

**THE REPUBLIC OF UGANDA  
IN THE HIGH COURT OF UGANDA, HOLDEN AT KAMPALA  
(CIVIL DIVISION)  
HIGH COURT CIVIL SUIT NO. 283 OF 2012**



1. NISSI MBABAZI
2. JONATHAN ARUHO
3. MATAYO NATUMANYA
4. KING DAVID TANDEKA  
ALL MINORS SUING THROUGH THEIR NEXT FRIEND  
KENNETH KAKURU
5. GREENWATCH:..... **PLAINTIFFS**

VERSUS

1. THE ATTORNEY GENERAL
2. THE NATIONAL ENVIRONMENT MANAGEMENT  
AUTHORITY:..... **DEFENDANTS**

**PLAINTIFFS' WITNESS STATEMENT**

I **Irene Ssekyaana** of C/o Kakuru & Co. Advocates, Plot 7/9 Second Street Industrial Area, Kinyara Sugar Building first floor suite F-5, P.O. Box 6256 Kampala, do hereby make oath and state as follows:

1. That I am a female adult Ugandan of sound mind and a resident of Wakiso District.
2. That I am an environment and natural resources practitioner specializing in climate mitigation and adaptation and community development. I am also the chairperson of the Civil Society Coalition on oil and Gas in Uganda, a network comprised of over 55 national, international and community based organizations working on environment and petroleum development issues in Uganda.
3. That I have undertaken professional training in natural resources management, Environment Audit and Impact assessment, Environmental law, climate change mitigation and adaptation, policy research and analysis, among others.
4. That I am the National Coordinator for the 5<sup>th</sup> plaintiff, a Non-Government Organization registered and incorporated in Uganda. Its main objective is environmental protection through research, education and advocacy which among others involves the enforcement of the constitutional right to a clean and healthy environment through Public Interest Litigation.
5. That in carrying out the above mentioned objective, the Plaintiffs have instituted this suit in the public's interest for and on behalf of all the children of Uganda and those who are yet to be born.



6. That as part of my duty as the National Coordinator of the (5<sup>th</sup>) fifth Plaintiff and as an environmental and natural resources practitioner for over 15 years, research studies reveal that climate change is one of the greatest challenges facing humanity it is also an inherently intergenerational problem with extremely serious implications on the livelihood assets of the future generation.
7. That several scientific studies and reports such as State of Environment Report, 2013, sixth Assessment Report on Global Warming (IPCC), Climate change synthesis Report, 2014(IPCC), Climate change Impact on Food Security and Nutrition in Karamoja, among many others also attest of the adverse effects of climate change.
8. That the impacts of climate change have serious negative consequences on vulnerable populations including children in developing countries which are particularly poorly equipped to cope with the adverse impacts of climate change.
9. That in Uganda, the effect of climate has been characterized by droughts, floods, landslides and heat waves. There have been reports in the media of such events that have occurred for example the landslides in Buduuda District, the drought in Isingiro district that led to people losing their homes, property, livelihoods and in some cases loss of life.
10. That the government of Uganda has ratified the Paris Agreement, is part of the regional initiative of the Intergovernmental Authority on Development (IGAD), has elevated the Climate Change Unit within the Ministry of Water and Environment to a Department, and created a Meteorological Authority all in the spirit of strengthening Uganda's implementation of the United Nations Framework on Climate Change (UNFCCC) and its Protocol.
11. That despite the government's initiatives mentioned above, the government has majorly focused on creation of policies, governance systems, strategies and plans for the implementation of adaptation and mitigation measures to curtail the effects of climate change. However, a policy is a guiding framework and not an implementation framework.
12. That the effects of climate change cannot be addressed through governance systems that are top-down, siloed across sectors and focused on short-term funding streams. The effects of climate change are best addressed when government takes a proactive stance on their mandate to address climate change. Government ought to focus on the real needs of climate-affected populations.
13. That in my opinion the government of Uganda has not carried out adequate practical steps on the ground to deal with the impacts of climate change but merely clings and rides on individual, foreign and Non-Governmental organizations' initiatives. The government has left the implementation of adaptation and mitigation measures to international players, civil society organizations and bilateral agreements between local government and international funders. What this creates is a series of project-based implementation plans which are not consistent and thus do not provide long-term benefits to the affected communities.

14. That several practical solutions such as;

- sensitizing and creating nation-wide awareness on climate change impacts and ways to adapt to changing environment;
- Establishment of early warning systems at each lower level of government (district to village level);
- Committing district governments with the duty to care for persons impacted by climate change;
- Allocating direct conditional grant to districts local government to fund immediate climate actions;
- Developing modalities for deterring persons, ministries, departments and Agencies and businesses that directly contribute to increase in greenhouse gas emissions in Uganda
- Establishing a National Climate Fund to finance climate actions without adding additional strain to the already stretched national budget.

can be adopted by government to deal with the impacts of climate change in Uganda.

15. That the second (2<sup>nd</sup>) defendant is the overall body charged with the management of environmental issues in Uganda with the power to coordinate, monitor and supervise all activities in the field of the environment and therefore it is incumbent upon the second (2<sup>nd</sup>) defendant to ensure that the conservation and use of natural resources in Uganda are for the benefit of both the present and future generation.

16. That the defendants' neglect and failure to discharge their statutory obligation in order to adequately and practically address the issues on ground vulnerabilities associated with climate change violates the Plaintiff's right to a clean and healthy environment.

17. That by the orders and declarations sought in the plaint, we seek to enforce the provisions of Article 39 of the 1995 Constitution of the Republic of Uganda.

18. That I swear this witness statement as my evidence in this suit.

Sworn at Kampala by the said

**Irene Ssekyaana**

this 5<sup>th</sup> day June 2018

  
DEPONENT

BEFORE ME:



**Drawn & Filed By:**  
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