

EXECUTIVE SUMMARY

The Wetlands Management Department (WMD) is charged with management and protection of wetlands in collaboration with NEMA, District Local Governments and other key players. However, a decline in the countrywide wetland coverage has been reported over the years with rampant encroachment for sand mining, cultivation, settlement and industrial establishment, reports of issuance of land titles in wetlands, among others.

In light of the above, the Office of the Auditor General conducted a Value for Money audit to establish the extent of reduction in wetland coverage countrywide and evaluate the adequacy of measures put in place by the Wetlands Management Department (WMD) to ensure protection and restoration of wetlands.

KEY AUDIT FINDINGS

1. STATUS OF WETLANDS COUNTRYWIDE

Wetland coverage dropped from 15.5% in 1994 to 13% in 2015. 50% of permanent loss happened in L. Kyoga and L. Victoria basins alone. Currently, 31% of the remaining wetlands countrywide are degraded, while 69% are intact. Almost half of degradation (46%) is in Eastern Uganda. 55% is in L. Kyoga drainage basin.

2. PERMITS AND LAND TITLES IN WETLANDS

During the review period, NEMA issued 239 wetland user permits, but it was noted that both NEMA and WMD had limited staff to monitor compliance countrywide, while the districts were underfunded to undertake this task. In addition, it was noted that land titles were issued for 782 plots wholly or partially located in wetlands in Kampala, Wakiso and Mukono alone, meaning that this figure is much higher countrywide. WMD reported that it had shared shapefiles showing wetland boundaries with MLHUD in 2015, though no evidence of this was obtained. Importantly, cabinet resolved to cancel titles in wetlands in 2016. The estimated cost of cancellation for Kampala, Wakiso and Mukono only was 6.74 billion, but no funding had been released for this by the time of audit.

3. RESTORATION OF WETLANDS

WMD's efforts to restore degraded wetlands fell far below the ideal, with only 0.3% of the required area having been restored in the 4 years under review, leaving a restoration shortfall of 99.7% less than two years to 2020. Moreover, annual wetland degradation continues to outpace restoration rates. However, WMD's shift to prevention of encroachment rather than emphasis on post-encroachment eviction and restoration is a step in the right direction.

4. DEMARCATIION AND GAZETTEMET OF WETLANDS

WMD's delay to gazette wetlands and complete demarcation makes it difficult to identify wetland boundaries and encourages continued encroachment. There is also potential wastage of UGX 662,841,802 due to failure to utilize all pillars and beacons purchased for demarcation.

5. PROMOTION OF KNOWLEDGE ON MANAGEMENT OF WETLANDS

WMD has not prioritized implementation of the necessary measures to acquire, disseminate and promote knowledge on management of wetlands. For instance, WMD had not developed a wetlands inventory since the year 2000. Also, the NWIS is characterised by out-dated data, relevance for only 45 districts, limited accessibility and heavy software. In addition, no evidence was provided for training of staff and stakeholders using government releases over the 4 years under review despite expenditure amounting to UGX 207.23 million. As a result, there is insufficient knowledge to guide decision-making in management of wetlands both at national and local government levels.

6. COORDINATION BETWEEN WMD AND NEMA

There was poor coordination between WMD and NEMA, characterised by unclear delineation of roles, responsibilities and expected outputs between WMD and NEMA; failure by NEMA to delegate to WMD the power to enforce compliance; differing visions of management of wetlands; conflicting decisions; gaps in information-sharing; and absence of a dispute-resolution mechanism and hierarchy of authority to step in in case of conflicts or differing positions between WMD and NEMA. However, government was taking action to improve coordination between the two agencies and more clearly define their respective roles in the revised National Environment Bill and the draft Wetlands Resources Bill.

KEY RECOMMENDATIONS

To Government

- a) Government should consider making it mandatory to involve environment officers in the titling process right from local government level;
- b) Government should set up mechanisms to protect civil servants from pressure or undue influence from powerful actors in execution of their duties related to wetland management or issuance of titles;
- c) Allegations of corruption in issuance of land titles in wetlands should be investigated and culprits given deterrent punishments;
- d) MoFPED should prioritise the release of funds to facilitate implementation of the cabinet decision to cancel land titles in wetlands and ensure vacation of the illegal occupants.

To WMD/ MWE

- a) WMD should engage MLHUD to ensure the shapefiles indicating wetland boundaries are shared with all districts/ land offices and utilised;
- b) WMD should plan for and expedite the demarcation of critical wetland boundaries to ensure they are clearly visible, beginning with utilisation of the unused pillars and beacons in FY 2019/20 as committed;
- c) WMD should train members of the Uganda Land Commission, District Land Boards and Area Land Committees on the requirements of the land and wetland laws, and what constitutes a wetland/ wetland boundary;
- d) MWE should continuously engage MAAIF, MLHUD and other players to:
 - (i) Expand interventions which seek to prevent wetland (re-)encroachment by addressing the factors that lead to encroachment such as declining fertility of traditional farmlands, water scarcity, unplanned urban expansion, to other areas not covered by the GCF project;
 - (ii) Implement the plan to extend irrigation infrastructure especially in rice-growing regions to encourage the farmers to leave wetlands, after which they can re-generate on their own, saving government restoration costs;
- e) WMD, in consultation with NEMA and other relevant stakeholders, should develop guidelines or mechanisms to ensure wetland degraders pay for the costs of degradation.
- f) MWE should prioritise completion of the wetlands coding and gazettment activity.
- g) The Accounting Officer MWE should prioritize compilation of an updated Wetlands inventory;
- h) MWE Management should further upgrade and update the NWIS software and explore options to make it more easily accessible;
- i) The Accounting Officer (MWE) should ensure that released funds are spent on planned activities in order to meet performance targets.
- j) MWE should prioritise completion of the draft legislation on wetlands and develop a framework to govern coordination between WMD, NEMA and other key players in management of wetlands.

OVERALL AUDIT CONCLUSION

Wetland coverage dropped significantly between 1994 and 2015 with the Lake Kyoga drainage basing experiencing particularly high levels of degradation and permanent loss of wetlands.

Government efforts to reverse this decline during the 4 years under review had registered little success mainly due to emphasis by WMD on restoration of degraded wetlands which is expensive and does not adequately address the factors that push people to encroach on wetlands; unclear delineation of roles, responsibilities and mandates between WMD, NEMA and other key players in regulation and management of wetlands; failure to utilise all pillars and beacons purchased for demarcation; gaps in collection and dissemination of knowledge on wetlands to stakeholders to guide decision-making; failure to utilise training funds for the intended purpose; delay to fund implementation of the Cabinet resolution to cancel land titles in wetlands; and limited funding to district local governments to restore, protect and manage wetlands.

On a positive note, however, it was observed that starting late in 2017, WMD had started implementing a project to address factors that encourage encroachment in 20 districts, and review of legislation to clarify the mandates and roles of the different players was in advanced stages. It is hoped that these ongoing interventions, coupled with implementation of the proposed audit recommendations, will go a long way in stemming the worrying trend of wetland loss and improve the management of wetlands in Uganda.