

Gender and the Implementation of REDD+ in Uganda



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Abbreviations

ACHPR	African Charter on Human and Peoples' Rights
ACODE	Advocates Coalition for Development and Environment
BUL	BIDCO Uganda Limited
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
CRRF	Comprehensive Refugee Response Framework
CSOs	Civil Society Organization
ESMF	Environmental and Social Management Framework
FCPF	Forest Carbon Partnership Facility
FGRM	Feedback and Grievances Redress Mechanism
FREL	Forest Reference Emissions Level
GCR	Global Compact on Refugees
GDP	Gross Domestic Product
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic Social and Cultural Rights
IPCC	Intergovernmental Panel on Climate Change
KP	Kyoto Protocol to the United Nations Framework Convention on Climate Change
KSW	Kakira Sugar Works
MAAIF	Ministry of Agriculture Animal Industries and Fisheries
MEMD	Ministry of Energy and Minerals Development
MoGLSD	Ministry of Gender Labour and Social Development
MRV	Measurement, Reporting and Verification mechanisms

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NCCAC	National Climate Change Advisory Committee
NCCP	National Climate Change Policy
NDP	National Development Plan
NEA	National Environment Act
NEMA	National Environment Authority
NFMS	National Forest Monitoring System
NFPA	National Forestry and Tree Planting Act
NTC	National Technical Committee
REDD+	Reducing Emissions from Deforestation and forest Degradation
SDG	Sustainable Development Goals
SESA	Strategic Environmental and Social Assessment
SIS	Safeguards Information Systems for National REDD+ activities and Strategy
UDHR	Universal Declaration of Human Rights
UFP	Uganda Forestry Police
UNFCCC	United Nations Framework Convention on Climate Change
UWA	Uganda Wildlife Authority

1 Introduction

Climate change impacts men, boys, girls and women differently. This is because of the different gender roles assigned to women and girls.¹ Women and girls are most affected by the negative effects of climate change also because of inequalities and discrimination based on gender. Uganda has to a large extent tried to accommodate principles of equality, nondiscrimination, women empowerment in its constitutional framework.² Uganda has built a comprehensive and gender sensitive bundle of laws and policies related to gender.³ For instance, Section 5 (3) (c) of the National Climate Change Act 2021 provides that in developing the framework strategy on climate change, the department will take into account gender and human rights issues and goes further to provide in Section 5(4) (f) that the Framework Strategy on climate change shall identify the differential impacts of climate change on gender and the vulnerable and marginalised communities.⁴ The National Climate Change Act undertakes to develop a National Climate Change Action Plan which according to Section 6 (2) (d) shall indicate the specific resilience, mitigation and adaptation measures, responses and actions to be adopted for ecosystems, gender matters, the vulnerable and marginalised communities and for the variability extreme of climate change. Section 28 of the Land Act outlaws discrimination against women and

¹Nakiyemba et al. (2022).

²See Arts. 21(1), 33(1) and 33(5) of the 1995 Constitution of Uganda, as amended.

³ACODE (2021), p. 8; also, see Acosta et al. (2015), pp. 1–4.

⁴The National Climate Change Act.

children with regard to ownership, occupation and use of any land.⁵ Vision 2040 is Uganda's key to national planning framework for institutions and other stakeholders working on key natural resources and gender issues.⁶ Vision 2040 identifies key environmental challenges such as climate change and recognises the challenges faced by women, the minority groups and other marginalised groups in accessing and controlling land.⁷ The National Land Policy 2013 makes commitments to protecting the land rights of groups and communities marginalised by history or on the basis of gender, religion, ethnicity, and other forms of vulnerability to achieve balanced growth and social equity.⁸

