

PARLIAMENT OF THE REPUBLIC OF UGANDA



**REPORT OF THE COMMITTEE ON CLIMATE CHANGE ON THE
NATIONAL CLIMATE CHANGE BILL, 2020**

Betty

[Handwritten signatures and scribbles]

**OFFICE OF THE CLERK TO PARLIAMENT
PARLIAMENT BUILDING KAMPALA-UGANDA
MARCH, 2021**

[Handwritten signatures and scribbles]

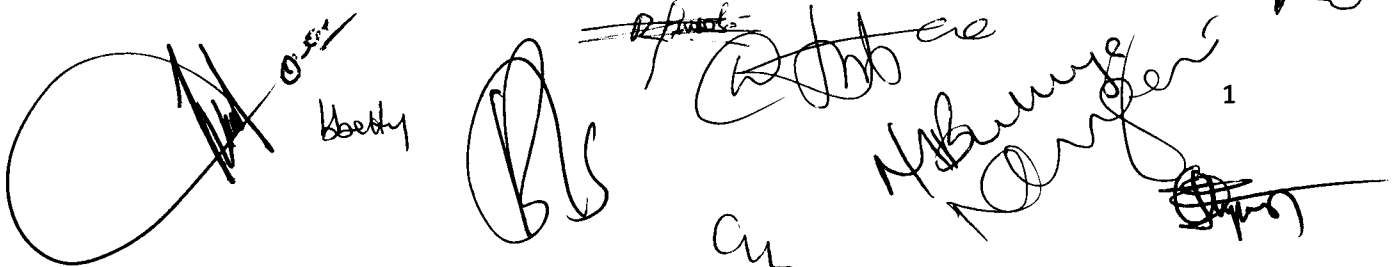
1. 0 INTRODUCTION

Rt. Hon. Speaker and Honourable members, the National Climate Change Bill, 2020 was read for the first time on 30th June, 2020 by the Hon. Minister of State for Environment and was thereafter referred to the Committee on Climate Change in accordance with Rule 128 of the Rules of Procedure of Parliament.

2. 0 BACKGROUND

Climate Change is one of the greatest challenges that the world faces today. Its impacts are far reaching and extremely devastating particularly to less resilient countries, Uganda inclusive. The country is experiencing the effects of a changing climate which have manifested in the uncertainty of rainfall patterns as well as frequent floods and landslides. In recent years the country has increasingly experienced beyond normal rainfall with devastating effects such as loss of lives and property in the mountainous areas of the Rwenzori and Elgon, particularly in the districts of Bududa, Sironko, Mbale, Kasese, Pakwach, Bulisa and Butaleja among others.

The reduction in agricultural yields and resultant food insecurity as well as droughts with regular incidences of extreme temperatures have also been a manifestation of the raging effects of climate change. There has been a notable increase in warming trends with a projected rise of more than 2°C in the minimum and maximum temperatures by 2030. The World Bank noted that although the level of poverty in Uganda reduced from 62% in 2003 to 35% in 2013, the poorest, mostly subsistence farmers constantly bear the brunt of droughts and other shocks resulting from the fluctuations in temperatures. Additionally, the country's development gains have continued to be eroded due to changes in the climate with droughts reported to have caused damage and losses amounting to US \$1.2 billion, (7.5 percent of Uganda's GDP) between 2010 and 2011.



Handwritten signatures and initials at the bottom of the page, including a large signature on the left, initials 'BS' in the center, and a signature 'M. Busingye' on the right with a small '1' next to it.

The need to protect the environment, adapt and mitigate the dangers of climate change cannot therefore be overemphasized.

Uganda ratified the United Nations Framework Convention on Climate Change in 1994, the Kyoto Protocol in 2004 and the Paris Agreement in 2016. While this is the case, Uganda has no legal and regulatory framework to domesticate these Agreements or Protocols to address the challenges posed by climate change.

3. 0 OBJECT OF THE BILL

The object of the Bill is to give the force of law in Uganda the United Nations Framework Convention on Climate Change (UNFCCC), the Kyoto Protocol, and the Paris Agreement, to provide for climate change response measures, participation in climate change mechanisms, measuring of emissions, reporting and verification of information, the institutional arrangements for coordinating and implementing climate change response measures, financing for climate change and other related matters.

4. 0 METHODOLOGY

In the course of scrutinizing the Bill, the Committee received and reviewed memoranda from the following:

- (i) Ministry of Water and Environment
- (ii) Ministry of Energy and Mineral Development
- (iii) Ministry of Agriculture, Animal Industry and Fisheries
- (iv) Ministry of Disaster Preparedness and Refugees
- (v) Ministry for Finance, Planning and Economic Development
- (vi) National Environment Management Authority
- (vii) Partners for Resilience
- (viii) Advocates Coalition for Development and Environment

Betty

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

- (ix) Youth Go Green
- (x) National Youth Advocacy Platform
- (xi) A joint submission by Climate Action Network Uganda (CAN-U) and Environment and Natural Resources Civil society Network (ENR CSO Network)
- (xii) Endangered Species Conservation Team (ESCoT)

The Committee further reviewed the following documents:

- a) The National Climate Change Policy, 2015
- b) Uganda's Nationally Determined Contributions
- c) The National Development Plan III
- d) The National Environment Act, 2019
- e) The United Nations 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs)
- f) Uganda's Vision 2040
- g) The Green growth strategy
- h) The Red+ Readiness Strategy
- i) The Renewable energy policy for Uganda
- j) The Disaster risk reduction Strategy

5. 0 RATIONALE FOR A LEGAL FRAMEWORK FOR CLIMATE CHANGE IN UGANDA

5.1 Compliance with Constitutional Obligation

The need for a legal framework for climate change is rooted in the need to heed to the Constitutional call highlighted under Objective XXVII and Articles 17 (1) (j), 39 and 245.

