environment (specifically Directorate of Water Development (DWD)); and related department in the Local Governments. It is therefore complicated and unclear as to who should initiate the development of a Sanitation Policy. The National Environmental Health Policy covers the environmental sanitation and hygiene promotion. The policy however noted that the issues of sanitation and hygiene remain a low priority especially in local governments. It is further indicated in the policy that government intends to reverse this trend of low prioritisation by developing a national sanitation and hygiene promotion strategy with defined goals, budgets and institutional responsibilities. The strategy will further place an obligation on districts to establish District Water and Sanitation Coordination Committees that integrate and coordinate existing resources to effectively implement hygiene promotion and sanitation plans. At national level, the policy further indicates that a dedicated national sanitation team is to be developed under the Ministry of Health to support national efforts.

The Directorate of Water Development (DWD) developed a Rural Water and Sanitation Strategic Investment Plan - 2000-2015. The investment plan is comprehensive in the areas of rural water supply and sanitation. The plan assumes that the Education Sector, under the UPE programme will plan and build sanitation facilities in the new schools while a budget for sanitation programmes in the old schools is captured under the rural sanitation investments. Under the rural sanitation investments, the plan limits itself to the support of communal sanitation facilities in “Rural Growth Centres and Institutions (Primary Schools and Health Units)”. The plan prioritises health and hygiene promotion, encouraging private sector participation and enforcement of laws. There is also a separate budget covering districts sanitation support which presumably is administered under the sectoral conditional grant.

(iii) Establishing an institutional framework for implementation of sanitation programmes

There is unclear institutional arrangement for implementing sanitation programmes and this hampers service delivery both at central level and at local governments. The approach in addressing sanitation issues is not well defined. The mandate for handling sanitation programmes are not well defined between the water and sanitation, education and the health sectors.

In January 2002, an MoU on ‘Ministerial Responsibilities for Sanitation/ Hygiene Promotions’ was developed and signed by the Permanent Secretaries of Ministries of Health, Education and Water, Lands and Environment. The

MoU, which can be seen as a step in clarifying this misconception in the institutional mandates, clarifies on the lead institutions at the centre for defining strategies and plans in specific areas of sanitation and promotion activities. The MoU states that MWLE (as it then was) will be responsible for planning investments in sewage services and public facilities in towns and rural growth centres while the Ministry of Health will be responsible for household hygiene and sanitation. The Ministry of Education and Sports will handle school latrine construction and hygiene education. While this MoU can be seen as a step in defining institutional responsibilities, it does not explain institutional arrangements including cooperation mechanisms and resource prioritisation.

In the ideal situation, the sector plans of health, education and water should cover the areas identified in the MoU with budgets developed. This, then, can be seen as a step towards achieving the required target of establishing an institutional framework for implementation of sanitation programmes. The Ministry of Health, on her part, has developed the National Environmental Health Policy that captures issues of household hygiene. However, this should not stop at policy level. A plan for implementing the policy must be developed and implemented. Once this is done, it will be more satisfying that environment and specifically, hygiene and sanitation, have been mainstreamed in the health sector. Under the Rural Water and Sanitation Strategic Investment Plan 2000-2015, investments in sewage services and public facilities in towns and rural growth centres are captured. There are also budgets put towards these areas and the challenge only remains on how resources are allocated to these areas for effective implementation.

In general, mainstreaming ENR issues in Health; Water and Sanitation sectors are evidenced by declarations of this commitment in the Water Policy¹⁹, the Rural Water and Sanitation Strategic Plan 2000-2015, and the Environmental Health Policy. Although a plan for environmental health has not been developed, processes for its development are being initiated. The Ministry of Health is planning to put in place a stand alone policy on sanitation though it is considered not necessary because, as has been mentioned, the environmental health policy and the water policy, plus their respective plans address (or will address) them. Of late, there have been no specific policy questions on the issues of sanitation that require a stand-alone policy.

¹⁹ Chapter Five of the Water Policy covers issues of domestic water supply.