Uganda is one of the countries participating in the REDD+ processes. The national REDD+ Process in Uganda started in 2008 when Uganda became a participant of the Forest Carbon Partnership Facility (FCPF) after approval of the Forest Carbon Partnership Readiness Plan Idea Note (ER-PIN).⁹ It has embarked on implementation of REDD+ readiness phase as one of the activities for the implementation strategy.¹⁰ In line with its obligations and commitments under the UNCCCF, Uganda committed to promote and support seven safeguards when undertaking REDD+ activities at the Readiness phase whose objective was to contribute to a design of a socially and environmentally viable national strategy for reducing emissions from deforestation and forest degradation.¹¹ It developed framework for a National Safeguards Information Systems for National REDD+ activities and Strategy (SIS), a national reference scenario of emissions from deforestation and forest degradation (FREL), a Measurement, Reporting and Verification Mechanisms (MRV), National Forest Monitoring Systems (NFMS), a Strategic Environmental and Social Assessment (SESA) and Environmental and Social Management Framework (ESMF).¹²

This chapter interrogates the extent to which gender is necessary in climate related law and is respected in the implementation of REDD+ in Uganda. It shows the value in and importance of engaging women in genuine, meaningful and informed participation for effective climate change action. It further argues that Uganda can and should embrace the opportunity provided by REDD+ to correct its trajectory on having laudable laws and policies on paper but with no or little impact on the ground.

⁵The Land Act, Chap 227.

⁶Uganda's Vision 2040.

⁷Uganda's Vision 2040.

⁸The National Land Policy 2013.

⁹Ministry of Water and Environment (2016).

¹⁰Ministry of Water and Environment (2021), pp. 8–9.

¹¹Ministry of Water and Environment (2021), pp. 8–9.

¹²Ministry of Water and Environment (2021), pp. 8–9.

2 The Necessity of Gender in Climate Legal Framework

Gender is both an important subject of international human rights law and climate change normative development. At the international level, human rights treaties and their respective enforcement mechanisms have provisions protecting women's rights generally and including women's access to and control over natural resources. Uganda has ratified international human rights treaties such as the International Covenant on Civil and Political Rights (ICCPR),¹³ and the International Covenant on Economic, Social and Cultural Rights (ICESCR).¹⁴ These instruments emphasise the principle of non-discrimination.¹⁵ In addition, Uganda ratified the Convention on Elimination of all forms of Discrimination against Women (CEDAW).¹⁶ Although the CEDAW predates the current global treaties on climate change and does not have specific provision on climate change, the general provisions on non-discrimination can be used to buttress the specific substantive provisions that may be affected by climate change.¹⁷ Further in its general recommendations, the CEDAW Committee provide for integration of gender perspective in response to climate change with a view to addressing gender inequality, disaster reduction and sustainable development including protection of the environment.¹⁸

Uganda is also a state party to the United Nations Framework Convention on Climate Change¹⁹ which calls on the parties to protect the climate system for the benefit of present and future generations of humankind, based on equity and in accordance with their common but differentiated responsibilities and respective capabilities.²⁰ Whereas there is no specific mention of gender in the UNFCCC, it has formed the basis of some of the recent decisions of the Conference of Parties (COP). At COP 25, parties agreed a five-year enhanced Lima work programme on gender and its gender action plan.²¹ At COP 26, parties adopted a decision which,

¹³International Covenant on Civil and Political Rights (ICCPR), 16 December 1966, 9 U.N.T.S. 171.

¹⁴International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted and opened for signature, ratification and accession by General Assembly Resolution 2200A (XXI) of 16 December 1966.

¹⁵See Article 3 of the ICCPR and ICESCR.

¹⁶Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979, United Nations, Treaty Series, vol. 1249, p. 13.

¹⁷CEDAW, Article 2.

¹⁸See for instance General Recommendation No. 37 (2018) on gender-related dimensions of disaster risk reduction in a changing climate.

¹⁹United Nations Framework Convention on Climate Change (UNFCCC) (1992) ILM 851.

²⁰See generally preambular provisions and Article 4(1)(b) of the UNFCCC.