Under Objective XXVII:

Handwritten signatures and initials in black ink, including a large circular mark and various scribbles.

(i) The State shall promote sustainable development and public awareness of the need to manage land, air and water resources in a balanced and sustainable manner for the present and future generations;

(ii) The utilization of the natural resources of Uganda shall be managed in such a way as to meet the development and environmental needs of present and future generations of Uganda; and, in particular, the State shall take all possible measures to prevent or minimize damage and destruction to land, air and water resources resulting from pollution or other causes;

(iii) The State shall promote and implement energy policies that will ensure that people's basic needs and those of environmental preservation are met;

(iv) The State, including local government, shall-

(a) create and develop parks, reserves and recreation areas and ensure the conservation of natural resources;

(b) promote the rational use of natural resources so as to safeguard and protect the biodiversity of Uganda.

Article 17 (1), mandates every citizen of Uganda to create and protect a clean and healthy environment, while under Article 39, every Ugandan has a right to a clean and healthy environment.

Article 245 states thus:

Parliament shall, by law, provide for measures intended-

(a) to protect and preserve the environment from abuse, pollution and degradation;

(b) to manage the environment for sustainable development; and

(c) to promote environmental awareness.

kbetty


~~*[Signature]*~~
[Signature]

M. Bunge
[Signature]

[Signature]

[Signature]

5.2 Domestication of international climate treaties ratified by Uganda

Over the years, Uganda has ratified numerous treaties on climate change. These include: the United Nations Framework Convention on Climate Change, the Kyoto Protocol and Paris Agreement thus committing itself to the adoption and implementation of policies and measures designed to mitigate climate change and adapt to its impacts. None of these, however, has been domesticated to have the force of law in Uganda. The UNFCCC, for example, requires member states to domesticate its provisions into national laws. It is therefore imperative to have a legal framework for the treaties that have been signed and ratified by Uganda to make them applicable in the country.

Further still, domesticating these treaties shall serve as the basis for building international support and spur resource allocation as well as foster public participation and raise ambition for national climate action in the country.

5.3 Codifying Uganda's Policies into law

A number of Uganda's policies take cognizance of issues of climate change. The National Climate Change Policy was passed in 2015 and Paragraph 5:3 thereof underscores the need for a robust legal and institutional framework to address the growing challenge of climate change. The absence of a climate change legal framework has made it difficult to translate the Climate Change Policy into action, despite the numerous milestones that the country has registered.

The National Development Plan III highlights, in paragraph 218, that natural resources and climate change management are critical to the reduction of losses from disasters, achievement of increased household incomes and improved quality of life of the population. Paragraph 219 highlights the centrality of climate change management to the realization of the Sustainable Industrialization Agenda. NDP III mainstreams climate change into all the development plans, policies and budgets of the Natural Resources, Environment, Climate Change, Land and Water Management Programme.

Betty
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
5

However, other programmes, particularly those prioritized in Nationally Determined Contributions, are deficient of climate change responses.

Uganda was the first country in Africa to develop and endorse its Nationally Determined Contribution Partnership Plan (NDC-PP) in June 2018. It made key commitments in this regard including: reducing greenhouse gas emissions by 22% by 2030; reducing climate vulnerability of climate sensitive sectors since the economy is natural resource dependent; building climate resilience of key sectors; and disaster risk management.


Although the inclusion of climate change under policies and sectoral development planning is an important way through which climate change adaptation and mitigation maybe promoted, the need to implement the policies on climate change and its centrality to the development plan of the country require that a law on climate change be enacted.

5.4 Addressing the effects of Climate Change


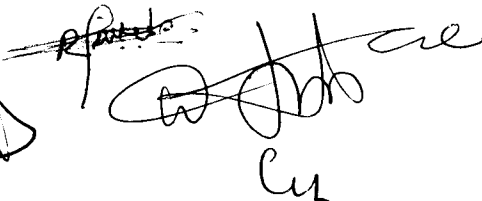
Uganda has various pieces of legislation that mention the need for climate change mitigation and adaptation in areas such as: health, environment, energy, disaster preparedness, and management, among others. However, climate change is not the gist of these laws and tends to be overshadowed and thus loses the prominence it deserves when it comes to implementation.

Climate change however, continues to affect all sectors as climatic factors are interlinked with socio-economic factors. According to the projections of the Economic Assessment of the Impacts of Climate Change (2015), climate change damage estimates in the agriculture, water, infrastructure and energy sectors will collectively amount to 2-4% of the GDP between 2010 and 2050 if no legal framework to guide action is put in place.

There exist glaring gaps between the policy and practice of implementing climate action and, consequently, there is need for specific legislation that addresses climate change mitigation and adaptation.



bbety



6



5.5 Compliance with United Nations 2030 Agenda for Sustainable Development (Sustainable Development Goals)

Sustainable Development Goal No. 13 calls upon all countries to take urgent action to combat climate change and its impacts. Under this goal, countries have the obligation to strengthen resilience and adoptive capacity to climate-related hazards and natural disasters in all countries; integrate climate change measures into national policies, strategies and planning; and improve education, awareness-raising and human and institutional capacity on climate change mitigation, adaptation, impact reduction and early warning, among others. These are wide-ranging measures that can only be properly implemented with a comprehensive legal and institutional framework, which the Bill aims to put in place. Goal number 13 is particularly critical, given that developing countries like Uganda suffer the brunt of the effects of climate change even though they contribute least to global warming.