Box 5: Success and failure Indicators in mainstreaming ENR in Health, Water and Sanitation Sectors

- Ministry of Health Developed an Environmental Health Policy (2005);
- There is no plan for implementing environmental health policy;
- Health Sector Strategic Plan II does not mention nor provide a budget for environmental health;
- There is no explicit sanitation policy (though some issues of sanitation are captured in the Health and Water Policy); and
- An Institutional framework for implementation of sanitation programs only exists in form of MoU but not operationalised.

3.4. Mainstreaming ENR in Justice Law and Order Sector (JLOS).

Concerns for mainstreaming ENR in JLOS have arisen because, as the 2003/04 PEAP revision noted, there is limited access to environmental justice. ‘The judicial system is unreachable while administrative justice redress is largely non-existent’²⁰. Moreover, experience has also shown that current access to justice programmes of government usually focus more on criminal and commercial justice than environmental justice. Given the understanding that ENR contributes significantly to improved livelihoods and reduced poverty amongst ENR-based communities, the issues of governance; access to environmental information; decentralisation; public involvement in decision making and environmental rights, become crucial in administering environmental justice.

The goal of JLOS as outlined in the Strategic Investment Plan (SIP-I) for 2001-2006 is improving safety of persons, security of property and access to justice that ensure a strong economic environment to encourage economic development and benefit poor and vulnerable groups²¹. Strategic objective 1B is on “strengthening administration of Justice”²². The draft second Strategic Investment Plan (SIP II) 2006/07 - 2010/11 lists five main and key result areas for SIP and one relevant to environmental justice in Result Area 4 which provides that “access to Justice will be enhanced for all particularly for the poor and marginalised”. The overall purpose for the SIP-II is similar to, and only emphasises, SIP-I purpose. While in SIP-I JLOS focused its resources on reform of two priority areas of Commercial and Criminal Justice over the Medium Term, JLOS promises in its SIP-II, to extend its reform programme to include Family and Land Justice “which are pertinent to the poor and economic development in Uganda”. This is an important focus for the new SIP especially when it sets out to address issues of land justice, a key natural resource. Moreover under SIP-II, JLOS emphasises focusing on improving land dispute resolution mechanisms while also engaging stakeholders in enhancing land administration and registration. These are fundamental steps for the

²⁰ Tumushabe, G. (2003), Paper presented at the Joint Workshop, MFPED and ENR-SWG on integrating ENR in the PEAP Revision (2003)

²¹ Strategic Investment Plan for the Medium-Term 200-2006. Justice Law and Order Sector

²² *ibid*

land sector and emphasis should be put on ensuring implementation of these promises.

In chapter 4, section (b) and in table 3 of JLOS SIP-II, there is a mention of cross-cutting issues of relevance to be addressed by the SIP and they include: “gender-based discrimination and inequality, environment, juveniles, disability, and rights of ethnic minority”. The mention of environment as a key cross-cutting issue to be mainstreamed in SIP-II manifests the understanding of how environmental issues are thought about in the sector. The key issue on environment outlined in SIP-II is that “a large number of poor communities (such as slum dwellers) are likely to come into conflict with the law for non-compliance with environmental regulations while pursuing their livelihoods (wetlands, wild life reserves encroachers and poachers)”. The other issue mentioned is “occupational health and safety of workers”²³.

As an integral approach, the SIP-indicates that JLOS will undertake legal awareness programmes to incorporate environmental issues. The SIP, further mentions that linkages will be developed with NEMA to ensure systematic and sustained capacity building for JLOS officials on handling issues and enforcement of legal provision. JLOS, therefore, is integrating ENR issues in her plans.

In terms of progress made, NEMA has made steps towards mainstreaming environment into JLOS. NEMA, with support from UNEP and World Bank, engaged Green Watch to train Judges, Magistrates, Prosecutors and Policemen in investigation and prosecution of environmental crimes.

“The main focus in our ‘force has been to administer justice based on the criminal law and commercial law so issues of environment are recent.”

CID Officer, in charge of Environmental Affairs

As a process, the trained judges, magistrates, prosecutors and policemen are now aware of ENR issues and how to handle cases of environmental nature. NEMA has further supported one police personnel in Criminal Investigation Department (CID) section under the Ministry of Internal Affairs to train in areas of environment crime in the United Kingdom and has also been supporting the CID environmental section with computers and associated accessories. However, the challenge remains on ensuring that some key environment issues are clearly translated into resource allocation. It is one step to include the issues of environment in the sector plan and also another to release funds for their implementation.

