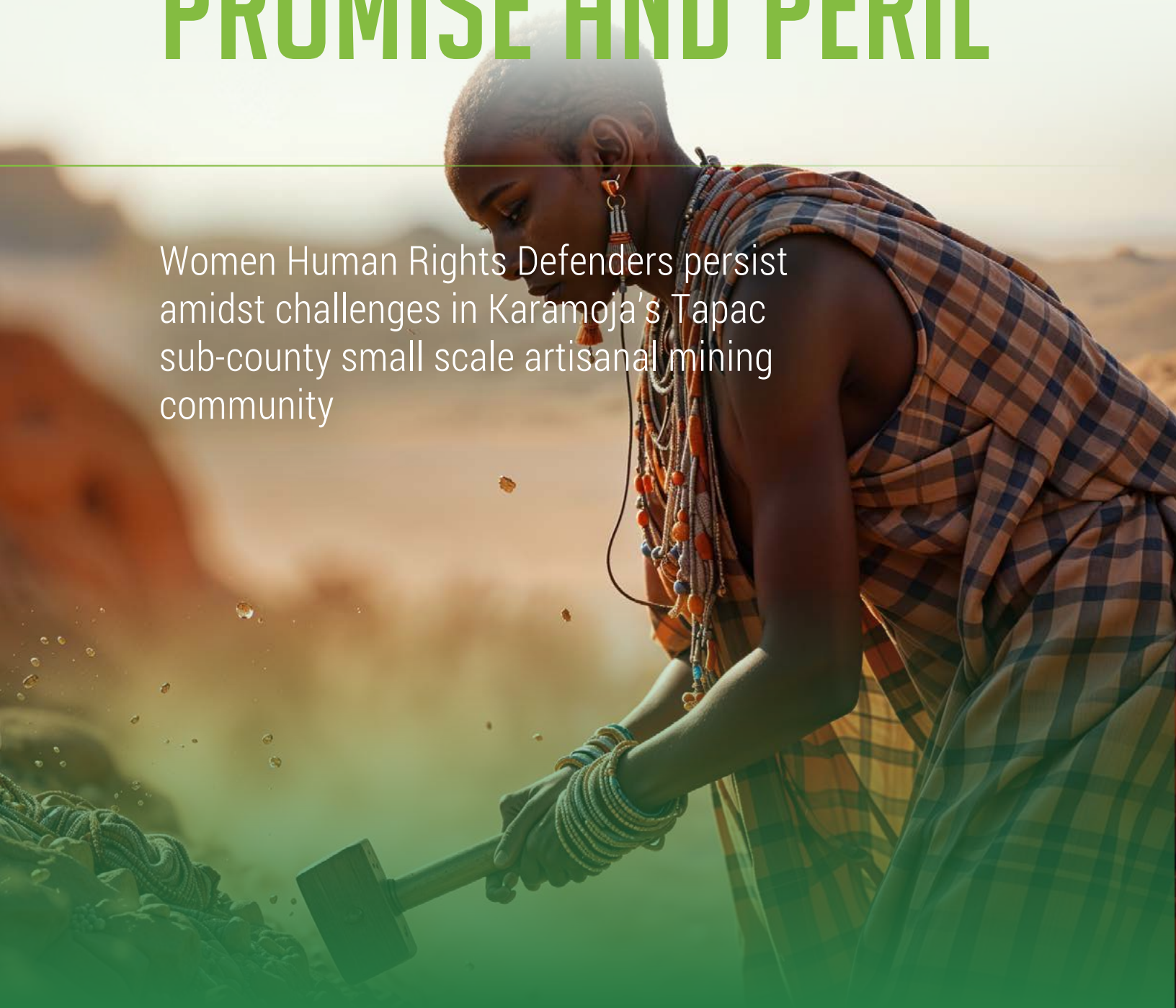




green deal  
Uganda

# PROMISE AND PERIL

Women Human Rights Defenders persist amidst challenges in Karamoja's Tapac sub-county small scale artisanal mining community





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Green Deal Uganda  
Plot 13 Friendship Road, Ntinda  
P. O. Box No. 800424  
Kampala, Uganda

Email: [info@greendealglobal.org](mailto:info@greendealglobal.org)

This publication is available at [www.greendealglobal.org](http://www.greendealglobal.org)

The landscaping assignment was undertaken by Ronald Nampura, Brenda Akankunda and Keneth Kitambula with contributions from Edward Serucaca and hugely benefited from perspectives of Women Human Rights Defenders on the ground in Moroto.

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**About Green Deal Uganda**



Green Deal Uganda is a people centered organisation that focuses on empowering and equipping grassroots communities, Human Rights Defenders with strategic tools to advocate for climate action now and challenge illegal actions of corporations and governments in East Africa. We are dedicated to combatting the causes of climate change, promoting climate justice and green initiatives. We work with partners and supporters to defend Environmental rights defenders in Uganda. The community is at the centre of our work thus; "Not me, us!"

As part of Green Deal's ongoing efforts to advocate for the rights of affected miners and WHRDs, the organization has been actively engaged in empowering affected miners, including women and persons with disabilities, to address the violations of access rights by companies operating in Tapac Sub-County, Moroto District in Uganda.