6. 0 OBSERVATIONS AND RECOMMENDATIONS

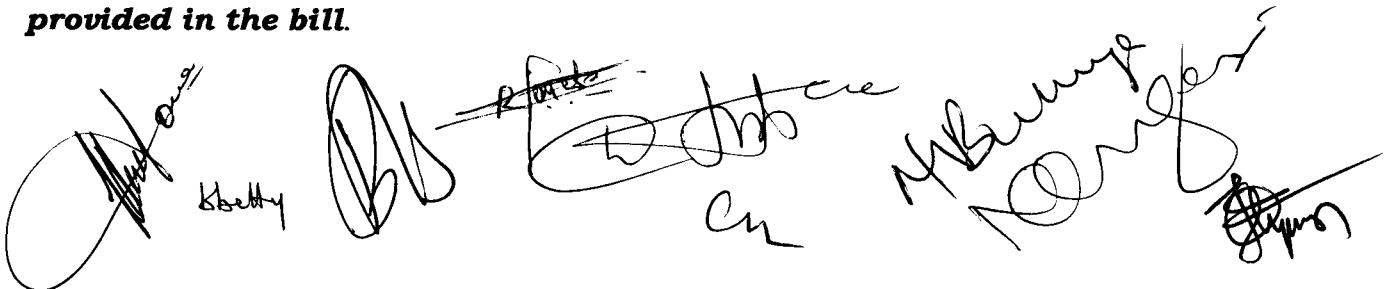
Against the above background, the Committee made the following observations and recommendations to the National Climate Change Bill 2020 as highlighted below;

6.1 Interpretation Clause

The Committee notes that Clause 2 of the Bill adopts narrow definitions, which if strictly interpreted, could lead to ambiguity. For example, “district” is restrictively defined and does not take care of other developments including the creation of new cities.

Recommendation

The Committee recommends that Clause 2 of the Bill be amended to expand the narrow definitions and provide for key terms not otherwise provided in the bill.



A collection of handwritten signatures and initials in black ink, including names like 'Kibet', 'M. Bwalya', and 'K. N. N. N.', along with various scribbles and initials.

6.2 Key Timelines

The Committee observed that a number of key timelines were not provided for thereby posing a challenge of implementation of the Act. While the Bill provides for the development of Framework Strategy on Climate Change in Clause 5, it does not provide the timeline within which the framework strategy is to be developed. This can lead to delays, as there are no set timelines. The Committee further observed that even where the Bill provides timelines, it gives wide discretion regarding those timelines, which may not lead to the desired outcome.

Recommendation

The Committee recommends that timelines should be provided where the Bill requires action to be taken in order to guide the implementation.

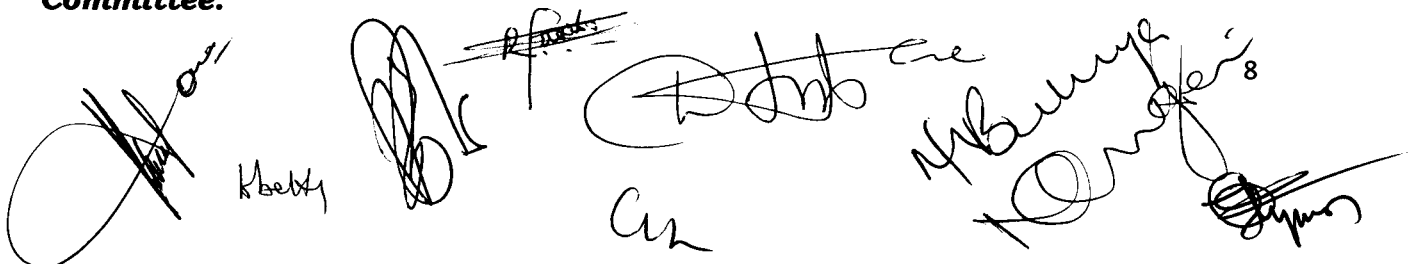
6.3 National Climate Change Advisory Committee

The Committee notes that the Uganda National Climate Change Policy mandates the creation of a National Climate Change Advisory Committee to provide technical input to the Policy Committee on Environment. The advisory Committee is envisaged to offer strong, transparent, credible and enforceable oversight on the activities of the Department of Climate Change.

The proposed Committee will be chaired by the Minister for Water and Environment and will bring together technical representatives from the various government departments at the national level, along with representatives from private-sector, associations, civil society, academia and district authorities.

Recommendation

The Committee recommends that the Bill be amended by introducing a new Clause to provide for a National Climate Change Advisory Committee.



Handwritten signatures and initials are present at the bottom of the page, including a large signature on the left, a signature labeled 'K Betty', a signature labeled 'An', and several other signatures on the right, one of which includes the number '8'.

