



**SAVE BUGOMA
FOREST CAMPAIGN 2020**
PROTECT UGANDAN CHIMPANZEES,
FOREST' LIFE MATTERS

January 24, 2022

Hon. Judith Nabakooba
Minister of Lands, Housing and Urban Development
Kampala (U).

Dear Madame,

**RE: COMPLAINT OVER FAILURE TO ENSURE PUBLIC PARTICIPATION AND
TRANSPARENCY IN BUGOMA FOREST BOUNDARY OPENING**

The boundary opening exercise should urgently be redone with stakeholder involvement

Introduction

Greetings from the Save Bugoma Forest Campaign (SBFC), a coalition of civil society as well as private sector players whose main objective is to protect Bugoma forest from oil, sugarcane and land grabbing threats.

The SBFC appreciates the work that you and your ministry are doing to ensure that Uganda's forests are protected from land grabbing pressures. Particularly, the SBFC appreciates you for listening to our calls to open the Bugoma forest boundaries.

Since 2016 when the Ministry of Lands, Housing and Urban Development (MLHUD) issued freehold and leasehold land titles covering 8,000 hectares of Bugoma forest land to Bunyoro Kitaro Kingdom (BKK) and Hoima Sugar Ltd (HSL) respectively, the SBFC has worked to save the forest from destruction by HSL.

To this end, the SBFC has held meetings with the Speaker of Parliament, MLHUD, Ministry of Water and Environment, the National Forestry Authority (NFA), parliamentarians, development partners and others to create pressure for opening of the Bugoma forest boundaries among others.

The SBFC demands to open the Bugoma forest boundaries arose after cabinet directed the MLHUD to work with NFA to open the forest boundaries in 2019.

PREVIOUS MEETINGS

During that meeting that took place at the MLHUD's headquarters in Kampala, the following was agreed on:

- The MLHUD would formally write to stakeholders including the SBFC, Institution of Surveyors-Uganda (ISU), Uganda Law Society (ULS), Inter-Religious Council of Uganda (IRCU) and others to invite them to participate in the boundary opening exercise.
- The MLHUD would share the Terms of Reference (ToR) for the Bugoma boundary opening with the SBFC.
- The SBFC would work with the survey team to mobilise and sensitise communities as part of the boundary opening exercise.
- Both the ministry and SBFC would continue sharing relevant information on the Bugoma forest boundary opening.
- The issue of Mr. Ogaro's participation in the boundary opening for Bugoma forest was not resolved. Since he testified against NFA in the High Court case that NFA filed against BKK and HSL over the two parties' claims on 8,000 hectares of Bugoma forest land, the SBFC was of the view that Mr. Ogaro should not participate in the boundary opening exercise due to conflict of interest.

Honourable, as you will recall, the boundary opening exercise did not commence after the aforementioned February 3, 2021 meeting. Consequently, on October 20, 2021, the SBFC wrote another letter to you and requested for a second meeting to discuss the boundary opening and the threats local communities were facing as a result of failure to open the boundaries.

You agreed to meet with the SBFC and on October 29, 2021, the campaign members including local communities met with MLHUD officials at the ministry's headquarters in Kampala. During that meeting, you, honourable minister, were represented by Mr. Richard Jjuko, the undersecretary of MLHUD. Other MLHUD officials at the meeting included Mr. Henry Opio Ogenyi, an Assistant Commissioner, Geometrics and others.

During the meeting, MLHUD informed the SBFC that the ministry and NFA would begin the Bugoma forest boundary opening exercise on November 2, 2021. The ministry also reiterated its commitment to ensuring that independent stakeholders such as the SBFC are involved in the boundary opening exercise.

CONCERNS

The boundary opening commenced in November 2021 and we are informed that it will be concluded this month. The exercise had stalled in December 2021.

On January 13, 2022, members of the SBFC including local communities held a meeting in Kikuube district and highlighted the following concerns as regards the boundary opening exercise:

- (a) **Failure to ensure public participation for independent oversight:** Despite commitments to, the MLHUD has failed to ensure that the SBFC, Institute of Surveyors, ULS, IRCU and

other independent stakeholders participate in the Bugoma forest boundary opening exercise. This could undermine the credibility of the findings from the boundary opening.

- (b) **Formalisation of grabbing of Bugoma forest land:** There are also fears at community and national level that that the MLHUD wants to use the ongoing closed boundary opening process to formerly facilitate HSL to grab Bugoma forest. Failure to ensure that stakeholders are involved in the demarcation process has made the process suspect.
- (c) **Failure to sensitise communities:** Moreover, during the aforementioned meetings with the MLHUD, the ministry promised to sensitise communities before opening of the Bugoma forest boundaries. However, this commitment wasn't kept. Communities woke up one day to see surveyors and armed security men surveying their land without any prior notice or community-wide sensitisation.
- (d) **Securitisation of process:** Further, the boundary opening process was securitized. Instead of engaging and working with community representatives to promote transparency and trust building, the surveyors involved in the boundary opening exercise moved around with security officers with guns. This created fear amongst communities.
- (e) **Destruction of communities' property:** In addition, during the demarcation process, the surveyors destroyed communities' gardens. Crops belonging to over 378 households in over 15 villages in Kyangwali and other sub-counties in Kikuube district were destroyed.

RECOMMENDATIONS

Because of the above failures, we strongly suspect that the boundary opening exercise will not serve the purpose of protecting Bugoma forest and communities. We therefore recommend the following:

- (i) **MLHUD and NFA should stop the boundary opening** exercise and should engage the SBFC, ISU, ULS, local communities and IRCU among others to participate in the exercise. The boundary opening should be re-done.
- (ii) **The SBFC would like to have another meeting** with you before the boundary opening is redone. We request to meet you and your team on January 31, 2022 at 11am at your offices or any other day and time of your convenience.
- (iii) **In addition, the MLHUD should compensate** the local communities whose gardens or properties were destroyed during the demarcation exercise.
- (iv) **Further, while the provision of security may be viewed** as a necessity for the surveyors, the MLHUD and NFA should ensure that a harmonious relationship between communities and security groups exists to avoid the creation of fear and therefore secrecy in the boundary opening exercise.
- (v) **Finally, as committed to during our aforementioned October 29, 2021 meeting,** the MLHUD should provide periodic reports on the boundary opening process to the public to ensure transparency and build public trust.

We thank you in advance for your cooperation in this matter.

Yours faithfully,

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 Dickens Kamugisha, 0782 407085
 Chairperson, SBFC-national taskforce

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 Hassan Mugenyi, 0781 958862
 Chairperson, SBFC-local taskforce

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CC

- The Speaker of Parliament
- The Prime Minister of Uganda
- The Minister of Water and Environment
- The Executive Director, NFA
- The Chairperson, Environment and Natural Resources Committee of parliament
- All MPs from Bunyoro
- The Chairperson, ULS
- The Chairperson, IRCU
- The President, ISU