²¹Conference of the Parties Report of the Conference of the Parties on its twenty-fifth session, held in Madrid from 2 to 15 December 2019 Conference of the Parties FCCC/CP/2019/13/Add.1 16 March 2020.

among other things, reviews the Gender Action Plan implementation,²² while at COP 27, parties concluded on the intermediate review of the implementation of the gender action plan which included amendments to some deliverables and new activities in priority areas. The outcome of this is an informal document that contains the Gender Action Plan and amendments.²³ Accordingly, the UNFCCC unequivocally calls upon the developed country parties to take the lead in combating climate change and the adverse effects thereof.²⁴ The Fourth World Conference on Women recognised that women are most affected by climate change and have less access to productive natural resources and have largely been absent at all levels of policy formulation. The Conference urges governments to ensure that women have access to land resources and are involved in decision-making at all levels.²⁵ The Rio Declaration on Environment and Development recognises that women have a vital role in environmental management and development. Their full participation is therefore essential to achieve sustainable development.²⁶ The Rio Declaration was reiterated in the outcome document of the United Nations Conference on Sustainable Development, entitled 'The future we want' which acknowledges the need for the principle of gender equality and effective participation of women in all initiatives relating to climate change.²⁷

The Paris Agreement under the United Nations Framework Convention on Climate Change²⁸ provides that parties should, when taking action to address climate change, respect, promote and consider their respective obligations on 'human rights, the right to health, the rights of Indigenous Peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, the empowerment of women and intergenerational equity'.²⁹ The state parties also acknowledge that climate actions, including capacity-building for mitigation and adaptation action, should be gender responsive, participatory and fully transparent, taking into consideration vulnerable groups, communities and ecosystems.³⁰

At the African regional level, Uganda has ratified key instruments relevant to gender and the protection of the environment such as the African Charter on Human

²² Conference of the Parties Report of the Conference of the Parties on its twenty-sixth session, held in Glasgow from 31 October to 13 November 2021 FCCC/CP/2021/12/Add.2 8 March 2022.

²³ Conference of the Parties Report of the Conference of the Parties on its twenty-seventh session, held in Sharm el-Sheikh from 6 to 20 November 2022 FCCC/CP/2022/10/Add.3 17 March 2023.

²⁴ See Article 3(1) UNFCCC.

²⁵ Beijing Platform for Action.

²⁶ See Principle 20 of the Rio Declaration on Environment and Development (1993).

²⁷ Paragraphs 25, 190–192, 236–244 of the Outcome document of the United Nations Conference on Sustainable Development: The future we want (2012).

²⁸ Paris Agreement as contained in the report of the Conference of the Parties on its twenty-first session, FCCC/CP/2015/10/Add.1.

²⁹ Paragraph 11 of the preamble to the Paris Agreement (2015).

³⁰ See Article 7(2) of the Paris Agreement (2015).

and Peoples' Rights (ACHPR)³¹ and the Protocol to the African Charter on the Rights of Women in Africa (Maputo Protocol).³² While Article 24 of the African Charter guarantees the right to healthy environment, the Maputo Protocol guarantees women's right to live in a healthy and sustainable environment and participate in the planning, management and preservation of the environment and the sustainable use of natural resources at all levels.³³ These two provisions when effectively put to use can help enhance the application of gender dimension to REDD+ and safeguard the rights of women in the context of climate change. Uganda is also a state party to the Kampala Convention, the first continental and internationally binding instrument on Internally Displaced Persons (IDPs) that draws a nexus between climate change and displacement.³⁴ It recognises climate change induced displacements and calls upon states parties to protect and assist persons who have been displaced due to human made or natural disasters including climate change.³⁵ Uganda had a share of climate change induced displacements caused by both sudden and gradual effects of climate change and environmental degradation a proof of the nexus between displacement and climate change.³⁶ Women during climate change induced displacements are left to head their households while their partners move in search of work.³⁷ The extent to which the urgency of mainstreaming gender is reflected in the approach on REDD+ is the focus of next section.

3 REDD+ Legal Framework and Gender Gap

At the national level, the Ugandan laws reflect the international and regional commitments to eliminating discrimination against women.³⁸ While the Constitution provides for gender equality, it does not specifically provide for women's rights to own land and other property which has negative connotation for REDD+ as natural resources like forests are on the land. This impacts negatively on participation of women in REDD+ activities. The National Climate Change Act 2021 is enacted to give the force of law in Uganda to the UNFCCC, its Kyoto Protocol and the Paris

³¹ African (Banjul) Charter on Human and Peoples' Rights, adopted on 27 June 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force 21 October 1986 (African Charter).

³² Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, adopted on 01 July 2003.

