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**CIVIL SOCIETY ORGANISATIONS MEETING ON
CIVIC SPACE AND EXTRACTIVE INDUSTRIES
TRANSPARENCY INITIATIVE (EITI) PROCESSES
IN UGANDA HELD ON 7TH OCTOBER, 2022 AT
ESELLA COUNTRY HOTEL**

1.0 Remarks by ACODE- Deputy ED

In 2019, ACODE and Publish What You Pay (PWYP) were chosen and endorsed as convenors of CSOs for EITI. Therefore, these two are responsible for making sure that CSOs convene and discuss issues on EITI implementation in Uganda.

We (CSOs) have MSG members on the Multi- Stakeholder Group (MSG) and today we are going to have them report back to us on what they have been doing on the MSG for purposes of accountability and effective representation and participation at the MSG.

We developed a 2020-2022 work plan and agreed to undertake various activities some on a rolling basis and others one off events. One of these was to undertake a mapping to identify other key stakeholders beyond CSCO and PWYP This is because we recognised that EITI involves other stakeholders other than CSOs hence we involved associations for example the Uganda Local government Association (ULGA) that is here with us today.

We are here to restructure activities for 2022-2023 in this meeting through consulting you members of the wider CSO constituency.

2.0 Remarks by Chairperson Publish What You Pay

Accountability and transparency are key among CSOs and you can testify by seeing your relationship with partners. Some times when you push for

During the EACOP issue, all government officials mentioned that Uganda is a member of EITI. So, when you pushed for EITI, and much as government may not thank you for your work in pushing government to join EITI, these are fruits of your efforts.

As we move forward, we need to look into the issue of energy transition in the line that we can use

We are here beyond CSCO and PWYP as you can see the representation from other CSOs that may not be part on these.

3.0 Presentation by EITI Secretariat- HOS

By way of introduction, the Head of secretariat gave a brief background the UGEITI secretariat and stated that it was formed in November 2019 and was put in place to support the MSG started to prepare the membership application.

She informed members that the candidature application was submitted in July 2020 and Uganda's admission followed shortly after, in record time, in August 2020. She explained what MSG is and noted that she was going to make her presentation in line with what the meeting was about especially in regard to civic space.

She asked the members of the MSG (CSO) present to stand for recognition and went on to explain what the MSG is, how it is constituted and how it works.

3.1 The presentation highlights

Uganda published the first EITI report in May 2022. Following this there will be Validation which will be done from 1st April 2023.

Explained why the report was for the FY 2019/20 and gave reasons why that year was chosen as being the most recent year that verifiable and audited data that could be used. She noted that on government revenue, data was provided by Uganda Revenue Authority and verified it with the Office of the Auditor General.

Talked about the EITI standard and that implementation is based on the Standard and mentioned the consequences for not complying with the Standard. i.e., suspension or expelled from EITI. She stated that if suspended or expelled from EITI, it would send a strong message to the country and the international community that the country has failed to be transparent (bad image).

The head of Secretariat then explained that joining EITI was a voluntary decision and went on to explain the process of Uganda's joining EITI starting from the Cabinet decision to the production of the first EITI report.

The Current UGEITI work plan (2-22/23) is emphasizing dissemination of the report, producing the second report, then validation.

Validation: The International Secretariat will come to assess EITI implementation and impact of EITI in Uganda. During validation, the international Secretariat will interview the MSG members but also ask the wider public about EITI in Uganda.

A month prior to the commencement of validation, the International Secretariat calls for views from the general public and for Uganda's case it will be in March 2023 which will be a month before April 1st, 2023.

This constituency is considered to be the most important because it represents the people of Uganda and so we need to ensure that there is wide involvement from the public in the EITI process in Uganda. Therefore, stakeholder engagement is very key and if a country falls short, the country is automatically suspended.

Civic space for EITI is about civil society expression on EITI and the extractive sector and therefore it was important to draw a line when talking about civic space for EITI implementation purposes and not to mix it up with civic space generally.

Validation has three components i.e., stakeholder engagements, transparency and outcomes and impacts and these follow the Requirements in the Standard.

The Head of Secretariat then took the participants through each of the three components of validation and shared some of the questions that are asked under each component. She also explained the scores awarded during the validation.

4.0 Reflection on Civil Society Protocol and Civil Society Participation in EITI Processes- Presentation by MSG CSO proxy- Twebaze Paul- Executive Director – Pro-biodiversity Conservationists in Uganda (PROBICOU)

The presenter skipped the validation process in his presentation because the Head of Secretariat had gone through it in detail in her presentation.