## Foreword



In pursuit of environmental and social justice in Uganda, Green Deal Uganda seeks to champion empowerment of Women Human Rights Defenders and Environmental Human Rights Defenders (WHRDs/EHRDs) at all levels. Our commitment encompasses our work with grassroots initiatives to national advocacy efforts. This Landscaping report captures the assessment at preliminary level of practical challenges of WHRDs and communities in the Tapac Sub-County, Moroto District, Uganda. The end result is for us to jointly with other partners actively champion the rights of affected artisanal small miners and WHRDs. As communities grapple with impacts of corporations in the extractives industry, Green Deal Uganda remains steadfast in equipping communities with strategic tools needed to challenge these often illegal and extreme actions that disadvantage local communities.

This report not only highlights the critical violations of access rights faced by affected miners but also underscores the urgent need for systemic change in the extractives industry. As we initiate a process to understand the challenges of the people in Tapac Sub-County, Moroto district, the revelations herein serve as a roadmap for future sustained capacity building and advocacy. We envision a landscape where WHRDs are fully empowered to defend and safeguard their marginalized communities. The organization projection extends beyond the immediate concerns documented in this report, paving the way for a broader dialogue on the role of WHRDs in shaping a sustainable and just future. Green Deal Uganda also adopts a community engagement model that centers community leaders, local women led associations and stakeholders for local ownership and consensus on some of the identified pressing issues. For purposes of this initial project, Green Deal Uganda focused on a small community in Tapac Sub-county in Moroto where mining activity has sharply affected women as we realize in the study they're the principal actors in the whole extractive activity both socially, economically. They've bore the blunt of the excesses of the firm but because their livelihood matters they persist as it's their only source of livelihood. For the WHRDs in Tapac, mining presents both a perilous situation but when we heard some of the women voices, there is promise.

As we navigate the complex terrain of the extractives industry in Uganda, Green Deal Uganda reiterates its commitment to working alongside WHRDs that both practice artisanal mining but also help their communities find a voice. Recognizing the unique challenges faced by women in this sector, we pledge to enhance our support systems, amplify their voices, and foster an environment where their contributions are impactful.

**Brenda Akankunda**

Head of Program

## Acknowledgement

The landscaping assessment addressing access rights violations in Tapac Sub-County, Moroto District, Uganda, would not have been possible without the dedicated efforts and collaboration of various individuals and entities on the ground. Green Deal Uganda extends its heartfelt appreciation to; Moroto District Local Government and Karamoja Miner's Association for their unwavering support and cooperation throughout the process; WHRDs Akello Sarah, Lemukol Christine, and Nangirop Sophie for their coordination and mobilization efforts; Hon. Lokoru Albert's active involvement and supporting the Community Dialogue Activity; We express our gratitude to Councilor Adupa Stephany for her dedicated efforts and commitment to championing the cause of those affected by access rights violations in the district.

The collective contributions of these individuals and entities have not only been so significant in implementing the project but have also made a lasting impact on the lives of affected miners, especially women. We extend our sincere thanks to each one of you for your commitment to justice, Human Rights, and the well-being of the community in Tapac Sub-County and extend our heartfelt solidarity.





## List of Abbreviations and Acronyms

ASMs	- Artisanal Small Miners
CEDAW	- Convention on the Elimination of All Forms of Discrimination against Women
DGF	- Democratic Governance Facility
DLG	- District Local Government
EHRDs	- Environmental Human Rights Defenders
FGD	- Focus Group Discussions
HRW	- Human Rights Watch
ICCPR	- International Convention on Civil and People's Rights
IUCN	- International Union for Conservation of Nature
ICESCR	- International Convention on Economic, Social and Cultural Rights
ILO	- International Labour Organizatio
KMA	- Karamoja Miners Association.
NCHRD-U	- National Coalition of Human Rights Defenders Uganda
POMA	- Public Order Management Act, 2013
PWDs	- Persons with Disabilities
RIAM	- Riam Riam Civil Society Network Karamoja
TsMA	- Tapac Sogdek Miners Association
UNAC	- United Nations Convention against Anti-corruption
UDHR	- Universal Declaration of Human Rights
UHRC	- Uganda Human Rights Commission
UN	- United Nations
UNEP	- United Nations Environment Programme
WHRDs	- Women Human Rights Defenders



## Executive Summary

The extractives industry in Uganda especially in Karamoja is riddled with Human Rights violations of miners and Women Human Rights Defenders (WHRDs) by big mining firms and corporations. Green Deal Uganda in its ongoing efforts is undertaking a project aimed at strengthening the voices of artisanal small miners and WHRDs in Tapac Sub-county, Moroto district, Karamoja Sub-region.

In an effort to address the Human Rights of affected miners and WHRDs, Green Deal Uganda is empowering marginalized groups particularly women and persons with disabilities, to tackle violations of access rights, the environmental and social imbalances perpetuated by mining activities of Tororo Cement Limited.

This Landscaping Assessment report entails findings of a thorough examination of the challenges faced by artisanal miners, and recommendations shedding light on the violations of access rights perpetrated by Tororo Cement Limited in the Tapac sub-county. Green Deal's intervention involved effective engagement of all stakeholders e.g. Moroto Local Government, artisanal small miners, WHRDs, the corporation, and Members of Parliament. The report also details the ongoing efforts, challenges encountered, and the strides made in empowering affected miners, especially women and persons with disabilities, in their pursuit of justice, sustainability and holding the corporation accountable for impacts caused by its mining activities.