²³ See Table 3: Overview of key cross-cutting issues to be mainstreamed into JLOS, Draft Strategic Investment Plan Two (SIP-II) 2006/07-2010/11, Consolidating Gains and Enhancing Impact. 23rd January 2006.

Regarding environmental rights, not much has been done in understanding and applying environmental rights by JLOS institutions. Although there are arguments that the issue of environmental rights is a role of Civil Society Organisations (CSOs), JLOS as a sector should allocate resources to increase the capacity of JLOS institutions in the area of environmental rights. Civil Society Organisations have indeed played a big role in engaging individuals, public and private sector institutions who abuse ENR use. It is important therefore for JLOS to strengthen its interactive relationship with civil society organisations and strengthen their Capacity in environmental litigation²⁴. Generally, JLOS has made substantive progress in mainstreaming ENR but a lot more can be done.

Box 6: Success and failure indicators in mainstreaming ENR in JLOS

- JLOS Sector Investment Plan-II mentions of administering Land Justice through land dispute resolution mechanisms and engaging stakeholders in enhancing land administration and registration;
- With support from NEMA, JLOS has been raising capacity of some JLOS officials in the areas of environmental information and administration of environmental justice; and
- No explicit/specific budget allocated in the JLOS 2005/06 BFP for enhancing environmental justice -at least the budget cannot be explicitly identified. However, the second JLOS sector investment plan mentions some ENR although, again, no budgets can be explicitly identified in the plan.

3.5. Mainstreaming ENR in Transport, Works and Communications Sector

The Works, Transport and Communication sector is composed of many actors and sub-sectors. This study limits its analysis in the area of roads and works construction. Other means of transport such as air, railway and water are not included in this analysis. So far, the roads and works sector has the most comprehensive approaches for mainstreaming environment and natural resources.

ENR mainstreaming guidelines identified the ENR issues in this sector as economic infrastructure developments not effectively addressing ENR issues. The guidelines henceforth recommend that EIA should be done for all infrastructure including roads and works. The guidelines, however, seem to be only limited on ensuring EIA and are short of requests for elaborating complexities surrounding ENR degradation in relation to roads and works infrastructure development. There could be other mitigation measures beyond EIA that could check ENR abuse.

²⁴ It is mainly Civil Society Organisations that have come forward to sue government to protect the interests of the public in the areas of ENR. This is an observation by Kazoora C., et al. (2004): In, "Mainstreaming Environment into Justice Law and Order Sector". Examples of such cases include; Kabbs Twizzukye and Others Vs UIA, No. 761 of 1998; ACODE, and Another Vs AG and Others, Green Watch and others Vs Gold Course Holdings Ltd etc.

In the first instance, the Ministry of Works Housing and Communication (MWHC) (now Works and Transport) established an Environmental Unit in 2000 that became operational in 2001. The Ministry took this step in response to concerns that most of its activities have direct effects to the environment. Establishment of the unit was in response to the National Environmental Statute (1995) and the National Environmental Action Plan (NEAP) which required all sectors to establish environmental liaison units to respond to environmental concerns therein. In most of the Ministries and sectors, persons were nominated to handle issues of environment. The Ministry of Works, Housing and Communication on the other hand, took another approach by creating a specific unit in the mainstream structure specifically to handle issues of environment. The unit has three staff headed by a Principal Officer with two other senior officers. Their key roles revolve around ensuring that works and road construction activities comply with environmental requirements; undertake monitoring of programmes and projects on the ground to ensure environmental compliance; undertake post construction audits and creation of environmental awareness.

With support from DANIDA, specific Environmental Impact Assessment (EIA) guidelines were developed for the roads sub-sector. The sector also developed Administrative and Operational Environmental Guidelines for district and urban road works. Further to this, the sector developed General Specifications for Roads and Bridge Works and General Series 1000²⁵ deals specifically with Environmental Protection and Waste Disposal. These specifications guide all the contractors to ensure that all issues relating to environmental protection and waste disposal must be exercised by the contractor as provided in the contract. These general specifications emphasise that a roads and works contractor must exercise care in the following key areas:

- (i). Landscape preservation and re-vegetation;
- (ii). Temporary soil erosion control;
- (iii). Preservation of trees and shrubbery;
- (iv). Prevention of water pollution;
- (v). Dust, noise and light abatement;
- (vi). Preservation of historical and archaeological data;
- (vii). Pesticides, toxic waste and hazardous substances; and
- (viii). Cleanup and disposal of waste materials.