³³ See Article 18(1), (2) (a) of the Maputo Protocol.

³⁴ The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention); Adeola (2020); Jegede (2016).

³⁵ Article 5(4) of the Kampala Convention.

³⁶ IOM (2022).

³⁷ The Independent Magazine (2022).

³⁸ See generally Articles 33, 38, 39 and 41 of the Constitution.

Agreement.³⁹ It specifically provides for development of a strategy that takes into account gender and human rights issues differential impacts of climate change on gender as well as resilience and adaptation needs of the vulnerable and marginalised communities.⁴⁰ The Land Act,⁴¹ the Forestry and Tree Planting Act,⁴² National Environment Act,⁴³ and National Environmental Management Policy⁴⁴ are among the legislative and policy frameworks on which climate change related issues in Uganda are anchored. Uganda's National Climate Change Policy (NCCP)⁴⁵ which is aligned to Vision 2040 is expected to guide efforts towards the attainment of Vision 2040 and encourage people-centred sustainable development ensuring that climate change actions help the country move towards long term development goals. The NCCP takes the approach of promoting community-based approach to adaptation, will address cross-cutting issues such as HIV/AIDS and gender as genders are affected differently by climate change as these vulnerable groups are also particularly at risk from climate impacts and must be given due attention in the policy and at its implementation. The NCCP is also clear on the need to mainstream gender issues in climate change adaptation and mitigation approaches in order to reduce the vulnerability of women and children to the impacts of climate change and recognise their key role in tackling this issue.⁴⁶ The policies can guide the coordination in climate change related interventions, however, there are gaps as some of the laws and policies do not specifically refer to women's protection in response to climate change induced impacts. Some of the gaps can perpetuate or increase the vulnerability of women to climate change compared to men.⁴⁷ These gaps if left unaddressed will impact negatively on the REDD+ activities. Women and girls in Uganda have no or less access to productive resources such as land, receive less education, and are voiceless as they are not involved in political and household decision-making processes that affect their lives including climate change interventions.⁴⁸ By virtue of their positions in society and the role they play in subsistence agriculture (usually dependent on rains), and their none or weaker access/control to resources (land, financial services, money) and weak or no decision-making power, women are in addition more vulnerable to climate shocks.

³⁹ See Sections 3(a) and 4 (1) of the National Climate Change Act, 2021.

⁴⁰ Section 5(3) (b), (c) of the National Climate Change Act.

⁴¹ The Land Act, 1998.

⁴² The Forestry and Tree Planting Act, 2003.

⁴³ National Environment Act, 1995.

⁴⁴ National Environmental Management Policy.

⁴⁵ National Climate Change Policy, 2015.

⁴⁶ The National Climate Change Policy (2015), pp. 9, 14–17.

⁴⁷ UN Human Rights Council, Report of the Office of the United Nations High Commissioner for Human Rights on the relationship between climate change and human rights, (2009), A/HRC/10/61, paras 45–47, also see Balikooowa et al. (2019), p. 1.

⁴⁸ ACODE (2021), p. 26.

The land tenure system in Uganda is a barrier to women and is one of the drivers of inequality as is illustrated here.⁴⁹ Despite the clear provisions of the Constitution, Land Act and National Land Policy on women's right to property including land,⁵⁰ in practice, structural barriers still impede women from owning land. The land tenure system in Uganda has been classified under four tenure categories under the 1995 Constitution as amended and the Land Act (1998) to include the customary, freehold, and leasehold.⁵¹ This composition indicates that 68.6% of the land in Uganda is held under customary tenure, 18.6% under freehold, and 3.6 under leasehold.⁵² The land tenure system gives women user rights and not ownership over land.⁵³ Available literature indicates that only about 16% of women in Uganda own land in their own right.⁵⁴ Women will more than men be prone to suffer from food insecurity because of their nurturing role in families, they will spend more time in search of fuel (firewood, charcoal), fetching water and shielding members of the family (children, the sick and elderly) from the adverse effects of climate change than men.⁵⁵

Uganda has no specific REDD+ legislation or policy, however, its implementation of REDD+ is grounded in policies and legislation of climate change, environment, wetlands, wildlife, agriculture, renewable energy, land, culture, among others.⁵⁶ The Uganda Forest Policy (UFP) and the National Forestry and Tree Planting Act (NFPA), the 2016 regulations made thereunder provide an enabling legal framework for a variety of community groups to participate in forestry and forest management including community forests and ownership on private land.⁵⁷ The extent to which the legislation mainstream gender is the focus of this section.