6.4 Climate Financing

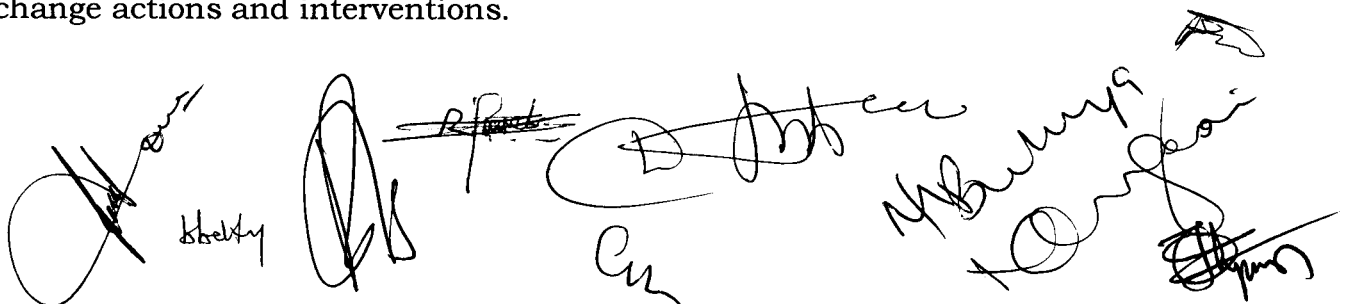
The Committee takes cognizance of the fact that financing is key to climate change adaptation and mitigation however, issues of climate financing have not been prioritized in the past.

The Committee further observes that while the Bill makes provision for financing of climate change, the provisions therein are not adequate despite the fact that party states to the United Nations Framework Convention on Climate Change have been encouraged to translate international commitments into national policies, laws and plans of action to ensure adequate resourcing and monitoring.

The Committee found that although efforts have been made to mobilize funds for the environment under Clause 32 of the National Environment Act, which provides for a National Environment Fund, no monies have been ring fenced to specifically deal with the climate change crisis, this despite the fact that on average UGX 10bn is collected annually through environment levies and deposited into the Consolidated Fund.

Goal 13 of the Sustainable Development Goals emphasizes that social and economic development must be achieved in ways that are sustainable for the planet. This requires mobilizing financial resources from different sources including public, private, bilateral and multilateral. Given the uniqueness of the sources of climate funds, there is need to centralize their management in order to ensure proper accountability.

The Committee examined climate change legislation from different countries with regard to the handling of climate financing and found that most of them had specific financing mechanisms and sources provided under their laws. For example, in Kenya the Climate Change Act of Kenya No. 11 of 2016 creates a Climate Change Fund which is the financing mechanism for priority climate change actions and interventions.



A collection of handwritten signatures and initials in black ink, including the name 'Abel' and other illegible scribbles.

Although Clause 20 of the Bill obliges the Minister responsible for Finance to provide for climate change financing, taking into account a number of factors, it does not provide a specific mechanism for climate change financing and management.

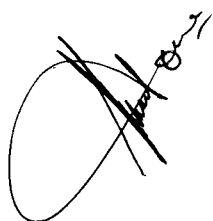
Recommendations

a) The Committee recommends that Clause 20 of the Bill be amended to create a Climate Change Fund subject to the Public Finance Management Act, 2015 whose sources of funding shall include the following:

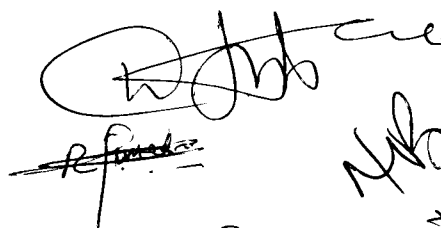
- i. money appropriated by Parliament for the purposes of the fund;**
- ii. fees and money paid to the Department for services rendered;**
- iii. monies from environmental levies**
- iv. loans, grants, gifts or donations from Government and other sources made with the approval of the Minister.”**

b) The Committee further recommends that the Ministry of Finance should ensure that national, sectoral and district-level budgets and other indicative planning figures integrate climate change through appropriate provisions.

c) The Committee recommends that the Ministry should continue to attract climate finance and technology and further facilitate the introduction of relevant financial mechanisms and tools in order to support climate change resource mobilization and investment.



betty



cu



6.5 Mainstreaming Climate Change

The Committee observes that climate change is a crosscutting issue and central to national development and for this reason, the NDP III has mandated that it is mainstreamed across all sectors.

The Committee notes that while the Bill attempts to mainstream climate change, it falls short of the desired level of integration. Although the Bill is expected to put climate change on the agenda across all government departments to enable policymaking in the relevant sectors and transform political debate on climate change, this does not come out clearly under the provisions therein.

Whereas the Bill provides for the development of a National Climate Change Action Plan under Clause 6, and thereafter District and Local Government Climate Change Action Plans, there is no provision for intermediate government agencies not operating at local government level to develop plans for adaptation and mitigation of climate change effects and neither is there a provision for inter-district and trans boundary resources and projects.

Further, Clause 27 of the Bill provides that Section 9 of the Public Finance Management Act, 2015 be amended to mandate budget framework papers of only Votes responsible for implementing climate change measures and to allocate funds for climate change. It is, however, the Committee's observation that the budget framework papers for all Votes be climate change responsive and contain adequate allocations for funding climate change measures and actions since climate change is a cross cutting issue.

Recommendation

- a) The Committee recommends that the Bill mandates Ministries, Departments and other Government Agencies to develop action plans within one year after the development of the National Climate Change Action Plan.***

Handwritten signatures and initials at the bottom of the page, including a large signature on the left, the name 'Betty' in the center, and several other signatures on the right.

b) The Committee further recommends that Clause 27 of the Bill be amended to provide that the budget framework papers for all Votes be climate change responsive and contain adequate allocations for funding climate change measures and actions.

6.6 Climate Change Disaster Risk Management.

The Committee notes that disaster risk management is a major component of climate change adaptation modalities and issues related to mitigation of loss and damage. The Committee further notes that climate change related hazards and disasters continue to displace thousands, claim lives, devastate homesteads and destroy livelihoods.