The specifications on these areas are detailed and contractors must adhere to every part of these specifications in the contract. To ensure compliance, the contractors' final payment on the contractual price is arranged in such a way that a clause is put in the payment schedule to the effect that 50%

²⁵. See, General Specifications for Roads and Bridge Works and General Series 1000.

of the lump sum cost will be paid upon approval of environmental action plan and the final payment upon approval of the contractor's environmental report.

These preconditions demonstrate requirements for compliance in mainstreaming environmental concerns in the sector. ENR mainstreaming in roads and works sector is also built in the annual sector Budget Framework Papers and policy statements.

Top managers in the sector are highly committed to ensure full compliance by all sector heads. This is manifested in the numerous reminders on compliance to heads of departments by the Permanent

"...It should by now be a pre-requisite for anybody handling road works or building works at design, detailing or tender action stage to ensure that environment and social impact issues are fully discharged or adhered to."
Memo of 16th Jan. 06 by PS, Works to all Departmental Heads

Secretary (PS). One example is a memo by PS to all departmental heads emphasising the integration of environmental concerns.

The lesson learned from this is that a staff structure and a framework in a sector is important in handling specific mainstreaming areas such as ENR. The sectors need to have focal point or liaison officers who are designated to handle ENR issues as full-time rather than part-time work. This example in works compared with other sectors, shows that designated officers are not obliged to follow-up environmental concerns once they are not fully recruited to handle ENR specific functions as is the case with Ministry of Works, Housing and Communication (now Works and Transport) . They consider their focal point role only as an additional and extra work on their own schedules.

Another lesson learned from this is that there must be a certain level of commitment from sector heads such as PS's and Ministers especially to follow-up the agreed undertakings through monitoring resource allocations to help in approving and allocating resources. This could also help to ensure that the budget for mainstreaming is integrated in the sector budget.

However, there still remain challenges of creating networks, partnerships and relationships with other sectors. ENR need to strengthen the role of liaison officers to engage their sectors especially at the time of developing BFP's and engaging in SWG activities

Box 7: Success Indicators in mainstreaming ENR in Transport and Works Sector

- Ministry of Works Housing and Communication established an environmental unit;
- EIA guidelines developed for roads sector;
- Administrative and operational environmental guidelines for district and urban roads developed;
- Environmental and waste disposal guidelines developed for all construction works; and
- Budgets for ensuring environmental compliance exist in the sector plans.

3.6. Mainstreaming ENR in Local Governments

Most sectoral programmes and activities in Local Governments affect, and are affected by the use and exploitation of Environment and Natural Resources. For example, construction of different forms of structures such as buildings, roads, etc. can lead to effects such as utilisation of forests products, dust pollution, wetland use and many others. Agriculture may cause soil and other forms of degradation. This means (and lessons learned over the years have shown) that adopting a strictly sectoral approach to ENR can be an inadequate strategy.

During the 2003/04 PEAP revision process, the ENR Sector Working Group (SWG) identified a number of issues and proposed actions for all sectors, including local governments to mainstream. Key issues identified for Local governments include: lack of public and private investments in ENR sector; unsustainable utilisation of ENR for economic growth; multiple taxation on the poor which increases ENR degradation; limited capacity to manage ENR; increase in ENR related conflicts with local communities; agricultural practices such as advisory services, some technologies are inappropriate to ENR; and low awareness of environmental issues that leads to unsustainable use of ENR which in effect reduces access to ENR goods and services. Discussions on mainstreaming in sectors show that, to some extent, these concerns have been addressed.