Generally, forests continue to be under threat from illegal logging, wildfires, pollution, storms, pests, and the impacts of climate change.⁵⁸ In parts of Northern Uganda especially Adjumani district, deforestation and charcoal burning have been reported at their peak as culprits took advantage of the lockdown.⁵⁹ With the several calls to agriculture, many people in Uganda resorted to farming during the 'COVID-19' pandemic period, meaning large portions of land have been cleared for farming. Some of the responses from adverse effects of climate change have further

⁴⁹See Oxfam (2019), pp. 15–16; also, see ACODE (2021), pp. 7–8.

⁵⁰Section 27 of the Land Act, 1998.

⁵¹Article 237(1) of the 1995 Constitution of Uganda.

⁵²See Ministry of Lands, Housing and Urban Development (2010), p. 12; also, see Pedersen et al. (2012).

⁵³Ministry of Lands, Housing and Urban Development (2019), pp. 6–9.

⁵⁴Rugadya (2010); Kes et al. (2011).

⁵⁵See the UN Human Rights Council, Report of the Office of the United Nations High Commissioner for Human Rights on the relationship between climate change and human rights, (2009), A/HRC/10/61.

⁵⁶Ministry of Water and Environment (2020), pp. 17–18.

⁵⁷Section 17 of the National Forestry and Tree Planting Act 2003.

⁵⁸Ministry of Finance, Planning and Economic Development (2021), p. 3; World Bank (2021).

⁵⁹The Independent (2021).

exacerbated already bad situation. For example, as a result of floods in Kasese district, affected communities resorted to firewood selling.⁶⁰ This practice not only affects the gains made in the conservation of the environment in terms of afforestation efforts but has placed women in precarious positions. In a report published by Iris Aid, the Notre Dame Global Adaptation Initiative (ND-GAIN) Index ranks Uganda as the 9th most vulnerable and 27th least ready to adapt to climate change, of the countries it covered for 2015.⁶¹

Forest degradation and loss in Uganda have further been aggravated by attempts by government of Uganda to give away gazetted forest areas to individual private investors for commercial purposes in a bid to spur industrialisation and economic development in the country. This development is not new. In 1997, the Government of Uganda (GoU) degazetted 1006 hectares of Namanve Central Forest Reserves for the development of an industrial estate against public protests.⁶² Despite the protests, government went ahead and completely cleared the forest.⁶³ In 2000, the government gave away 3500 hectares of forest reserves on Bugala Islands in Lake Victoria to BIDCO Uganda Ltd (BUL), a vegetable oil processing company to establish a Palm Oil Tree estate and Oil Refinery on the islands. In addition to this give-away, BUL was vying for more of the gazetted land. This too prompted public protests. Despite the protests, the National Environment Management Authority (NEMA) went ahead to approve the project and today a large chunk of the gazetted natural forest estate has been converted into a Palm Oil tree plantation.⁶⁴ In 2001, the government gave away another forest known as Butamira Forest Reserve for the benefit of Kakira Sugar Works (KSW) Ltd. Despite public protests and legal suits stopping the land give-away, the government went ahead to give away the land to KSW. Perhaps what stands out vividly in terms of spirited fight across the political divide and involving participation of women is the attempt to give away Mabira Forest, home to a variety of bird species, ecotourism and its ecological role in the environment to Sugar Corporation of Uganda (SCOU) in 2007.⁶⁵ The situation in ungazetted forest lands is precarious especially where vast expanse of land is cleared for agriculture. Fires were also a major source of degradation of land cover, and are commonly seen in central and northern Uganda.⁶⁶ Direct drivers of deforestation and forest degradation are subsistence agriculture and biomass extraction for timber, charcoal, and commercial fuel wood. More recently, commercial farms, infrastructure, urban development, rapid population growth, influx of refugees and mining are increasingly reducing forest cover in some areas.⁶⁷

⁶⁰The World Bank, Uganda's Economy Recovering from COVID-19 Impact Amid Uncertainties.

