

ANNUAL REPORT | 2023



PREPARED BY
GREENWATCH SECRETARIAT



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Acronyms

A.G	Attorney General
ABA ROLI	American Bar Association Rule of Law Initiative
CSCO	Civil Society Coalition on Oil & Gas
CSO	Civil Society Organization
DPP	Directorate of Public Prosecution
ELAW	Environmental Law Alliance Worldwide
EMLI	Environmental Management for Livelihood Improvement
ENRCSO	Environment and Natural resources Civil Society Organisation
EPPU	Environmental Protection Police Unit
IGSD	Institute for Governance and Sustainable Development
JTI	Judicial Training Institute
KCCA	Kampala Capital City Authority
LDC	Law Development Centre
MWE	Ministry of Water and Environment
NbS	Nature-based Solutions
NEMA	National Environment Management Authority
NFA	National Forestry Authority
NGO	Non-Governmental Organization
OCT	Our Children's Trust
PIEL	Public Interest Environment Litigation
TCI	True Cost Initiative
UNBS	Uganda National Bureau of Standards
WWF	World Wild Fund
EHRDs-	Environmental human rights defenders

Introduction



This annual report is a reflection of Greenwatch’s general performance, an overview of outcomes and impacts from the implementation of our works, and assesses challenges and lessons learned.

This is a report covering Greenwatch implementation activities for the period (January 2023 to December 2023).

Our activities and projects included among others; the Fifth Judicial Training on Climate Justice, the Launch of our report on the assessment of laws on plastics in Uganda, Public Interest Environment Litigation, and networking and civil society coalition engagements.

2023 commenced on an extremely sad note when we lost our founder Hon. Justice Kenneth Kakuru, who passed away on 7th March 2023 after battling with cancer for close to two years. Justice Kakuru founded Greenwatch in 1995 and was a focal person for our success specifically in the field of public interest environmental litigation. Justice Kakuru was a candid environmental rights defender and his footprints will continue to guide Greenwatch in realising our vision.

Organizational Structure



OVERVIEW OF GREENWATCH'S WORK IN UGANDA

Greenwatch's vision is to ensure that every Ugandan enjoys their Constitutional right to a clean and healthy environment in Uganda. We challenge practices that degrade and deplete the environment and advocate for environmental protection and ecologically sound principles.

PUBLIC INTEREST ENVIRONMENT LITIGATION (PIEL)

Greenwatch employs strategic Public Interest Litigation as a means of promoting environmental justice, public participation, access to information,

and the enforcement of environmental rights. This is premised on Article 50 (2) of the Constitution of Uganda which provides that any person or organization may bring an action against the violation of another person's or group's human rights. Greenwatch has been a focal symbol in the arena of PIEL by successfully instituting various environmental cases in court.

RESEARCH, CAPACITY BUILDING, AND COMMUNITY SENSITIZATION

We undertake research on environmental law issues with an emphasis on public participation in the enforcement, conversation, and management

of natural resources. Our community sensitization and outreach programs comprise of dialogues with communities, workshop trainings, and seminars. These are meant to educate the participants on their environmental rights, obligations, and the prevalent issue of climate change. This initiative has involved the development of bylaws and ordinances on the environment which took place in different districts in Uganda like; Hoima, Tororo, and Masindi districts.

TRAINING

We work with communities, Government institutions like the Judiciary, the National Environment Management Authority (NEMA), the Police, the DPP, Local Government, and schools. In so doing, we train administrators, journalists, judicial officers, lawyers, policymakers, and communities. These trainings enable public participation and promote environmental awareness. We have conducted capacity-building training workshops for the judiciary, lawyers, environmental officers, state prosecutors, and police officers. Some of these trainings include; judicial and journalists' trainings on climate justice, and community and local government dialogues on the impacts of the EACOP on the environment, among others.

RESOURCE CENTRE

Greenwatch is a resource center with a variety of environmental materials, policies, and laws, both local and international that can be easily accessible by anyone/organization who wishes to enrich themselves on matters pertaining to the environment. This is to disseminate information on environmental protection to as many people as possible.

CAMPAIGNS

Greenwatch has participated in environmental law campaigns that have greatly impacted a change in policy decisions. These campaigns are influenced by Article 39 of the Constitution of the Republic of Uganda Some of these include;

- Save Mabiira Forest that was launched in 2007
- Anti-Kaveera Campaign that was launched in 2015
- Save Bugoma Forest that was launched in September 2020



Meet Our Team



SAMANTHA ATUKUNDA

» DIRECTOR

Samantha has been a part of Greenwatch since 2005. She was appointed Director in 2019. "I greatly value professional development majorly through trainings and experiences that are able to change someone's mindset and the way they perceive themselves and life in general." Samantha believes that a good working environment enables one to thrive."



DAPHINE NUWASIIMA

» LEGAL OFFICER

Daphine joined Greenwatch four (4) years ago fresh from the Law Development Centre (LDC). She dived right into our judicial training program. She has been and continues to be instrumental in supporting the team to organize and successfully carry out our training programs. She is the Legal Officer with Greenwatch.