Box 8: Key Result Areas for Mainstreaming ENR in LGs

- Strengthening and operationalising the institutional framework;
- Capacity building;
- Consolidating and simplifying guidelines for environmental mainstreaming;
- Developing guidelines for mainstreaming Environment issues in the local government planning process;
- Public awareness raising;
- Identifying and applying environmental integration tools;
- Amending sector policies and guidelines for conditional grants;
- Rationalising funding for environmental mainstreaming;
- Strengthening incentives and disincentives;
- Strengthening information, monitoring and evaluation systems;
- Enhancing the role of civil society and the private sector; and
- Promoting cross-border collaborative mechanisms.

Furthermore, a number of steps have been taken at local government level to address ENR cross-cutting issues. The National Environmental Management Authority (NEMA) has been spearheading the processes of mainstreaming ENR cross-cutting issues into Local Governments. Although the NEMA approaches emphasise mainstreaming environment and not ENR, the process taken, so far, is much more substantial. At planning level, NEMA commissioned work on developing a “Strategic Plan for Mainstreaming Environment into Local Government Planning and Budgeting”²⁶ in 2004. The Plan has a number of key result areas for mainstreaming environment in LG’s. Although the strategic plan is still a draft, it manifests a step ahead in mainstreaming environmental issues into Local Governments.

In addition, NEMA in collaboration with the local governments has developed Guidelines for Environmental Mainstreaming into Local Governments’ Planning Process. The challenge will only remain in ensuring that the strategy and the guidelines are adopted and implemented by all the Local Governments.

Besides the strategy, there are a number of programmes and activities that have been undertaken in Local Governments and which can be seen as a process of mainstreaming ENR issues. For example in responding to issues of land use and management, which in process result into land conflicts, the Ministry of Water Lands and Environment was to institutionalise District Land Boards in all the districts. To date, District Land Boards have been constituted and established in the original 56 districts. At the moment, the Ministry is developing the capacity of these boards through training in a number of areas which include; understanding of the Land Act, understanding the statutory dues and roles of land use planning among others.

Like in the JLOS, NEMA, with the support from United Nations Environmental Programme (UNEP) and World Bank, engaged Green Watch to train selected Local Governments and communities in formulation of environmental by-laws, district environmental policies, and use of economic instruments. ACODE has also worked with selected districts to develop district environmental ordinances. It is further noted that under the Local Government Development Programme (LGDP) which is a key poverty reduction tool in Local Governments, NEMA has succeeded in having environment. Environmental issues as part of the assessment criteria for releasing LGDP funds to Local government. This, again, is an important step forward in mainstreaming ENR in Local Governments’ programmes.

²⁶ Ministry of Local Government (2004): Draft Strategic Plan for Mainstreaming Environment into Local Government Planning and Budgeting. Volume 1 Main Report 20th September 2004.

Box 9: Success and failure Indicators in mainstreaming ENR in Local Government

- A strategic plan for mainstreaming environment in Local government planning and budgeting is underway;
- MWLE has constituted, and is building capacity of district land boards;
- NEMA is providing support to build the capacity of LGs in a number of ENR based programs;
- District Development Plans have budgets that are targeting implementation of ENR-based programs; and
- Guidelines for mainstreaming ENR in Local Government Planning Process are in place.

As noted earlier, most ENR are based in local governments and therefore investing in these resources is a potential for increased employment and incomes amongst the rural poor. What is seen, so far, is that not much has been done to address these potentials of increasing employment and income generation via ENR-based investments. Despite the trainings in use, and application of economic instruments to attract investments, there are hardly any ENR-based investments at local governments that can be attributed to these trainings, leave alone, other incentives. This emphasises the gaps that still exist and the challenges to relevant institutions/agencies, such as the Medium Term Competitive Strategy Secretariat in the Ministry of Finance, to create incentives for ENR-based investments. This will facilitate achieving PEAP objectives of poverty reduction since most (if not all) ENR are community, and therefore LG-based.

However, the issue of limited decentralised capacity to manage ENR assets still exists. Although NEMA, in collaboration with a number of agencies, has tried to build capacity of some entities in the Local Government, lack of good will, commitment and morale continue to be manifested in most Local Government personnel. Limited capacity, among other issues, exacerbates ENR conflicts. Integration of ENR in Local Government budgeting process has also been limited largely due to lack of knowledge of the link between poverty and environment.