⁶¹Irish Aid Uganda Climate Action Report (2016).

⁶²The Observer News Paper (2013).

⁶³The Observer News Paper (2011).

⁶⁴The New Vision News Paper (2005); see also New Vision News Paper (2013).

⁶⁵The Daily Monitor (2012).

⁶⁶Ministry of Water and Environment (2016), p. 27.

⁶⁷World Bank (2021).

The East Africa Crude Oil Pipeline (EACOP) project has raised concerns over environmental conservation, land, livelihoods and food security, women's health and safety, economic and social issues that may negatively impact affected communities in disproportionate ways.⁶⁸ The EACOP is another eye opener that development should not permit the violation of human rights and degradation of the environment, governments need to ensure private businesses do not disrupt the social setups and infringe on human rights.⁶⁹ The gaps and challenges, particularly concerning the lack of gender mainstreaming, identified in the EACOP should offer an important lessons to REDD+ to improve on participation of women. But this is hardly the case in the REDD+ process. Much concern remains around the participation of women as principal actors in all the phases of REDD+.⁷⁰ The REDD+ mechanism poses several potential risks for women, which, if not considered as a matter of urgency, could underline or broaden gender disparity.⁷¹ The Ugandan REDD+ processes identified different potential risk factors at the readiness, implementation and consolidation phases amongst which were: limited information access and consultations with women about REDD+, weak land policies, limited time to participate in REDD+ activities, cultural barriers and few pilots targeting women were among the risks envisaged.⁷²

At the readiness phase, it was identified that there was no effective communication strategy in place that recognised the different needs and packaging of information for different audiences thus limiting the dissemination of information to women creating gaps in the flow of information and the fear that correct information may not reach women.⁷³ Further, it was notable that women's access to resources in the forests are limited by their gender roles, cultural barriers. They access mainly non-cash benefits such as firewood, herbs, fuel and wood from the forests but have no or limited control over cash generated from the forest as these are controlled by men.⁷⁴ The legal framework does not exclude women from the opportunity to own land or forests;⁷⁵ however, structural barriers such as the land tenure system and the economic status of women dictate that economically empowered and educated women can own resources including land because they know their rights thus leaving out a majority of women especially the uneducated in the rural setting. These barriers affect not only women's access to resources but also their participation in forest projects. Whereas the laws permit women equal rights to participate in

⁶⁸ Oxfam (2019), pp. 2–9.

⁶⁹ Oxfam (2019), pp. 2–9.

⁷⁰ IUCN (2012).

⁷¹ Setyowati (2012), p. 7.

⁷² IUCN (2012).

⁷³ IUCN (2012).

⁷⁴ IUCN (2012).

⁷⁵ Article 26(1) of the Constitution of Uganda guarantees the right to own property either individually or in association with others.

public affairs like men,⁷⁶ women's ability to meaningfully participate is affected by their levels of education, exposure, cultural stereotypes and the patriarchal nature of Uganda's society that favours men in decision-making.⁷⁷ Women are often denied access to services, credit, technology, and capacity building activities.⁷⁸

Following the gaps identified in the readiness phase, at the implementation, women may not get information in all phases of the REDD+ implementation, and their participation may reduce. There is feedback that the percentage of women participating in the decision-making in REDD+ remains low and efforts need to be made to increase the overall participation of women through training on mainstreaming gender into REDD+.⁷⁹ The number of women who are informed about the existence of REDD+ is small compared to those who are not aware about it. In the spread of information, rural women seem to be less informed about REDD+ compared to women in the urban setting.⁸⁰ With the trend on the participation of women, it is unlikely that women in Uganda will influence decision-making and benefits considerably from the REDD+ activities.