Article 8.1 of the UNFCCC recognizes the importance of averting, minimizing and addressing loss and damage associated with the adverse effects of climate change, including extreme weather events and slow onset events.

The Committee was, however, informed that disaster risk management as a whole has not been prioritized despite its contribution to averting the adverse effects of the climate change. The Ministry responsible for Disaster Preparedness lacks substantive funds to not only respond to climate change related disasters but most importantly ensure that there is resilience to the would be causes of such disasters.

Recommendation

The Committee recommends that the Government adopts elaborate mechanisms to implement adaptation and mitigation measures to address climate change disasters

A collection of handwritten signatures and initials in black ink. From left to right, there is a large signature with a vertical line through it, the name 'Betty' written in a simple font, a signature that appears to be 'John', a signature that appears to be 'M. B. Mwangi', and a signature that appears to be 'K. O. Ojwangi'. There are also several other smaller initials and scribbles scattered around these main signatures.

6.7 Integration of Climate Change in the Education Curriculum.

The Committee acknowledges that mainstreaming climate change under the education sector would promote inter-disciplinary skills amongst learners to collectively appreciate the issue at a national and global level in order to contribute to sustainable development.

The Committee notes that the integration of climate change in the curriculum would not only skill learners on climate smart practices and technologies but also address the challenges associated with awareness raising. The Committee underscores the need to use schools as a mechanism of disseminating awareness and sensitizing Ugandans on climate change and its effects to the country.

Recommendation

The Committee recommends that a Clause be inserted in the Bill to provide for the integration of climate change education and research in the curriculum with emphasis on school-community linkages.

7.0 CONCLUSION.

Rt. Hon. Speaker and Honorable Members, the Committee has attentively considered the provisions of the Bill and hereby reiterates the necessity to have a legal framework to address the existential threat of climate change. The committee further calls upon the country to treat the matter with utmost urgency by ensuring that all stakeholders play their part in ensuring its mitigation and adaptation, before it is too late.

The Committee recommends that the National Climate Bill, 2020 be passed into law subject to the proposed amendments.

I beg to report

A collection of handwritten signatures and initials in black ink. The signatures are scattered across the bottom of the page. One signature is clearly legible as 'Betty'. Other signatures are more stylized and difficult to read. There is a small number '13' written near one of the signatures.

**PROPOSED AMENDMENTS TO THE NATIONAL CLIMATE CHANGE BILL,
2020.**

INTERPRETATION

“Committee”

Replace “2015 with “2019”

Justification

Correction of the citation of the National Environment Act, 2019.

“District”

Replace the definition of “District” with the following;

“district includes Kampala Capital City and other cities;”

Justification

To cater for other cities other than Kampala Capital City.

CLAUSE 3

In clause 3(e) insert the word “change” immediately after the words “climate”.

Justification

For clarity.

CLAUSE 5

Amend clause 5 as follows;

1. In clause 5(1) insert the following words immediately after the word “Uganda”, “within one year after commencement of this Act”.
2. In clause 5(3) insert a new paragraph (d) immediately after paragraph (c) to read as follows;
“the need to ensure food security”
3. In clause 5(4)(e) replace the word “with” appearing in line two with the word “ without”

bbetty
BB
cu
14
14

4. In clause 5(5) with the following;

Insert the word “earlier” after the word “or” appearing in the second line of the provision.

Justification

1. To provide for a time-frame when the Framework Strategy on Climate Change should be prepared, after passing of this law.
2. To ensure that the Framework Strategy on Climate Change is reviewed within five years or earlier when deemed necessary but not after five years.
3. To ensure food security.
4. For clarity.

CLAUSE 6

New sub clause

1. Insert a new sub – clause immediately after sub clause (1) to read as follows;
“The National Climate Change Action Plan referred to in subsection (1) shall be developed within one year after commencement of this Act.”
2. In clause 6(2)(a) substitute the word “of” appearing in line two with the word “to”.
3. In clause 6(3) insert the word “earlier” immediately after the word “or” on the second line.

Justification

1. To provide a time-frame in which the National Climate Change Action Plan should be prepared, after commencement of this Act.
2. To ensure the National Climate Change Action Plan is reviewed timely or earlier when need arises but not after more than five years.

Handwritten signatures and initials:
Betty
Ch
12/10/15
15
15

NEW CLAUSE

Insert a new clause immediately after clause 6 to provide as follows;

Lead agency action plans

- (1) A lead agency shall prepare a Climate Change Action Plan in conformity with the National Climate Change Action Plan and Framework Strategy on climate Change.
- (2) The Climate Change Action Plan referred to in sub section(1) shall indicate;
 - (a) an assessment and management of risk and vulnerability;
 - (b) an identification of greenhouse gas mitigation potentials; and
 - (c) options and prioritisation of appropriate adaptation measures for joint projects of national and local governments.
- (3) The Climate Change Action Plan referred to in sub section (1) shall be reviewed every five years or earlier as may be deemed necessary.”

Justification.

To ensure intermediate government agencies not operating at local government level develop plans for adaptation and mitigation of climate change effects and to cater for inter district and trans boundary resources and projects.

CLAUSE 7

In clause 7(5) insert the word “earlier” immediately after the word “or” on the second line.

Justification

To ensure timely review of the District Climate Change Action Plan or earlier when need arises but not after more than five years.

CLAUSE 8

In clause 8(4) substitute for the word “rules”, the word “regulations”

Justification

For consistency.