BRIDGET AMPURIRA

» LEGAL AND RESEARCH ASSISTANT

Bridget, who completed her clerkship at Kakuru & Co. Advocates, joined our team due to her experience with environmental law during her clerkship. She is now a legal and research assistant under our PIEL program, contributing to a forest cover case supported by IGSD.



FREDDIE HUMPHREYS

» PLANNING & LICENSING BARRISTER

In September this year, we were pleased to take on Freddie Humphreys, an English Barrister specializing in Planning and Environmental law. During this time, Freddie has gained experience and deepened his understanding of international environmental law, and has also been instrumental in sharing his knowledge and expertise with Greenwatch



Summary of 2023 Activities & Their Impacts

Trainings

ACTIVITY 1: FIFTH JUDICIAL TRAINING ON CLIMATE JUSTICE

Greenwatch exists to ensure that every Ugandan enjoys the constitutional right to a clean and healthy environment and we attain this through different undertakings, one of which is capacity building. Through judicial trainings on climate justice, judicial officers are equipped with information on climate change, and climate justice, and this enables them to make judicial decisions taking into account the environmental rights and concerns of the vulnerable.

Greenwatch with funding from True Cost Initiative carried out a two-day judicial training on climate justice on the 18th and 19th of May 2023 under the theme; "Strengthening the Judiciary's adjudicative role in administering climate justice".

With the Fifth judicial training, Greenwatch was able to disseminate information on climate change and

climate justice to the participants. With a plethora of resource persons and scientists from within and outside Uganda articulating different aspects of climate change and climate justice, the judicial officers were able to appreciate climate change, climate justice, the existing gap between the domain of environmental law, climate justice, and the practical implementation of the same and how to bridge the existing gaps. The resource persons included experts from government, academia, and civil society. Remarkably was a discussion on climate change and gender justice, a relatively new yet exciting concept introduced to the participants.

Dr. Eria Serwajja, an expert in gender and climate studies took the participants through the gendered impacts of climate change and challenged the judiciary to be open to cases affecting women and refugees. From the responses received from the evaluation process, most judicial officers observed that the training enriched them with knowledge of climate justice and the best practices from courts in other jurisdictions across the globe.



Participants during a session at the Fifth Judicial training on climate justice

In view of the above, Greenwatch was successful in accomplishing its goal of building the capacity of judicial officers to understand climate change. This will advance climate justice, climate action and environmental resilience in Uganda. With the Fifth

judicial training, Greenwatch has in total trained one hundred twenty-four (124) judicial officers in Uganda with priority given to judicial officers from climate change disaster-prone areas. This has registered an increase in climate case hearings in courts.



Participants for the Fifth Judicial Training on Climate Justice pose for a picture moment at Mestil Hotel, Kampala

PIEL

2023 has seen tremendous progress regarding our PIL court cases. As already mentioned above in our profile, one of Greenwatch's main objectives is to promote public participation in the sustainable use, management, and protection of the environment and natural resources with a vision to ensure that every Ugandan enjoys the right to a clean and healthy environment and we do this through different avenues, one of which is strategic public interest litigation. Some of the cases that Greenwatch has been litigating this year are;

CIVIL SUIT NO.11 OF 2021 GREENWATCH VS. ATTORNEY GENERAL (A.G) AND 2 ORS.

In 2021, Greenwatch filed a public interest litigation case against the Attorney General, the National Environment Management Authority (NEMA), and the National Forestry Authority (NFA). Greenwatch claims that the Government of Uganda (represented by the Attorney General) and the mandated agencies (NEMA and NFA) have failed to discharge their obligations in curbing forest cover loss in Uganda hence violating the citizen's right to a clean and healthy environment as is stipulated in the law. We are asking the defendants to put in place measures to curb the loss of forest cover in Uganda. With the recent developments in law and science, Greenwatch has amended and filed its pleadings to include new scientific evidence on climate change to buttress our case. An amicus curie application was filed by the National Association of Professional Environmentalists (NAPE) and the court has since set 25th June 2024 as the new date for the hearing of the amicus application.

CIVIL SUIT NO.283 OF 2012, NISSI MBABAZI V A.G & NEMA

In 2012, four (4) minors and Greenwatch filed a lawsuit against the Attorney General and the NEMA in the High Court of Uganda. The complaint invokes the government's public trust duty under Articles 39 and 237 of the Uganda Constitution to protect the country's atmospheric resources from climate change for the benefit of current and future generations. The lawsuit asks the defendants to develop a climate change mitigation plan in accordance with the best science and protect Ugandan children from the adverse impacts of climate change. Parties have filed the witness statements and court has set the 13th of May 2024 as the date to hear the evidence.

Research

One of the mechanisms through which Greenwatch realizes its vision is through research on different aspects concerning the environment. Towards the end of 2022, Greenwatch carried out research on the existing laws on plastics and their enforcement in Uganda. Through this research, Greenwatch noted the abundance of legislation that regulates plastic products in the country. Notably; the National Environment Act, No.5 of 2019, the Finance (Permitted Plastic Bags and Other Plastics for Exceptional Use) Regulations, 2010, and the National Environment (Waste Management) Regulations. Subsequently, we came up with a report titled "The Preliminary Assessment of the Laws on Plastics and Their Enforcement in Uganda".