At the consolidation phase, women continue to face barriers at the household, community and national levels especially in the governance arena as they have weak capacity to negotiate, and low understanding of the technical aspects of REDD+ processes.⁸¹ A limited access to ownership of land signifies that women are likely to be affected by REDD+ policies differently than men, possibly to their detriment. For example, they could be subjected to higher workloads without appropriately scaled compensation, displaced from or denied access to forests, denied a fair share of benefits, or left out of consultations and capacity-building activities.⁸² As Setyowati notes, women are rarely recognised as primary stakeholders in forests.⁸³ Although decisions about forest management affect their lives and livelihoods, women are restricted in their ability to voice concerns and be involved in decision-making. Because they often lack employment and decision-making power within their communities, as well as formal education, women are rarely able to influence the allocation of resources and household decisions.⁸⁴ The lack of control of resources by women and specifically their ownership to land has been a recurrent one through the REDD+ phases. While not specific to the REDD+ processes, it is a challenge that

⁷⁶See Article 38 on the right to participation in decision-making (civic rights and activities) of the 1995 Constitution, as amended.

⁷⁷Gender and Climate Change in Africa (2016).

⁷⁸Setyowati (2012), p. 59.

⁷⁹UN-REDD Uganda National Program Final Evaluation (2018), pp. 21–22.

⁸⁰WOUGNET (2022).

⁸¹IUCN (2012).

⁸²Setyowati (2012), p. 58.

⁸³Setyowati (2012), p. 58.

⁸⁴Marin and Kuriakose (2017), pp. 1–5.

if not well addressed would pose risks to the enjoyment of benefits under the REDD+ programme.⁸⁵

The National REDD+ Strategy and Action Plan (NRSAP) is positive on a number of fronts but does have its limitations. The NRSAP recognises that REDD+ implementation is a multiyear undertaking with long-term commitments to programmes and investments at national and subnational levels, within and outside protected areas. It emphasises (i) institutionalising the REDD+ Strategy implementation into national institutions responsible for the respective options of tackling drivers and underlying causes of deforestation and forest degradation; (ii) arrangements that integrating REDD+ actions into other conservation and land use policies and practices encompassing, agriculture, energy, livestock, rural development, among others; (iii) capacity and skills transfer to ensure sustainability of the REDD+ investments; and (iv) measures for cost-effective implementation in order to realise optimal and equitable benefits from the REDD+.⁸⁶

The Climate Change Action Plan recognises REDD+ as a mitigation and adaptation measure.⁸⁷ The National Climate Change Advisory Committee (NCCAC) which is statutory organ established to advise on climate change agenda serves as the Steering Committee for the REDD+ process.⁸⁸ The NCCAC provides policy level guidance and coordination of REDD+ process within the climate change agenda as well as across the different sectoral and economic sector. Membership to the NCCAC is comprised of representatives of key government and nongovernment institutions with significant mandate over climate change issues or significant interest in issues of climate change and REDD+. There is a technical oversight to REDD+ process, a National Technical Committee (NTC) provides technical oversight and guidance to the REDD+ process; the membership to NTC is drawn from REDD+ stakeholders within and outside government institutions (at managerial or senior level). Technical Experts Support (Taskforces): Three taskforces, namely SESA/Safeguards Taskforce, Policy Task Force (Policy, Legislation, Regulations) Taskforce and Methodological Taskforce (MRV) serve as platforms for specialists or experts to provide input into in REDD+ preparatory activities. Membership to the Taskforces is based on individual technical relevance to the business of the taskforce. Members are drawn from REDD+ stakeholder's institutions or independent specialists. Members of the Taskforce serve on individual basis.⁸⁹

However, there are gaps in the governance structure especially with regard to the meaningful engagement and participation of groups (women). Attempts have been

⁸⁵ Ministry of Water and Environment (2021), pp. 15–16.

⁸⁶ Ministry of Water and Environment (2020), National REDD+ Strategy and Action Plan, p. 11.

⁸⁷ Ministry of Water and Environment (2015), Uganda National Climate Change Policy, pp. 4–7.

⁸⁸ Ministry of Water and Environment (2019), p. 4; Responses to Comments of the FCFP Participants Committee Meeting and Independent Tap Review on Uganda's Report of Participatory Self-Assessment of Uganda's REDD+ Readiness Process (Uganda's R-Package, 2018).