### Key Recommendations

In the bid to address issues affecting WHRDs and affected miners in Tapac Sub-county, Moroto district, different stakeholders this report proposes quite a number of recommendations to different stakeholders:

#### The Government of Uganda

1. To ensure the protection of the rights of the peoples of Karamoja, the government of Uganda must establish and implement robust procedures for communal regular consultation;
2. To protect WHRDs, the government of Uganda should expedite the process of enacting of the Human Rights Defenders Protection Bill;
3. To protect artisanal small miners from exploitation by mining firms, the government of Uganda through the Ministry of Energy and Mineral Development (MEMD) should facilitate and foresee the process of formalization of the work of artisanal miners.

#### Uganda Human Rights Commission

1. Undertake a comprehensive analysis and research on the violations of free, prior and informed consent. This is key to understand the cumulative impacts of numerous exploration contracts in Karamoja. The findings of this analysis should inform policy recommendations to safeguard the well-being of the affected communities.
2. Undertake monitoring, documentation and reporting; specifically, mainstreaming gender/WHRD specific rights issues in the ASM

#### UN Special Rapporteur on the Rights of Indigenous Peoples and the African Commission on Human and Peoples' Rights

1. We urge the UN Special Rapporteur on the Rights of Indigenous Peoples and the African Commission on Human and Peoples' Rights to formally request an invitation from the Government of Uganda to conduct an on-site assessment of the Human Rights situation of Uganda's indigenous peoples, with a particular focus on those residing in the Karamoja mining sub-region. This visit would provide an invaluable opportunity to gather firsthand information, engage with affected communities, and assess the impact of mining and extractive activities on the rights and well-being of indigenous peoples.



“Women Human Rights Defenders in Karamoja work in fear because they are intimidated and threatened by mining companies, which is wrong.”

WHRD, in Nakomolowaret, Tapac Sub-county

**Tororo Mining Company**

- Put in place a clear mechanism for regular and at least quarterly consultations with Artisanal miners in Tapac sub-county through their representative institutions such as the Tapac Miners Association and Karamoja Miners Association.
- Consult with the Artisanal small miners in Tapac sub-county through their representative institutions like the (Tapac Miners Association and Karamoja Miners Association) and local governments. This process should ensure the free and informed consent of communities in the locality.

**Civil Society and Human Rights Defenders**

- Civil Society Actors and Human Rights defenders should work closely with the responsible institutions of government to support the enactment of the HRD protection Bill.
- HRDs should outsource funding from other sources like the business community to

deal with the challenge of financing caused by closure of donor entities and economic contraction in the west.

**Development Partners**

- We recommend that comprehensive Human Rights due diligence for all proposed development projects in the Karamoja sub-region be carried out. This process should be integral to project approval and implementation and should include assessment for the Human Rights risks especially for the WHRDs, Identification of measures to avoid or mitigate risks of adverse impacts on Human Rights, Implementation of mechanisms that enable continual analysis of developing Human Rights risks and adequate supervision throughout the project lifecycle. This approach will ensure that development projects not only contribute to economic growth but also uphold and respect the Human Rights of the people in the Karamoja sub-region.

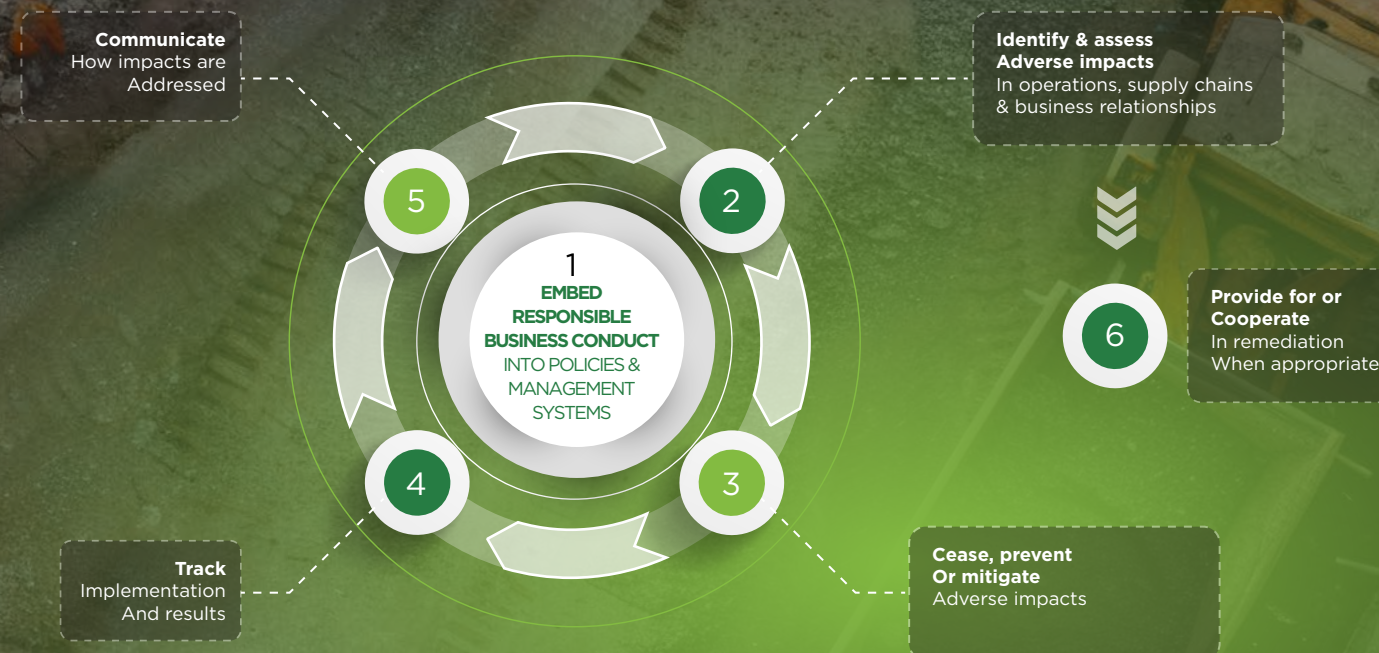


Figure 2: Illustration of the OECD Due Diligence guidance  
Source: adapted from OECD Due Diligence Guidance for RBC