The bottom of the page contains several handwritten signatures and initials. From left to right, there is a signature that appears to be 'Cm', a signature that looks like 'bbetty', a signature that is partially obscured and possibly 'R. ...', a signature that looks like 'M. ...', a signature that looks like 'K. ...', and a signature that looks like 'H. ...'. There is also a circled signature that looks like 'AS' and a circled signature that looks like 'H. ...'. The number '16' is written near the bottom right.

CLAUSE 9

In clause 9(1) insert the word “gas” immediately after the word “greenhouse” appearing in the third line of the provision.

In clause 9(2) insert the word “gas” between the words “greenhouse” and “emissions” appearing in line one of the provision.

Justification

For clarity.

CLAUSE 10

In clause 10(1) replace the words “may” with “shall”

Justification

To ensure prescription of the national base years for reduction of greenhouse gas emissions is mandatory and not discretionary.

CLAUSE 11

1. In Clause 11(2) delete the words “the national reports” immediately after the word “sign” appearing in line three of the provision.

2. Delete Clause 11(3).

3. Redraft Clause 11(4) to provide as follows;

“The Minister shall annually lay all reports referred to in this section before Parliament”

Justification

1. For consistency and clarity.

CLAUSE 12

1. Delete clause 12(3).

2. Delete clause 12(5)

3. Substitute clause 12(6) with the following;

“(6) A person who-

[Handwritten signatures and initials]
~~_____~~ kbethy CM ~~_____~~ ~~_____~~ ~~_____~~ 17
~~_____~~ ~~_____~~ ~~_____~~ ~~_____~~ ~~_____~~

- (a) not being registered as a verifier, makes a verification or any oral or written statement that appears to comprise a verification or rejection of information, a report or national inventory referred to in this section; or
- (b) gives a misleading or wrong oral or written statement comprising of a verification or rejection of information or a report;

commits an offence and is liable on conviction to a fine not exceeding one thousand currency points or to imprisonment not exceeding two years or both.

- 4. In clause 12(7) delete the words “as a verifier” appearing in the second line of the provision.

Justification

- 1. To ensure internationally accredited verifier’s are vetted for competency and compliance with the laws of Uganda by the Department before practice in Uganda.
- 2. To provide for a sanction for verifiers who give wrong or misleading verifications and those who make verifications while not registered; and
- 3. For clarity.

CLAUSE 13

- 1. In clause 13(1)(a) insert the words “and benefits from” immediately after the word “under”
- 2. In clause 13 (2) (e) delete the word “management”.

Justification

- 1. To ensure Uganda realizes benefits from its efforts in international cooperation.

CLAUSE 14

- 1. Replace clause 14(1) with the following;
“(1) The Department shall submit the biennial report on climate change to the Minister who shall submit it to cabinet for consideration and approval

The bottom of the page contains several handwritten signatures and initials. On the left, there is a large signature that appears to be 'Ch Betty'. In the center, there are initials 'BS'. To the right, there is a signature that looks like 'John' and another that looks like 'M. B. ...'. There is also a small signature '18' and another one that looks like 'John'.

by 30th September of the year immediately following the year in which the reporting is due.”

2. In clause 14(2) replace the words “annual report” appearing in line one with the words “biennial report on climate change”.

3. Replace clause 14(3) with the following;

“(3) The minister shall, upon approval of the biennial report on climate change by Cabinet, lay it in Parliament”.

4. Replace clause 14(4) with the following;

“(4) Parliament shall, within three months after receiving the biennial report on climate change, make recommendations to the Minister.”

5. Insert a new sub clauses immediately after sub clause(4) to read as follows;

“(5) A person who fails to comply with the Minister’s directives in sub section (2) commits an offence and is liable, on conviction, to a fine not exceeding five hundred currency points or imprisonment not exceeding 1 year, or both.”

(6) The report referred to in this section shall be disseminated to the public.

The clause should also be moved to Part VII immediately after clause 25.

Justification

1. Reporting updates and facilitates decision making. It requires data, information, study and compilation. Collecting data with a view of reporting every year is quite cumbersome in a short time and makes the reports non-comprehensive.
2. Issues of policy have to be handled at the ministerial level.
3. To provide sanctions for noncompliance with the directives of the Minister and enhance the Department’s authority in giving directives to lead agencies, private entities or individuals.
4. To ensure climate change information is disseminated to the public.

Handwritten signatures and initials at the bottom of the page, including "Kbetty", "Ch", "to do", "N. B. B. B. B. B.", and "29".

CLAUSE 15

Delete the word “Management” immediately after the word “Environment” in the chapeau.

Justification

To correct the citation of the National Environment Act, 2019.

NEW CLAUSE

Insert a new clause immediately after clause 15 to provide as follows;

“16. National Climate Change Advisory Committee.

- (1) The Minister shall constitute a National Climate Change Advisory Committee comprised of technical experts from the fields of;
 - (a) Energy and minerals, environment and Natural resources, works and transport, science and technology, agriculture or any other relevant field as may be determined by the Minister; and
 - (b) Four other persons from the National Planning Authority, academia, private sector and civil society.
- (2) The National Climate Change Advisory Committee shall provide independent technical advice to the Committee and Minister on climate change science, technologies, interventional programs on climate change and best practices for risk assessment, enhancement of the adaptive capacity to potential impacts of climate change and establishment and achievement of the set targets.
- (3) In execution of its mandate, the National Climate Change Advisory Committee shall;
 - (a) advice on assessments of climate change impacts at the sectoral level for given priorities identified in the climate change programs;
 - (b) advise on the identification of priorities and strategies for adaptation and mitigation programs;
 - (c) advise on the technical implementation of climate change programs and initiatives;

Handwritten signatures and initials at the bottom of the page, including the name 'Betty' and a circled signature.