4. ISSUES, CONCLUSIONS AND RECOMMENDATIONS

4.1. Key Issues and Conclusions

What can be said on the onset is that with all this progress made on mainstreaming ENR in sectors, there hasn't been any coordinated lobbying from the ENR-SWG, other than the efforts put by NEMA supporting a few sections in sector ministries and agencies to integrate environmental concerns.

It is therefore important that the mainstreaming of ENR should be advocated for targeting all the sector working groups especially those that have strong

relevance to ENR. It should be noted that SWG's bring together government representatives, the private sector, the donors and the CSOs and therefore would be a target for effective mainstreaming. It is therefore a crucial entry point to make sure ENR is on the agenda in responding to sectoral concerns. There is for example little ownership and participation by environment liaison officers in sectors and ministries to influence the budget processes. This study found out that there is no record of any activity in sectors in terms of inter-ministerial coordination on ENR strategies and funding.

The coordination of mainstreaming activities at SWG level is crucial, since it bears consequences on the availability and visibility of resources dedicated to ENR in the Ministries. While the planning and implementation of mainstreaming activities takes place at the line ministries level, the funding of these activities depends on inter-ministerial coordination and negotiation within each sector. SWG's are a good entry point for identifying specific funding for ENR cross-cutting activities within the ministries' budget lines.

In light of macroeconomic imbalance and the strategy of budget support for ENR funding, there is a need to understand the funding of the multi-sectoral response to ENR which need to be considered in the context of project aid integration in the budget ceilings of sectors. It should be noted that MoFPED decided to tighten government control of donor funds in order to exercise macroeconomic management and financial discipline in the economy.

The Ministry of Finance therefore, decided to integrate donor projects into the MTEF²⁷ and this was effective in the 2005/06 Financial Year. The implications of this policy for ENR is that for any new ENR donor project to be accepted into the MTEF, there has to be a corresponding reduction in GoU funds to the sector and this certainly limits the possibility of expanding the budget to finance cross-cutting ENR issues within the ENR sector ceilings.

It further implies that other sectors may not consider cross-cutting ENR areas as core functions which may lead to omitting them on the basis of reinforcing budgetary discipline and prioritising among priorities in their sectors. Most likely therefore, cross-cutting ENR areas may suffer and attract less funding.

However, other sectors may continue allocating budgets to ENR areas as has been the case but on the assumption that different ministries and sectors will be fully aware of the implications of not budgeting for cross-cutting ENR issues. ENR-SWG, with support from the Ministry of Finance, therefore,

²⁷ Integrating Projects into the MTEF by Kenneth Mugambe, Commissioner, Budget, Policy and Evaluation Department in the Ministry of Finance, Planning and Economic Development, SCE Retreat April 2005

will need to task liaison officers in line with ministries to coordinate their efforts and engage the SWGs especially during budget discussions where funding priorities are determined. This provides an opportunity, though not guaranteed, for ENR cross-cutting areas to utilise other budgets to finance their activities.

More important to note also is that the advocacy for ENR mainstreaming in other sectors is weak, probably due to lack of efforts on reporting the impact of ENR on the different sectors of government. Such efforts would constitute a strong case in favour of ENR prioritisation in sector budgets, as well as for the adaptation of the budget ceilings to meet the requirements of sector priorities. Secondly, SWG budgeting processes do not normally provide sectors with blank sheets to allocate funds or to set new priorities. In many cases, funds come when they are already allocated and opportunities for adjustments are marginal and therefore ENR cross-cutting areas may not easily find resources available for them in other sectors. Thirdly, the capacity of liaison officers to influence the SWGs to allocate resources seem to be limited and therefore without support for their action they have little chance to reallocate funds from other priorities to ENR priorities.

More often than not, the line ministries are not fully aware of the importance of ENR impact on their functioning, as they do not normally have ENR expertise. Even when a ministry is aware of the importance of ENR, it is not likely that funds can be sufficient for priority areas like in JLOS. In many cases, the main focus for JLOS is that funds are mainly targeted to the enforcement of commercial and criminal justice leaving little, if any, for environmental justice. If JLOs was lobbied and issues relating to ensuring ENR justice are explained, resources could be allocated.

4.2. Proposals for scaling up mainstreaming ENR in Government sectors and programmes

4.2.1. Mainstreaming ENR in the National Budget Process

A mechanism needs to be designed for strengthening the mainstreaming of ENR in the budget process. It is the role of the ENR-SWG together with the MoFPED to support the mainstreaming of ENR in the budget process.