Figure 1: L-R WHRD Ms. Akello Sarah, Ms. Akankunda Brenda from Green Deal Uganda and a group of community members at a site visit of one of the open holes in Tapac Sub-county

## 1.0 Overview of the Landscape Assessment

Green Deal Uganda is implementing a project aimed at strengthening the voices of artisanal small miners and Women Human Rights Defenders (WHRDs) in Karamoja Sub-region. In October 2023, Green Deal Uganda conducted a landscape assessment and identified a number of issues affecting the artisanal mining sector in Karamoja specifically Moroto.eg. Lack of Prior, prompt and adequate compensation, land evictions, Low wages of minerals, environmental degradation, lack of access to information etc. <sup>1</sup>

This report provides a highlight of findings from the landscaping assessment of the plight of WHRDs at the frontline of protecting Human Rights and key issues affecting artisanal small miners in Tapac sub-county, Moroto district. The report reveals the existence of an overly restrictive legislative and institutional framework for WHRDs, as well as various threats and challenges in the operating environment. eg. Limited resources, threats and intimidation, surveillance, cultural rigidities and gender-based stereotypes. The report advances several

recommendations to the Government of Uganda and other relevant stakeholders to address the risks, threats and challenges that WHRDs face in the exercise of their legitimate mandate to hold both the state and non-state actors accountable for various rights abuses and violations. The report also situates capacity building gaps and provides a framework in terms of proposals to address these challenges in a holistic framework

### 1.1 The Promise and the Peril

As corporations rush to capitalize on the potential wealth beneath the earth's surface, the tales surrounding Karamoja mining activities take a darker turn. Mining corporations entering Karamoja often tout promises of economic development, job creation, and improved living standards for the local population. However, the reality on the ground tells a different story. WHRDs in the region find themselves at the forefront of the battle to ensure that the promises made are not just empty rhetoric.

The frantic maneuver of corporations in the region has also led to acquisition of big chunks of land for mining activities, this has greatly affected the Indigenous communities in Karamoja who depend on land that's owned communally to practice nomadic pastoralism which is their source of livelihood. Many also rely on the same land to carryout informal artisanal mining which generates income to support households in meeting their day to day needs.

The land acquisition process is riddled with rampant land evictions, inadequate compensation, lack of public participation, lack of access to information etc. which has occasioned violations of Human Rights of local communities. In this fragile ecosystem, WHRDs especially WHRDs are playing a crucial role to demand for accountability, push for justice and equity and bolster the situation.

WHRDs in Karamoja who serve as the last line of defence for the local people; and in the process face numerous challenges in doing their work. The opaqueness of the sector and mining corporations creates room for continued violation of rights of the marginalized communities.

### 1.2 Context

The African continent accounts for 30% of mineral deposits in the world; 12% of oil reserves and 8% of the natural gas.<sup>2</sup> 40% of the gold on the planet is deposited in Africa, and so are the largest deposits of diamonds, uranium, and cobalt. In addition, 65% of arable land and 10% of renewable fresh water is in Africa. With this wealth of resources, across Africa, governments are undertaking ambitious development projects, which compounded with other factors – such as, reliance on forests for livelihood, have resulted into loss of biodiversity, land degradation, deforestation, and increased susceptibility to climate change. This reality is true for several African countries including Uganda. The government of Uganda granted mining licenses in Karamoja sub-region to four mining companies which include Sunbelt, Tororo Cement, and DAO Marble co.ltd.

The mining sector is playing an increasingly significant role in Uganda's economy. Uganda has close to 27 mineral types in commercially viable quantities including iron ore, gold, copper, cobalt, uranium, marble, limestone, phosphates

and graphite, among others. In the 2022 – 2023 financial year, mining contributed 2.2% to the national GDP, according to data from the Uganda Bureau of Statistics. Artisanal small miners constitute 70 percent of the mining sector and as a result of the New Mining and Minerals Act 2022, the sector was formalized.

Karamoja sub-region is one of the most richly endowed regions in Uganda: over 50 different minerals are known to occur here, including gold, silver, copper, iron, gemstones, limestone and marble (Hinton et al., 2011). Twenty foreign and domestic companies presently have exploratory and/or mining rights in the region. These numbers are expected to rise with growing demand for metals and minerals, favorable long-term trends in global commodity prices and increased exploration.

Local Communities in Karamoja depend on Nomadic pastoralism and animal keeping as the major source of livelihood and this has been their way of life for many generations. Land which is their most valued resource is owned communally in clans. However, the rapid changing climate has greatly affected their Livestock and many have resorted to small artisanal mining activities where they generate income to support their households.

The local communities and artisanal mining sector in Karamoja are faced with severe challenges caused by activities of profit-oriented mining firms that violate rights of those involved in the sector. The companies have consistently failed to secure free, prior, and informed consent from the local communities before they start operations on communal lands. Many artisanal small miners have experienced safety and health risks for working without safety gears.