- (d) analyse climate change impacts and implications on the environment, agriculture, land use, fisheries and other sectors;
 - (e) advise on appropriate policies, laws and measures for effective implementation of adaptation and mitigation;
 - (f) advise on new developments and technologies and anticipate emerging developments and trends in climate change research.
- (4) The Department shall be the administrative office of the National Climate Change Advisory Committee.
- (5) The Minister shall designate the chairperson of the Climate Change Advisory Committee.
- (6) The Climate Change Advisory Committee shall meet at least four times a year.

Justification

1. To provide for a technical forum for discussion of climate change and related issues; and
2. To ensure experts on the subject matter are involved in climate change policy and related matters;

CLAUSE 16

In clause 16(2)(b)(i) insert the words “technology needs,” immediately after the word “capacity”.

In clause 16(2) insert two new paragraphs immediately after (b) to read as follows;

“(c) enhance development and dissemination of technology for climate change adaptation,

(d) allocate financial resources for climate change resilient investments.”

In clause 16(3) replace the word “rules” with “regulations”.

Insert new sub clauses immediately after sub clause (2) to read as follows;

“(3) A lead Agency shall designate a unit to coordinate the mainstreaming of the climate change action plans and other climate change statutory functions;

A collection of handwritten signatures and initials in black ink, including names like 'Kathy', 'Chris', and 'John', along with various scribbles and initials.

(4) The unit designated by a lead agency shall be adequately resourced.”

In clause 16(5) replace the words “this section” with “subsection (4)”.

Replace clause 16(6) with the following;

“Where an offence referred to in subsection (5) is committed by a private entity, a director, secretary or any other person in a position of control in that private entity may be held liable together with the private entity for the offence.

Justification

- 1. Use of technology encourages more resilience, mitigation and adaptation.
- 2. To ensure the liability of the private entity is not extinguished.
- 3. For consistency, and
- 4. Clarity.

CLAUSE 17

1. In clause 17(2)(a) replace “District Climate Change Committee” with “District Environment and Natural Resources Committee” and thereafter wherever it appears in the clause.

2. In clause 17(2) insert a new paragraph immediately after paragraph (g) to provide as follows;

“(h) prepare and submit an annual report on the implementation of the District Climate Change Action Plan to the District Environment and Natural Resources Committee for review.”

Justification

For consistency.

The District Natural Resources Department implements the District Climate Change Action Plan as formulated by the District Council and advised by the District Environment and Natural Resources Committee.

The District Environment and Natural Resources Committee is more of policy and coordination body at the district level hence should be receiving reports from the District Natural Resources Department for review and guidance before they are submitted to the Department.

A collection of handwritten signatures and initials in black ink, including names like 'Kbetty', 'an', and 'M. B. ...'. Some signatures are crossed out with a diagonal line.

CLAUSE 18

In sub clause (1) substitute "2015" with "2019"

In sub clause (2) delete paragraph (h)

Justification

To correct citation of the National Environment Act, 2019;
For consistency.

CLAUSE 20

1. Replace the head note with the following;

"20. Climate change fund"

2. Substitute clause 20(1) with the following;

"(1) There is established a Climate Change Fund which shall consist of—

- (a) money appropriated by Parliament;
- (b) fees and money charged by the Department under this Act;
- (c) fines collected as a result of breach of the provisions of this Act;
- (d) money collected from environmental levies;
- (e) loans, grants, gifts or donations from Government and other sources made with the approval of the Minister."

3. In clause 20(2) replace the word "financing" with the word "fund".

4. Replace clause 20(3) with the following;

"The Minister, in consultation with the Minister responsible for finance, shall by statutory instrument make regulations setting out procedures for the management and accessing funds referred to in this section".

Justification.

To create a special mechanism for climate change financing and management.

CLAUSE 22

Substitute for clause 22 the following;

"Duties of private entities and individuals

The Minister shall make regulations prescribing:-

- a) climate change obligations on private entities, and individuals;

A collection of handwritten signatures and initials in black ink, including names like 'Ketty', 'Ch', and 'Mbungu' with the number '23' written next to one of the signatures.

- b) activities for which private entities, and individuals shall be required to prepare mitigation and adaptation plans;
- c) the nature and procedure for reporting on the performance of private entities and individuals with regard to the obligations imposed by the minister under this section; and
- d) mechanisms for monitoring and evaluating compliance with the Act.

Justification.

For clarity

CLAUSE 26

Substitute clause 26 with the following;

“Reporting by lead agencies

- (1) Lead agencies shall submit to the Department, annual reports on the status of implementation of the standards, measures and performance levels for responding to climate change as established by the respective lead agencies.
- (2) Where an annual report of a lead agency discloses unsatisfactory performance, the Department shall undertake investigations and report its findings to the Minister.
- (3) An investigation referred to in sub section (2) shall be undertaken and processed by the Department within forty five days of receipt.

Justification.

- 1. To provide for a proper hierarchical reporting system.
- 2. Prescribe a time frame within which investigations should be undertaken.

NEW CLAUSE

Insert a new clause immediately after clause 26 to read as follows;

The bottom of the page contains several handwritten signatures and initials. From left to right: a large, stylized signature; the initials 'CN' and 'bbetty'; a signature that appears to be 'B'; a signature that appears to be 'D. O'Brien'; a signature that appears to be 'H. B. ...'; and a signature that appears to be 'K. ...'. The number '24' is written in the bottom right corner.

“Integration of climate change in curriculum.

The Ministry responsible for education shall ensure that climate change education and research are integrated into the national curriculum.