⁸⁹ Ministry of Water and Environment (2016), National REDD+ Process and R-PP Implementation, p. 39.

made in including women in REDD+ processes through participation in national planning.⁹⁰ The formal recognition of women's roles creates an enabling environment and provides opportunities for women to assume leadership roles in REDD+ processes, including decision-making. The effective participation of women requires recognition of their substantive rights (e.g. their right to lands and forests) and procedural rights (e.g. consultation, access to information and access to remedy). The representation of women at various levels of consultations on REDD+ policies is still limited, and the role of women in decision-making is still restricted. In addition, and perhaps as a result, many existing REDD+ projects reinforce gender inequality by failing to acknowledge women as equal partners in design, consultation, decision-making and the benefit-sharing mechanism.⁹¹

The Feedback and Grievances Redress Mechanism (FGRM) for supporting the implementation of Uganda's REDD+ Strategy and Action Plan provides avenues through which grievances related to REDD+ activities are addressed.⁹² The FGRM is clear that if people or communities affected by REDD+ related conflicts do not find the interventions and resolutions of the FGRM satisfactory, they may seek redress through the mainstream formal court system.⁹³ The NCCAC has representatives from government and other stakeholders, this could create opportunities for synergies where government agencies such as NEMA, CSOs and Non-Governmental Organizations (NGOs) will collaborate especially through the FGRM. This will go a long way in ensuring that grievances and conflicts related to the implementation of REDD+ activities are handled in expeditiously and using approaches that are restorative with a view to upholding peaceful existence and harmonious living in communities.

The Ministry of Water and Environment is designated as the lead institution for the overall implementation and coordination through its departments and agencies responsible for forestry, environment, climate and water.⁹⁴ The ministry collaborates with: i) Uganda Wildlife Authority (UWA) which manages forests in wildlife conservation areas; ii) Ministries responsible for Agriculture and livestock (Ministry of Agriculture, Animal Industry and Fisheries—MAAIF), Energy (Ministry of Energy and Minerals Development—MEMD), Gender and Social Development (Ministry of Gender, Labour and Social Development—MoGLSD), and local governments in management of local forest reserves and forests outside protected areas as well as sustainable fuel wood and commercial charcoal production and utilisation. The Ministry of Finance, Planning and Economic Development coordinates governments financing and resources mobilisation for REDD+ Strategy Implementation. The National Planning Authority integrates REDD+ into the overall

⁹⁰Pham et al. (2016).

⁹¹Gurung et al. (2011).

⁹²Ministry of Water and Environment (2016); Feedback and Grievances Redress Mechanism for Supporting the Implementation of Uganda's REDD+ Strategy and Action Plan (FGRM), p. 1.

⁹³FGRM, pp. 2–3.

⁹⁴FGRM, pp. 27, 60.

national Development Plans, invading the ongoing preparation of National Development Plan III (2021–2025). While the link with the MoGLSD is important, it is not yet within public knowledge whether and how their activities are impacting other entities involved in REDD+. Consequently, participation of women and the protection of their rights in the implementation of REDD+ may not improve if the foregoing trend is not addressed through deliberate policy choices that will propel more women to be represented in committees at different levels where they will articulate issues concerning them and build networks and agencies.

4 Conclusion

Gender is a crucial factor in the implementation of climate response actions such as the REDD+. While the participation of Uganda in REDD+ is not without supportive legal and policy standards, women issues in participation, accessing and owning land and other resources remain a challenge. While participation all through the phases of REDD+ is urgent for women, inadequate efforts are being made to engage women at REDD+ meetings and activities. Cultural stereotypes, timing of the meetings and activities, level of education and exposure of some women hinder meaningful participation and enjoyment of the benefits. Cultural biases are still a threat to their land tenure and ownership regime. The normative development at the national level in relation to REDD+ has not adequately attended to these challenges relating to women. Concrete measures are required to address this gap. The REDD+ processes have to deliberately and proactively recognise women as beneficiaries and ensure that they are supported in the implementation process. There is need for deliberate regulations and strategy to support the recognition of the rights of women in the implementation of REDD+. This will contribute towards building their agency and further empowerment her to take decisions without falling back into patriarchal expectations to take decisions.

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