### 1.3 Purpose of the Landscape Assessment.

The purpose of the Assessment is to enable The Green Deal Uganda identify critical gaps that hinder successful operations of WHRDs in promoting and protecting their own Human Rights and those of the communities they serve. Additionally, the study makes recommendations on how to address the gaps and challenges. The findings will form a basis for all relevant stakeholders to take action in addressing some of the longstanding concerns and emerging concerns. These stakeholders include Civil Society organizations, community-based organizations, coalitions, networks, and individuals involved in HRD

protection, development partners, and vulnerable communities.

The overall purpose of this assessment is to empower WHRDS to build community resilience to engage and hold the State, business firms and corporations accountable for their actions in order to ensure citizens enjoy their rights towards a life of dignity. Particularly, Green Deal's intervention is a step in identifying the needs of WHRDs in Moroto with the view of understanding both the advocacy and capacity building issues.

#### 1.4 Assessment Methodology

This landscape assessment adopted a mixed methods approach, combining qualitative and quantitative data collection and analysis. The qualitative component was more dominant and consisted of two main methods: a desk review and key informant interviews. The Literature review involved examining relevant secondary sources, such as the report by the International Union for Conservation of Nature (IUCN) on the environmental impacts of mining in Karamoja, the report by Human Rights Watch (HRW) on the Human Rights abuses faced by women and children in the artisanal mining sector, and the report by the United Nations Environment Programme (UNEP) on the development opportunities and challenges of the mining industry in Uganda. The key informant interviews were conducted with women Human Rights defenders (WHRDs) who were purposively selected from the Karamoja mining community, based on their roles, experiences and perspectives. The interviews aimed to understand the issues affecting WHRDs and artisanal small-scale miners in Karamoja, and to collect information for documentation and reporting purposes. The interviews were complemented by other qualitative techniques, such as meetings and open dialogue discussions, to facilitate trust and rapport with the participants.

#### 1.5 Literature Review

The Karamoja region is renowned for its abundance of over 50 minerals, attracting investments from international mining companies (Hinton et al., 2011). Artisanal mining has become a significant source of income for the population, particularly women, despite the challenges posed by climate change and evolving economic conditions. Women Human Rights

Defenders (WHRDs) have been actively advocating for rights and sustainable practices in this male-dominated and profit-oriented industry. In Uganda's mining sector, WHRDs face numerous obstacles, including gender-based violence, discrimination, and lack of recognition (WHRDN-U, 2021). The failure to obtain free, prior, and informed consent from communities before commencing mining activities further exacerbates these issues (Human Rights Watch, 2021). According to the "Silencing Defenders" report, WHRDs in Uganda's extractive industries often encounter harassment and intimidation, which severely hampers their advocacy efforts (National Coalition of Human Rights Defenders, 2020). Despite the significant contributions of WHRDs, there is limited research focusing on their experiences in artisanal mining. Areas for improvement include strengthening frameworks to provide mental and physical health support and increasing community acknowledgment of WHRDs' efforts (IUCN, 2020).

Serucaca (2020) argues that environmental justice remains a myth for many marginalized communities, as they continue to bear the brunt of environmental degradation and social injustices and are often not included in decision making on developments that have a bearing on their environment. This perspective underscores the need for more inclusive and equitable environmental policies that genuinely address the concerns of vulnerable populations. The mining boom in Karamoja has resulted in environmental degradation and social disruptions that jeopardize the pastoralist way of life (UNEP, 2022).

Czuba (2024) highlights how the Ugandan government's efforts to extend state control over Karamoja have facilitated elite enrichment at the expense of local communities. This uneven state capacity has led to significant investments in infrastructure that benefit the political elite while neglecting public service provision. This dynamic further complicates the challenges faced by WHRDs, as they navigate a landscape where state and elite interests often overshadow community rights and environmental concerns.

DefendDefenders' recent research on environmental Human Rights defenders (EHRDs) in Uganda, Tanzania, and the Democratic Republic of Congo reveals that EHRDs face similar challenges to WHRDs in the artisanal mining sector, including threats, harassment, and lack of institutional support (Defender Defenders, 2023). The report emphasizes the need for comprehensive resilience-building

support and stronger protection mechanisms for EHRDs, which can also benefit WHRDs by creating a safer and more supportive environment for their advocacy efforts.

The UN Special Rapporteur on environmental Human Rights defenders globally has highlighted the increasing violence, intimidation, and harassment faced by EHRDs worldwide. The report underscores the urgent need for effective protection measures and the implementation of policies that safeguard the rights of those defending the environment (UN Special Rapporteur, 2023). This global perspective reinforces the importance of addressing the specific challenges faced by WHRDs in Uganda's artisanal mining sector and ensuring their protection and empowerment.

It is imperative to promote mining practices that respect the rights and livelihoods of communities. Evaluating the terrain highlights the pressing need for actions to support women Human Rights defenders in Uganda's mining sector. By addressing the identified shortcomings and leveraging opportunities for improvement, stakeholders can foster a more sustainable mining sector that respects Human Rights and environmental ethics. This landscaping report therefore seeks to build on existing literature and fill some of the gaps identified with the view of contributing to improvements in the operating environment for WHRDs proactively pushing for environmental rights in Karamoja's Tapac sub-county.