The process of ENR mainstreaming should be consistently enforced at the different stages of the budget in order to prepare the work of the liaison officers in sectors and therefore to the SWG.

At Ministry of Finance level, there is a need to clearly state the role of ENR to sectors and therefore the need to accord ENR cross-cutting areas

support from other sectors. An advocacy strategy needs to be put in place by the ENR-SWG, the ENR stakeholders and the donor community in order to demonstrate the extent of the impact of ENR on the national economy and on each sector. This would justify the adjustment of the ceilings in order to accommodate the ENR priorities in most critical sectors.

Each sector needs to prepare a fact sheet on the importance of ENR and its cross-cutting nature. This would help the technocrats in the ministries to appreciate the relevance of ENR in achieving the mandates of such ministries. At coordination level, the ENR-SWGs, through the Ministry of Finance, need to ensure that mainstreaming guidelines are made known to all sectors. A retreat could be organized to develop the Guidelines for ENR budgeting in order to highlight evidence of the impact of, and key, ENR issues in all sectors and share international experience in mainstreaming ENR in budgeting.

ENR-SWG, should ensure that, during the budget process, MoFPED guidelines for budgeting should contain clauses that compel sectors to budget for ENR cross-cutting areas. The MoFPED has previously provided such guidelines in respect of other cross cutting issues like gender and HIV/AIDS with impressive results.

4.2.2. Training of sector Liaison officers

The ENR-SWG should provide an opportunity for the liaison officers, through training to engage their respective sectors in understanding the importance of ENR and therefore budget for them. This training is crucial for bridging the knowledge gap on the link between poverty and environment. The ENR-SWG could collaborate with National Environment Management Authority to organise specialised sessions on the cross cutting nature of the ENR and the link between poverty and environment. National Environment Management Authority in partnership with specialised NGOS like Advocates Coalition for Development and Environment have previously held similar trainings with local governments. It has been acknowledged that these trainings have been helpful in the process of mainstreaming ENR in local governments.

4.2.3. Reviewing the existing guidelines and Development of sector specific guidelines for mainstreaming ENR

It has been noted that the existing guidelines for mainstreaming ENR in government sectors are of a generic nature. The indicators stipulated in the guidelines are also too general and need to be made more specific and measurable to be useful to the target sectors.

Whereas these general guidelines are still important and provide a good starting point for mainstreaming ENR in government sectors, development of sector specific guidelines would be more helpful.

4.2.4. Development of Environment Health Plan by the Ministry of Health

It has been noted that the Ministry of Health, has developed the National Environmental Health Policy. The policy puts forward government health priorities. However, the policy can only be operationalised by putting in place the National Environmental Health Plan that translates the health provisions into costed and phased priorities for medium and longterm. There is need therefore, for the Ministry of Health to prioritise the formulation of the National Environment National Plan.

5. CONCLUSION

Environment and Natural Resources (ENR) play a key role in the growth of Uganda's economy and in providing livelihood security and other environmental goods and services. Indeed, the success and continuing vitality of key sectors of the Ugandan economy such as agriculture, industry, energy and water security all depend on our ability to exercise ecological responsibility and good stewardship of the environment. With increasing and persistent poverty, issues of property rights and environmental rights are also cropping up as critical ENR issues that have to be addressed in non-traditional sectors such as the Justice, Law and Order Sector.

The multi-sectoral nature of the environmental crisis in Uganda clearly shows that the challenge for effective ENR management lies not only in the performance of the ENR sector but also in the extent to which all other sectors are able to fully integrate relevant ENR concerns in their sectoral policies, plans and activities. Indeed, good environmental conditions are intrinsic to the successful performance of sectors such as agriculture, industry energy or justice, law and order. A combined "assault" by these sectors working together with the ENR sector is what will be required to avert the current environmental crisis in the country, guarantee the short and medium-term productivity and growth of the economy while securing our long term national prosperity.

It has been argued in this paper that there is need for all government sectors to appreciate the role of ENR in realisation of the ultimate goal of PEAP and work together to integrate environment issues in all the sectors.

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