

has not gone beyond the boundary and went ahead to clarify that the company acquired surface rights they and did not occupy the entire land, however, only occupied part of it and the remaining chunk of land was occupied by some community members who had already been compensated.

He adds that he is not aware of the addendum which the community claims that an agreement was entered into with Rucodet and the company to curve out the 3.3 km of sunbelt from the general Rucodet land title.

"It was out of the desire that we needed to have natural resources governed in a way that sustains our communities, as well as current and future generations," Mr Tumusiime says.

Mr Tumusiime says ANARDE has set out three programmes to combat such challenges faced by mining communities namely legal aid, nature conservations and extractives justice programme. The programmes cover key areas in advocacy, litigation, research and sensitisation.

The first which is the legal aid programme is purposely to train lawyers who are key players in advancing justice in communities, training of judicial officers who adjudicators in most cases when conflicts arise among communities and companies and governments.

The other purpose is also to do community outreaches, dialogue, and sensitisation, and most importantly, offering pro bono legal support to the communities.

Under the ANARDE- EU project, Mr Emmanuel Achellam, the programme officer says this was designed to contribute to good governance and management of extractives.

He adds that they are working with Uganda Law Society (ULS), Uganda Association of Women Lawyers-FIDA Uganda, and Karamoja Development Forum, Karamoja integrated development services (KIDS), Karamoja youth effort to save environment (KAYESE), Ecological Christian organisation (ECO) to train monitors on how to report human rights issues, information acquisition and confidentiality," Mr Achellam says.

Mr Lokwi Moses, a human rights monitor with ANARDE says he is closely watching exploitation of women and children in mining areas who do heavy work and are being paid less for their



Mr Emmanuel Achellam, the programme officer ANARDE standing (centre), addresses artisanal miners during a community engagement meeting on human rights issues in Kosiroi mining sites recently. PHOTO/PAUL MURUNGI

labour.

Achievements

Legal support

ANARDE has done legal representation and provided legal advice to the vulnerable members in mining communities. And in case of further management, the cases are referred to other legal partners such as ULS and FIDA.

To help build capacity in handling human rights abuse in exploitation of resources, Ms Orishaba says ANARDE does training of lawyers in extractives mainly conducted between ULS targeting public interest litigation.

Between 2018 and 2020, ANARDE has had three training in Mbale, Moroto and Kampala districts. The training also extends to mediators and paralegals who are supervised and monitored by ANARDE.

The mediators total to 47 members spread across in the three districts of Abim, Kotido, and Moroto.

The mediators help communities to resolve petty cases using alternative dispute resolution. So far, according to

Ms Orishaba more than 70 cases have been handled in areas of Gender Based Violence, land disputes and cattle theft.

Away from mediators, ANARDE also has a set of more than 40 paralegals who handle and refer cases in mining communities.

She describes paralegals as ANARDE's ambassadors on ground who report human rights violations affecting communities, but also do sensitisation.

For example Mr Francis Lopeyok is a paralegal, who is currently following a case in which a one Mr Amodoi Peter working with Office of the Prime Minister (OPM) is accused of selling customary land belonging to a local community to Uganda Investment Authority (UIA) estimated at 500 hectares in Napak District.

"We have been involved in gathering evidence and identification of community members in the case," Mr Lopeyok says.

Mr Zaddock Opolot a senior legal officer working with ULS in Moroto District, is one of the beneficiaries in ANARDE legal training.

He says public interest litigation training has enhanced lawyers' and judges' capacity as lawyers to understand and handle cases arising from the mining investors against the community on issues such as pollution, and compensation.

He recommends that, there is still need to empower communities because of high illiteracy, through realigning community trusts for purposes of transparency between investors and communities so that each family can be compensated reasonably for the value of their land.

Gender issues

Empowering communities remains a core principle for ANARDE and therefore, Ms Orishaba says ANARDE is doing specific outreaches for women and people with disabilities. This has also included formation of women groups which are 32 in number from Lobuniet mining site and Loolung mining site in Rupa Subcounty.

Such women have been trained on gender justice and extractives, land justice and principles of free prior and informed justice.

Ms Naylor Joyce Gloria, a former artisanal miner and mediator for ANARDE has been involved in mediating smaller conflicts especially among families due to rising cases of Gender Based Violence (GBV). She identifies women who have been mostly affected with family conflicts.

Resolving such cases is a protracted struggle involving many stakeholders such as the Family Protection Units, ANARDE and FIDA.

Ms Ataro Brenda, a senior legal officer with FIDA, says ANARDE refers to them a number of cases on violence. But the two organisations have also partnered to do community awareness especially on GBV cases.

"We have community legal volunteers who also double as human rights monitors for ANARDE on ground. This has helped to build their capacity and provide flexibility in supporting FIDA and ANARDE communities," Ms Ataro says.

She says GBV largely manifests itself through psychological, physical and economic violence.

However, she identifies that Moroto is largely hit by economic violence. This is because men (fathers) do not want to provide for their children.

Economic violence has forced most women into mining sites as a way of economic survival where exploitation is also rife, with a low bargaining power and cheating. Some lack protective gear and are prone to accidents.

"In Karamoja, it is the woman who bears the burden of raising a family and sustaining it economically. These cases are on the increase despite creating awareness. We have tried to empower women but we also need to bring the men on board," Ms Ataro says.

She adds that so far, ANARDE has referred more than 20 cases of GBV to FIDA, and these have been handled successfully.

She says awareness engagements are being done at mining sites, and encouraging women to form associations so as to collectively defend their economic rights.

Early this year, ANARDE launched the State of Karamoja Platform with an aim of uniting different stakeholders to work together, however, this was affected by Covid-19, but is still ongoing.

Compensation rights

Karamoja region is awash with minerals, but still lacks compensation rates in most of its districts to base on and determine the value of property in mining communities when mining companies set foot in the region.

Mr John Lotyang, the acting district natural resources officer in Moroto Dis-

trict, says communities have lost money in compensation since it is premised on 'guess work'.

"Every time we go for meetings, locals complain about surface rights and royalties," he says.

Lack of standard compensation rates is still a challenge in mining communities because it has resulted in underrating. For Moroto District in particular, Mr Lotyang says they are losing revenue.

It is against such a background that Lotyang says they sought ANARDE's help in developing a document for standard compensation rates that they seek to use in determining property value in mining communities.

Mr Tumusiime says the Land Act of 1998 requires that districts update compensation rates of non-permanent form such as trees, crops among others, every year.

However, this has not been done, and having realised compensation is a big issue in Karamoja, ANARDE is developing standard compensation rates to base on.

According to Mr Achellam, the last meeting was held in September involving ANARDE and district officials which elapsed with a draft of compensation rates for crops, trees and semi-permanent structures in the districts of Moroto, Kotido and Nakapiripirit.

Draft tables for compensation rates for each district had already been developed. The districts Moroto, Kotido Nakapiripirit agreed to have their tables developed.

A Workshop with key district officials on the compilation of key compensation rates concurrently, this helped to save time and give more productive discussions on a wide scope for the two districts.

The discussions around the items and prices were done, step by step from crops, trees to semi-permanent structures. Some additions, reactions and subtractions were made and all this was captured in the compensation rates tables, for each district.



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Ms Isabella Orishaba, the project advocate for ANARDE for Natural Resources and



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