## 2:0 Legal, Policy and Institutional Framework for Protection of WHRDs.

### 2.1 International Framework on WHRDs

Uganda has ratified all the major legally binding Human Rights instruments providing for the rights of everyone, including rights of WHRDs. These include the United Nations Convention against Corruption (UNAC), the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), International Labour Organization Conventions, Convention on the Elimination of All forms of Discrimination against Women (CEDAW) among others.

The United Nations system provides extensive protection mechanisms for WHRDs. Uganda has committed to respect, promote and protect the Human Rights of its citizens in the extractive sector (oil, gas and other minerals/natural resources) by not only ratifying the above international legally binding instruments, but also agreeing to implement relevant "soft law" policy guidelines.

The UN Guiding Principles on Business and Human Rights, provide a global standard for preventing and addressing the risk of adverse impacts on Human Rights linked to business activity. States have a duty to respect, protect and fulfil the Human Rights of their citizens through appropriate legislative, administrative, budgetary and judicial measures. States are obliged to protect all their citizens, including HRDs, against Human Rights abuses by third parties, including local and international business corporations engaged in the oil, gas, mining, agriculture and related activities. To this end, Uganda is required to establish appropriate policies, laws, regulations and effective judicial and non-judicial remedies to make the rights enshrined in the national, regional and international instruments a reality in the daily lives of all its citizens, foremost among them the HRDs.

### 2.2 Regional legal framework

There are quite a number of Regional legal instruments which clarify States' obligations to protect the rights of women and girls and eradicate not only the violence but also the discrimination upon which is based that Uganda has acceded. These include Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003), African Charter on the Rights and Welfare of the Child (1990), African Youth Charter (2 July 2006), and The International Conference on the Great Lakes Region (ICGLR), Kampala Declaration on Prevention of Gender-based Violence in Africa (2003). These regional protection legal instruments are very important in safeguarding and protection of rights of women and girls on the African continent.





### 2.3 National Legal framework

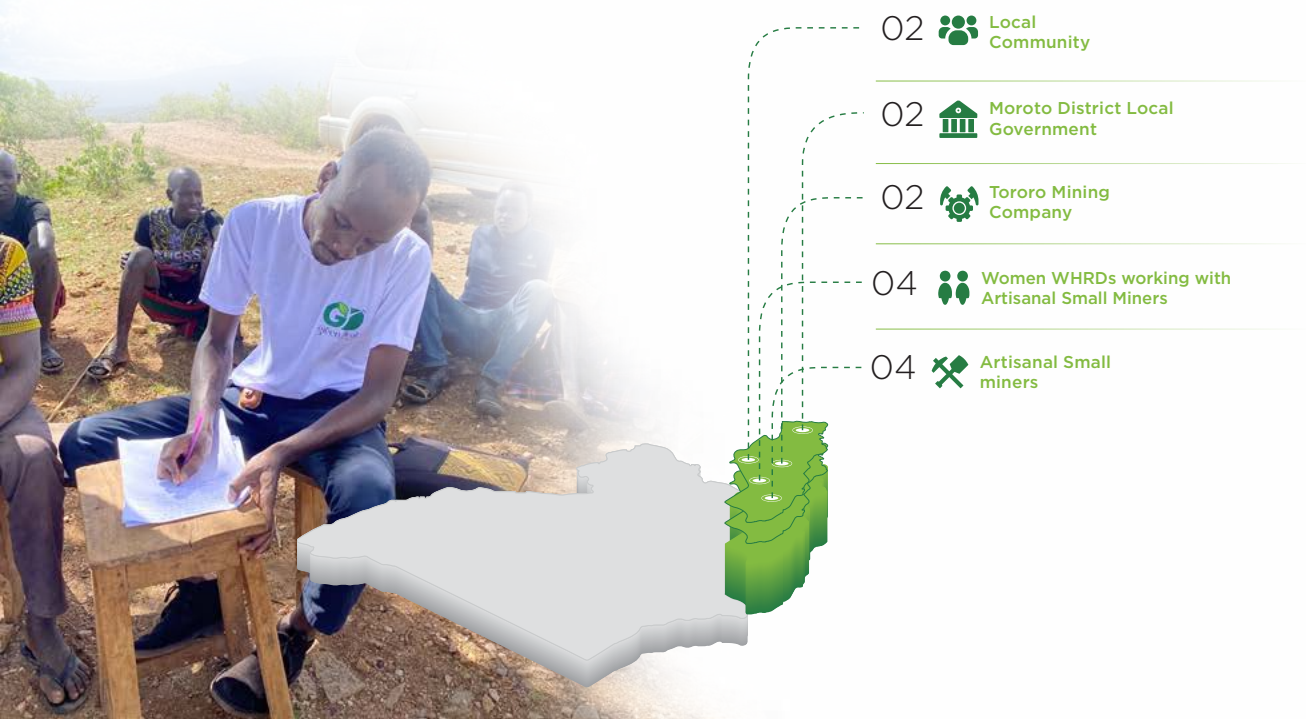
Uganda has a legal framework that theoretically supports the work of WHRDs. The 1995 Constitution guarantees the right to freedom of expression, assembly, and association. However, the practical implementation of these rights has been inconsistent, with laws such as the Public Order Management Act (POMA) 2013, the Computer Misuse (Amendment) Act, 2022 the Non-Governmental Organizations Act, 2016 creating obstacles for HRDs, particularly in organizing peaceful assemblies and events. Government of the Republic of Uganda has over the years leveraged on its progressive Constitution on the rights of women and other international and regional legal instruments to ensure that it provides safe spaces for women's rights to thrive which has sustainably promoted gender inclusiveness in all spheres including HRD work.