He then proposed that the participants carry out an exercise on mock validation through asking themselves the validation questions and providing answers to the same. The participants then raised questions, gave answers and had a discussion on the topic. Their discussion raised the following;

- One of the participants noted that when members of CSOs talk about EIT, others hold the view that they are defending government.
- Civil Society space should not only be for EITI but EITI should help us to improve civic space generally.
- With the non-disclosure of contracts are we really free? I think it is limited.
- There is civic space to discuss EITI.
- When passing the EACOP law that was ratifying the PSAs into the legal framework yet the PSAs are not public. So how could we participate on something we don't know?
- Some laws are restrictive on civic space that even can be applied to extractive sector issues.
- Civic space in general terms cannot be left out because it can affect EITI. CSO proxy (Sam) - We cannot say there is freedom of expression yet some documents cannot be accessed.
- There was need to assess ourselves based on the period we have implemented EITI because EITI impact may not be within a year or two.
- When we are dealing with government, we need to know how far we can go. What do the TORs of the MSG say on engagement with government?
- There have been incidents where CSO offices are raided and computers taken away by government authorities.

5.0 Presentation by Deputy ED ACODE- Reflection on EITI for 2020/2022 and restructuring the activities for 2022/2023

5.1 The presentation covered;

- What CSOs did in 2020/2022?
- The Planned activities for 2022/2023.
 - Supporting the development and dissemination of the second EITI report i.e., organize consultative meeting both at national and sub-national level, undertake research to inform the report and reviewing the report to provide feedback.
 - Research studies to support EITI implementation i.e., Support a study and propose a plan for contract disclosure, support the study on status of implementation of national Content policy and disseminate the findings, support the study on gender impacts of the extractive sector and disseminate the findings.
 - Support validation of the first EITI report- media presence and dialogues.
 - defend the civic space, research studies to support EITI Implementation i.e., periodic engagement with NGO Bureau, Ministry of Internal Affairs and other relevant agencies and to support members with complying with the NGO Regulations.

6.0 CSO Role in EITI in line with Energy Transition- Presentation by Dr. Paul Bagabo- Natural Resource Governance Institute.

6.1 The presentation covered;

- There is a call by scientists to limit global warming to 1.5 degrees
- There is a question whether gas be used to take people away from wood. CSOs can discuss this.
- Energy Transition and Uganda- Oil demand is reducing hence the price might fall affecting the money we had projected the revenues to be got from Uganda's oil and gas, appetite for financing fossil fuels is dropping

hence Uganda might have a challenge in getting money to develop its oil and gas.

- Opportunities- Uganda has critical minerals needed for energy transition.
- EITI Reporting- There is a drive demanding that the EITI Standard be amended to include energy transition requirements. Lobbying at EITI Board level by CSOs include energy transition in EITI Standard. The EITI Board is to make a decision on this soon. CSOs need to support government reporting in regard to energy transition, the EITI report has backward-looking information so there is need to consider current circumstances and be forward looking.
- If energy transition is included in EITI reporting, then there would be need to adjust EITI reporting on the existing EITI Requirements to be more energy transition- focused and forward-looking, use the flexible reporting approach on energy transition issues and create spaces for informed analysis, policy dialogue and debate on Uganda's energy transition planning.
- Common questions and concerns;
 - Are energy transition issues within EITI mandate? Yes, these issues are at the core of EITI's objective to shed light on the resilience of extractives revenues and sector management.
 - Is this about forcing our country to stop producing oil and switch to renewable energy? No, it is about facilitating understanding policy dialogue on how global energy transition shifts are impacting national prospects, and how to respond effectively.
 - Is it too soon to consider energy transition issues? No, global energy transition shifts are well underway, with significant impacts on resource-rich countries happening already.
 - Can we tackle this when we have already started our next EITI report and can it be affordable? Yes, tweaks to existing reporting, targeted mainstreaming, flexible reporting all offer low-cost near-term opportunities.

- Do we have to wait to do a formal feasibility study or gap analysis to start reporting on energy transition? No, tackling these issues will not be primary about its feasibility. The gaps are already known. Work can be targeted/customized.
- Conclusion- Energy transition is going to be core to EITI reporting. There is space for developing countries to exploit fossil fuels.

7.0 Participant's suggestions on way forward

- Publish What You Pay- We need to have an activity on analysing the 1st report
- Undertake a pre-validation exercise as CSOs.
- Voluntary Initiative Support Organization- It is important get some strategies on how to approach issues on civic space. Public debate objective from the previous work plan should be brought back.
- Uganda Local governments Association- There is need for more engagement activities in this work plan especially engagements with MDAs. How can CSOs work together with local governments. i.e., on the loyalties issue.
- Africa Institute for Energy Governance - Since we are working in a hostile environment, we need training of CSOs on security.
- Publish What You Pay- There is need to review the legal framework to see how they speak to the circumstances prevailing in the sector now.
- Advocates Coalition for Development and Environment- There is a move to register coalitions and networks. This is related to the question of how CSCO is allowed to operate yet not registered. However, we need to look at it critically coz registering could defeat the purpose of coalitions i.e., remaining fluid in nature. The key factor is how the coalitions and networks carry out their activities.
- There are more laws government is looking at to make our work more cumbersome by requiring registration. They are to make registration not only under URSB and the NGO Bureau but also with NITA-U and others and so there is need to look into this.