

Roads for Water & Climate Resilience Building

Minding the Legislative & Policy Aspects

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About ECO....

www.ecouganda.org

- ▶ National NGO working majorly in the program area of
 - ❖ **Natural resources Management& Governance,**
 - ❖ **Climate change resilience & Adaptation**
 - ❖ **Ecosystems Restoration & Management**

With a coordinating office in Kampala and field offices in Moroto, Nakapiripirit, Mayuge & Busi(Lake Vic Basin)

Have projects on Resilience building through CCA,DRR and IRM(Karamoja) supported by CORDAID-Netherlands &Wetlands International

Introduction

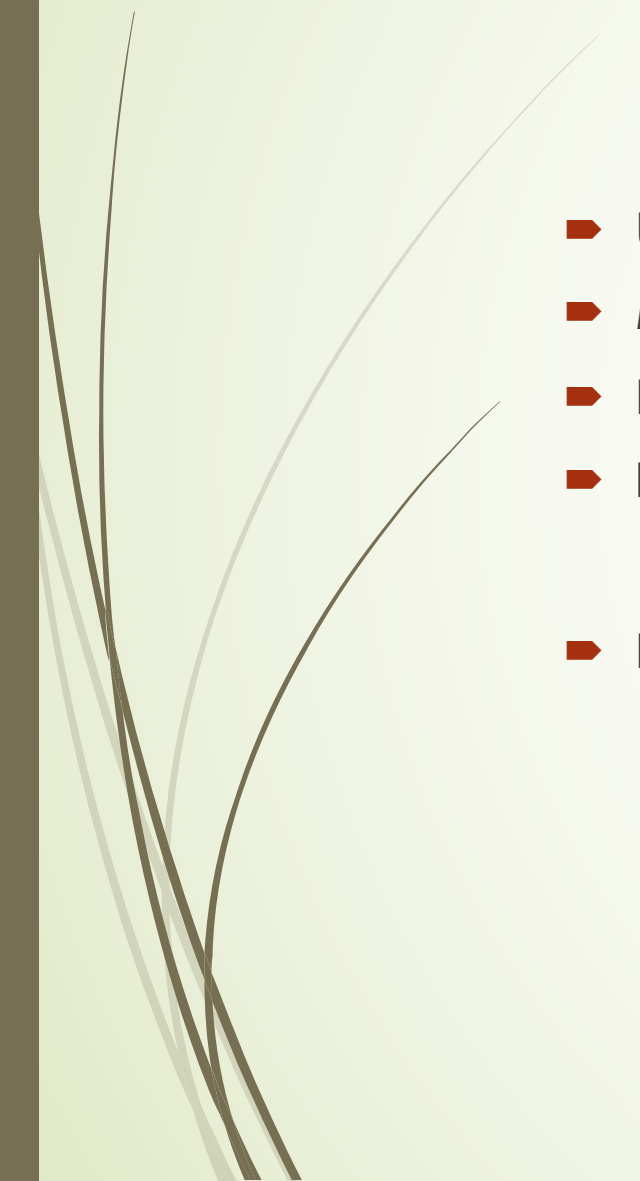
- ❑ Uganda is relatively sunny with a bi-modal rainfall pattern (March-June, and Sept-Nov) besides Karamoja which has a uni-modal pattern.
- ❑ Annual mean rainfall amounts range from 600mm in the cattle corridors to 1600 around the Victoria lake basin (UNMA,2015)
- ❑ However, climate change has distorted monthly/seasonal rains resulting into unpredictable plenty and scarcity.
- ❑ According to the UNRA ACT, “**road**” means any highway and any other road to which the public have access
- ❑ Uganda’s roads (surface) consists of 20,000 km(only 3264 paved excluding local roads(World Bank 2011) unpaved (Marrum) and Footpaths.
- ❑ National[Uganda] actions are currently guided/aligned by/to **Vision 2040 & NDP2**

The Practice





Who is in Charge?

- UNRA-Uganda National Roads Authority ; National Roads/Highways
 - Municipal Authorities; Municipal Roads
 - District /Local government-others especially towns and Sub-county majors
 - Individuals
- Helps us to know who to involve & charge.
- 



Governance framework

- ❑ Rain water harvesting doesn't currently have single/ Independent legislation or policy.
- ❑ However, making Roads benefit water harvesting practices for resilience derives support & guidance from other legislations & policies like;
- ❖ **The Roads Act,1949**
The Roads Act is the law which provides for road reserves and maintenance of roads in the country. It operates with respect to the Uganda National Roads Authority Act which created UNRA.
- ❖ **Uganda National Roads Authority Act,2007** Section 7. Powers of Minister (1) The Minister may give directions in writing to the Authority with respect to the policy to be observed and implemented by the Authority, and the Authority shall comply with those directions.
- ❖ **Access to roads ACT,1969/1998. An** Act to provide for the procedure by which a private landowner who has no reasonable means of access to a public highway may apply for leave to construct a road of access to a public highway and for other purposes connected therewith.
- ❖ **Traffic & road safety act,1998**

Legislations...

- ❑ **Town and Country Planning Act, Cap. 246** (An Act to consolidate the provisions for the orderly and progressive development of land, towns and other areas, whether urban or rural.
- ❑ **Public Health Act, Cap. 281.** (Power to require removal or alteration of work not in conformity with rules IN SECTION 71 +72)
- ❑ **Water Act, 1999 of Uganda** All rights to investigate, control, protect and manage water in Uganda for any use is vested in the Government and shall be exercised by the Minister and the director in accordance with this Part of the Act

***“No person shall acquire or have a right to (a) use water, (b) construct or operate any works. (II.1.6) A person may while temporarily at any place, or being the occupier of or resident to any land, where there is a natural source of water, use that water for domestic use. (Water Act, II.1.7, 1) No person shall construct or operate any works unless authorised to do so under this Part of the Statute. A person wishing to construct any works or to take and use water may apply to the Director in the prescribed form for a permit.*”**



The Policy Aspects

- ❑ No Rain water harvesting policy but ratherwater policy of 1998
- ❑ National Development Plan 2 (2016-2020)
- ❑ Uganda VISION 2040



Gap



- ▶ Highlighted laws & policies are not dealing with water harvesting directly thus, RWH working outside the legal framework on mostly project-level mainly.
- ▶ Most of them are old and ambiguous.
- ▶ extra permission might be required for the private installment of road water harvesting systems



The way forward

- ▶ Local empowerment-activities must aim at pushing the government to work on an independent community rainwater harvesting policy
- ▶ The legal instrument can be used to put rain water harvesting into practices amongst its citizens & Duty bearers.
- ▶ Suggesting an Inclusion of road water harvesting in the being developed National Strategic Climate Resilience Program for Uganda[2016]
- ▶other sectors strategic programs of 2016-2021



Implications of better legislative framework.

- Avoiding legal controversies and the lack of them, all together.
- Ability to plan, establish and give subsidies to its public in order to encourage them install water harvesting systems given that the cost of installation these systems is still high .
- Government would educate and raise awareness among its populace through the relevant ministries and agencies.
- Provision of standardised guidelines, the Government would make it easier for consumers interested in installing rain water harvesting systems along demarcated roads.
- Financial allocation beyond current projects.



In Picture :Collected runoff in Nakapipirit, Karamoja @eco

Thank you for Listening