### 3.0 Findings from the Mining Community and WHRDs

This section presents an overview of findings relevant to the mining community and WHRDs situation in Tapac sub-county in Moroto, focusing on the state's performance, key Human Rights issues, and the actors involved in the mining community. In the activities conducted by Green Deal, over 47 interviews were conducted with different stakeholders who are involved in the artisanal mining sector such as; Moroto District Local Government leaders, select community members, WHRDs from Tapac Sub-county, and representatives of the Mining Corporation. In the interactions, a number of issues were identified and have been documented. In the interaction with WHRDs, it was revealed that the artisanal mining landscape in Karamoja is a challenging one, and the space through which they conduct their work continues to shrink. The landscape assessment aimed to initiate an understanding of the dynamics and nuances of artisanal mining and the experiences of WHRDs in the region. The assessment focused on situating the challenges faced by artisanal miners and WHRDs, as well as identifying potential opportunities for advocacy and capacity building intervention and improved Human Rights protection.

#### 3.1 Key Respondents

During the landscaping assessment, the Green Deal Uganda Uganda interacted with 47 key respondents carefully selected from the Karamoja sub-region. While the idea was to interact with 60 respondents, representatives of some of the corporations were unwilling to interact with us despite numerous attempts to get in touch with them in writing. The same applies to some of the district and local authorities.



### 3.2 The Plight of the Artisanal Small Miners

Engaging in open dialogue sessions with artisanal small miners in Moroto revealed a pervasive challenge they face – the unjust eviction from lands owned customarily, often without prior notice or fair compensation by Tororo Cement Limited. The majority of these miners operate in areas where customary ownership prevails, exposing them to the constant risk of eviction and illegal removal, accompanied by the denial of essential access rights. This has not only jeopardized their livelihoods but has also created a pressing issue of survival for these individuals.

Artisanal small miners (ASMs) in Karamoja confront the dual challenge of depressed prices and mineral price disparities. Tororo Cement Limited's monopoly on mineral purchases at exceptionally low rates exacerbates the hardships faced by these miners. According to their accounts, *a truckload of marble stones is sold for a mere 64USD after factoring in labor costs, resulting in substantial losses for many miners, particularly women.* Furthermore, the lack of transparent justifications for varying mineral prices across different locations adds to the plight of these miners.



Figure 2: A picture of an open hole that has been left by Tororo Cement after blasting the stones

Another critical concern impacting artisanal small miners (ASMs) in Moroto is the environmental havoc wrought by mining activities conducted by Tororo Cement Limited. The exploration process entails powerful seismic testing, leaving a path of destruction in mining communities. Women among the artisanal small miners shared distressing accounts of enduring premature births due to the intense vibrations and drilling associated with mining activities. Moreover, mining operations result in open pits that pose significant dangers to both human lives and nomadic animals such as cattle, sheep, goats, and donkeys.

It is crucial to highlight the vulnerability of ASMs in Moroto to occupational safety and health hazards, stemming from their work in the absence of proper protective gear. These miners operate without essential equipment such as gloves, helmets, goggles, and gumboots, thereby exposing themselves to significant health and safety risks. Regrettably, some have suffered injuries leading to permanent impairments, underscoring the urgent need for improved safety measures within the artisanal mining sector.

Another obstacle confronting ASMs in Moroto is the absence of a collective voice and a dedicated platform for engaging in dialogue with the corporate entity. It was explicitly emphasized that mining communities lack the unity necessary to collectively address the challenges they face, a situation attributed to mistrust among miners and their leaders. Additionally, Tororo Cement Limited has not established effective channels

for capturing the concerns of miners and fostering a platform for constructive dialogue. This failure has resulted in a noticeable rift between the community and the corporation. ASMs especially women lack credit facilities to support their mining business. Women artisanal miners are unable to indulge in meaningful mining business without man power support. This comes with labour costs which very often is not affordable.

The informality of artisanal small mining is also a very big challenge. ASMs communities in Moroto are operating without any registration or license, this has made it so hard for miners to access credit, effectively benefit from community development agreements and develop Human Rights safeguarding mechanisms.

### 3.3 Navigating the Frontlines: Solutions and Strides of WHRDs.

- WHRDs stand at the forefront of advocating for justice, equality, and Human Rights. In the course of our landscape assessment, we delved deep into understanding the challenges faced by WHRDs, recognizing the nuances and complexities of their experiences. This chapter sheds light on the key findings, offering a glimpse into the resilience, strategies, and strides undertaken by WHRDs in the face of adversity.



As WHRDs, we face immense challenges in defending the rights of miners in Karamoja. These include threats and intimidation to gender-based violence, our work often places us at great personal risk. Yet, we remain steadfast because the rights of our people, their safety, and their dignity are worth fighting for. The mining community in Karamoja deserves fair treatment, safe working conditions, and the opportunity to thrive without fear or exploitation.”

— Ms. Sophie Nangiro, Vice Chairperson, Karamoja Miners Association.