Justification

To mainstream climate change into the curriculum and create climate change awareness.

CLAUSE 27

1. Replace clause 27(a)(i) with the following;

“(i) inserting in subsection (1), immediately after the word “development” the words “climate change,”; and”

2. Substitute paragraph (b) with the following;

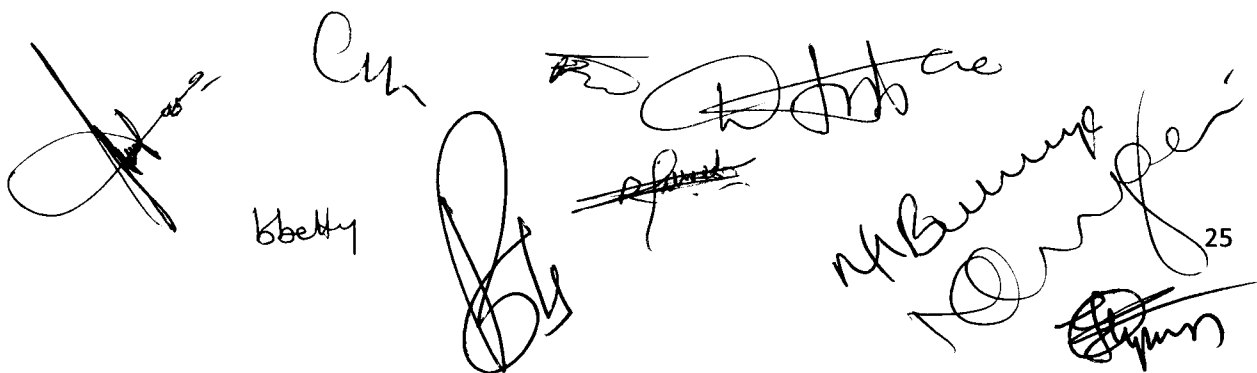
“(b) inserting immediately after subsection (6) the following;

“(6a) The Minister in consultation with the Chairperson of the National Planning Authority shall issue a certificate certifying that the budget framework paper is climate change responsive and contains adequate allocation for funding climate change measures and actions.

(6b) The Minister and the Chairperson of the National Planning Authority shall evaluate all votes of the Budget Framework Paper before issuing the certificate referred to in (6a)”

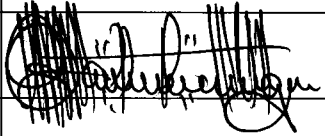
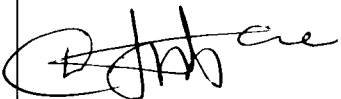
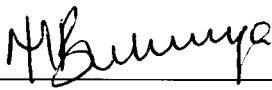
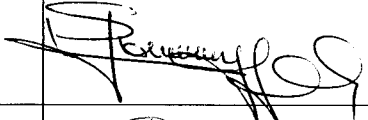
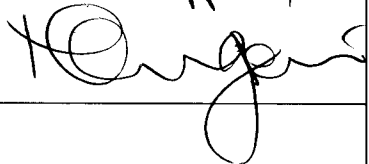

Justification

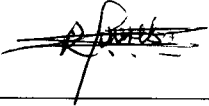
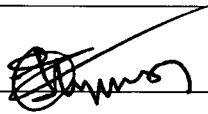

1. Climate change issues are cross cutting hence budgeting for climate change should not be restricted to only votes responsible for implementing climate change measures and actions but rather to all votes.



Handwritten signatures and initials at the bottom of the page, including "Betty", "25", and several illegible signatures.

LIST OF MEMBERS OF THE COMMITTEE ON CLIMATE CHANGE WHO SIGNED THE REPORT ON THE NATIONAL CLIMATE CHANGE BILL, 2020

No.	Member/ Hon	Constituency	
1.	Hon. Biyika Lawrence Songa	Ora County	
2.	Asiimwe Evelyn (Maj)	UPDF	
3.	Bamukwatsa Betty	DWR Rukungiri	bbetty.
4.	Baseke Fred	Ntenjeru South	
5.	Bintu Jalia Lukumu	DWR Masindi	
6.	Bukenya Michael Iga	Bukuya County	
7.	Kajungu Mutambi Rosette	DWR Mbarara	
8.	Kaluya Andrew Kiiza Namitego	Kigulu County South	
9.	Katushabe Ruth	Bukomansibi North County	
10.	Lanyero Molly	DWR Lamwo	
11.	Mbwatekamwa Gaffa	Mubende Kasambya County	
12.	Mugeni Milly	DWR Butaleja	
13.	Mukisa Robina Hope	DWR Namayingo	
14.	Mukoda Julie Zaabwe	DWR Mayuge	
15.	Mulindwa Ssozi	Lugazi Municipality	

16.	Nantaba Ida Erios	DWR Kayunga	
17.	Nanyondo Veronica	DWR Bukomansimbi	
18.	Ndamira Catherine Atwikire	DWR Kabale	
19.	Oguzu Lee Denis	Maracha County	
20.	Onesmus Twinamatsiko	Bugangaizi County	
21.	Oseku Richard Oriebo	Kibale County	
22.	Sabiti Denis	Rubanda County West	
23.	Sekindi Aisha	DWR Kalungu	
24.	Ssemuli Anthony	Mubende Municipality	
25.	Suubi Kinyamatama	DWR Rakai	
26.	Odur Jack Lutanywa	Kibanda South	
27.	Waira Kyewalabye Majegere S. J	Bunya County East Mayuge	
28.	Wamai Wamanga Jack	Mbale Municipality	