The research revealed that mandated institutions face a number of challenges in implementing the laws. Such challenges include;

1. lack of political will,
2. limited resources, and
3. Inadequate waste management practices, among others

Subsequently, a report containing our findings was launched in March 2023 in the presence of representatives from government institutions,

academia and CSOs and can be accessed through the link here: <https://ln.run/TXaF3>

The feedback from the report users so far has not only been overwhelming but also encouraging. This research will not only expand the knowledge base on plastic waste management but also propel and inform decision-making in different spheres of environmental law.



Some of the participants at the launch of the report on the assessment of laws on plastics at Golden Tulip, Kampala

Networking and CSO's engagements

Greenwatch is part of CSO coalitions and networks focused on environmental policy advocacy and holding government and corporations accountable. This year, Greenwatch has been intentional and purposeful about networking with other environmental civil society partners. We have participated in a number of these engagements, for

instance; the side event on carbon pricing in Uganda, the World Environment Day 2023 engagements with NEMA, and the climate science-policy dialogue Organised by EMLI and Makerere University. These engagements have yielded results like providing input and recommendations to government institutions like MWE and NEMA and also providing platforms for policy influencing and transparency in environmental issues.



Ms. Nuwasiima speaking at the Climate Science Policy Dialogue held at Makerere University

On 4th August 2023, GreenWatch represented by Ms. Ampurira Bridget attended the Women in Nature Conservation (WiNN). WiNN is a network of women across the world who are working to conserve natural ecosystems and species with the aim of strengthening the role of women in conservation leadership and enhancing conservation impact. The goal of the conference was to build a stronger

network, empower young mentees, proliferation of additional chapters from the global south among others. This 3-day networking event comprised of different activities including presentations, a trip to the Nairobi National Park, and the Giraffe Center with presentations from different women in WiNN doing tremendous work in communities, and animal conservation.



The WiNN team poses for a picture in Nairobi, Kenya

Ms. Ampurira also attended the Training on environmental defenders on environmental advocacy organized/convened by the American Bar Association Rule of Law Initiative (ABA ROLI) from the 14th September- 15th September 2023. The

two-day event discussed regional and international advocacy mechanisms that can be utilized by EHRDS, some of which included urgent letters of appeal, engagement with the commission on human rights, and state/shadow reporting.



Participants pose for a photo moment at Sheraton Hotel Kampala

On 13th October 2023, our legal officer Nuwasiima Daphine, represented us at the panel of Uganda's Second Local Conference of the Youth organised by TARD Foundation. She educated the youth

about the right to a clean and healthy environment, climate justice, and strategies environmental youth defenders can adopt to advocate for their environmental rights.



Ms. Nuwasiima speaking at the Local Youths Conference, at Silver Springs Hotel.

OTHER CSO ENGAGEMENTS

- The Green Cities Initiative Stakeholder Workshop organized by KCCA in partnership with FAO on the 25th of October 2023- represented by Nuwasiima Daphine
- Hybrid review meeting on the issue paper on Nature-based Solutions (NbS) and rights and the Advocacy plans organized by EMLI in partnership with WWF on 27th October 2023.
- The Land Justice sub-committee meeting organized by the Ministry of Justice and Constitutional Affairs- represented by Bridget Ampurira.
- The Consultative Stakeholder Engagement on Research and innovation organized by Makerere University- represented by Nuwasiima Daphine
- The CSCO learning event organised by ACODE- represented by Nuwasiima Daphine



Participants at the Consultative Stakeholder Engagement on Research and innovation pose for a photo moment at Makerere University

CHALLENGES, LESSONS LEARNED, OPPORTUNITIES, AND REFLECTIONS

Our major challenge this year has been the loss of our founding father Hon. Justice Kenneth Kakuru who has been a strong pillar to Greenwatch's work and existence. Irrespective of this, 2023 has been relatively a successful year for Greenwatch, with significant achievements and plentiful learning opportunities.

For Greenwatch, 2023 has been a reflection of the need for more vigorous environment and climate action, resilient civil society engagements, and reflecting on our vision and mission as an Organisation.

Conclusion

This report has provided a roundup of Greenwatch's annual activities in 2023, challenges, and the lessons learned in implementing its mission and realizing its vision of ensuring that every Ugandan enjoys its Constitutional right to a clean and healthy environment.

Greenwatch remains dedicated and committed to ensuring that every Ugandan participates in the sustainable use and management of natural

resources and holding the government accountable for realizing its citizens' right to a clean and healthy environment.

Greenwatch extends its gratitude to everyone reading the 2023 Annual report. Special cognizance and appreciation to our partners; TCI, ELAW, OCT, and JTI among others, without whose immeasurable contribution, we wouldn't have been able to execute our mandate.





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