- WHRDs particularly have either joined or formed umbrella organizations<sup>3</sup> like RiamRiam, Tapac Miners Association and Karamoja Association aimed at strengthening their stance in holding corporations accountable. These organizations also provide some protection from pushback by powerful mining firms like Tororo Cement Limited who in most act through state security apparatuses.
- WHRDs are seen as the last option in pursuit of justice for violations of Human Rights of artisanal small miners by firms like Tororo cement limited. It's significant to note that, the local government authority

that's bestowed with the mandate to facilitate dialogue and negotiations to uphold human dignity in mining communities has lost public trust and confidence. This was revealed in an interaction with WHRD Ms. Sophie Nangiro.

- The other issue raised in the same interview is complacency to hold the company accountable for illegal actions and compliance shortfalls. This has greatly facilitated the violation of Human Rights of WHRDs.
- The challenges faced by WHRDs in doing their work are insurmountable, but what stands out most is surveillance, and constant threats and intimidations for them to bark down. This is a huge stumbling block. For example, one WHRD<sup>4</sup>, noted that they live in constant fear for their life because of challenging power and yet they do not have adequate protection mechanisms to avert the threat.
- The other challenge faced by WHRDs working with artisanal miners in Moroto is social and gender-based stereotypes triggered by cultural rigidities by local people. The wrong narrative that women are not supposed to speak and advocate for rights of marginalized groups still strongly prevails in culturally rigid societies like Karamoja<sup>5</sup>. This is a very big obstacle in the work of WHRDs because it disempowers HRDs from effectively working with the people whose rights are violated.
- Limited funding and resources for HRD work is also a big challenge for WHRDs working with artisanal small miners in Karamoja. The closure of international donors like Democratic Governance Facility (DGF) has crippled the work of defenders. HRDs are working under resource constrained terms, this has created a delivery gap in efforts to hold corporations accountable.



- The challenges faced by WHRDs are as much as the power wielded by Tororo cement Limited, the firm has created a very harsh premeditated environment to frustrate HRDs and continue profiting out of illegal actions. However, one would argue that the same prevails simply because of the history of confrontation between the company and HRDs.

#### 4.0 Recommendations from the Assessment

##### 4.1 To the Government of Uganda

- Recognition of Distinct Indigenous Peoples and Land Rights. The Government of Uganda is urged to officially recognize the communities in the Karamoja sub-region as distinct indigenous peoples with inherent rights to their ancestral lands. Acknowledging their unique cultural identity and historical connection to the land is paramount. This recognition should extend to granting formal land rights over the territories traditionally occupied and used by these communities.
- Implementation of robust Consultation Procedures. To ensure the protection of the rights of the peoples of Karamoja, the government must establish and implement robust procedures for consultation. This process should be characterized by transparency and active engagement with the representative institutions of the communities. Obtaining free and informed consent must precede any decision or action that may impact their lands, including the approval or commencement of projects such as the granting of exploration licenses and mining leases.
- Expedite Enactment of the Human Rights Defenders Protection Bill. The Government of Uganda is strongly urged to expedite the legislative process for the enactment of the HRDs Protection Bill. This critical legislation is essential for creating a regulatory framework that ensures the safety, security, and rights of WHRDs operating in the Karamoja sub-region. The swift implementation of this bill is crucial to establish a legal foundation that actively safeguards the individuals and organizations dedicated to defending Human Rights within the region.

##### 4.2 Uganda Human Rights Commission

- Undertake a comprehensive analysis and research on the violations of free, prior and informed consent. This is key to understand the cumulative impacts of numerous exploration contracts in Karamoja. The findings of this analysis should inform policy recommendations to safeguard the well-being of the affected communities.
- Undertake monitoring, documentation and reporting; specifically mainstreaming gender/WHRD specific rights issues in the ASM

##### 4.3 UN Special Rapporteur on the Rights of Indigenous Peoples and the African Commission on Human and Peoples' Rights

- We urge the UN Special Rapporteur on the Rights of Indigenous Peoples and the African Commission on Human and Peoples' Rights to formally request an invitation from the Government of Uganda to conduct an on-site assessment of the Human Rights situation of Uganda's indigenous peoples, with a particular focus on those residing in the Karamoja mining sub-region. This visit would provide an invaluable opportunity to gather firsthand information, engage with affected communities, and assess the impact of mining and extractive activities on the rights and well-being of indigenous peoples.

##### 4.4 Tororo Mining Company

- Put in place a clear mechanism for regular and at least quarterly consultations with Artisanal miners in Tapac sub-county through their representative institutions such as the Tapac Miners Association and Karamoja Miners Association.
- Consult with the Artisanal small miners in Tapac sub-county through their representative institutions like the (Tapac Miners Association and Karamoja Miners Association) and local governments. This process should ensure the free and informed consent of communities in the locality.

##### 4.5 Civil Society and Human Rights Defenders

- Civil Society Actors and Human Rights defenders should work closely with the responsible institutions of government to support the enactment of the HRD protection Bill.
- HRDs should outsource funding from other sources like the business community to deal with the challenge of financing caused by closure of donor entities and economic contraction in the west.

##### 4.6 Development Partners

- We recommend that comprehensive Human Rights due diligence for all proposed development projects in the Karamoja sub-region be carried out. This process should be integral to project approval and implementation and should include assessment for the Human Rights risks especially for the WHRDs, Identification of measures to avoid or mitigate risks of adverse impacts on Human Rights, Implementation of mechanisms that enable continual analysis of developing Human Rights risks and adequate supervision throughout the project lifecycle. This approach will ensure that development projects not only contribute to economic growth but also uphold and respect the Human Rights of the people in the Karamoja sub-region.

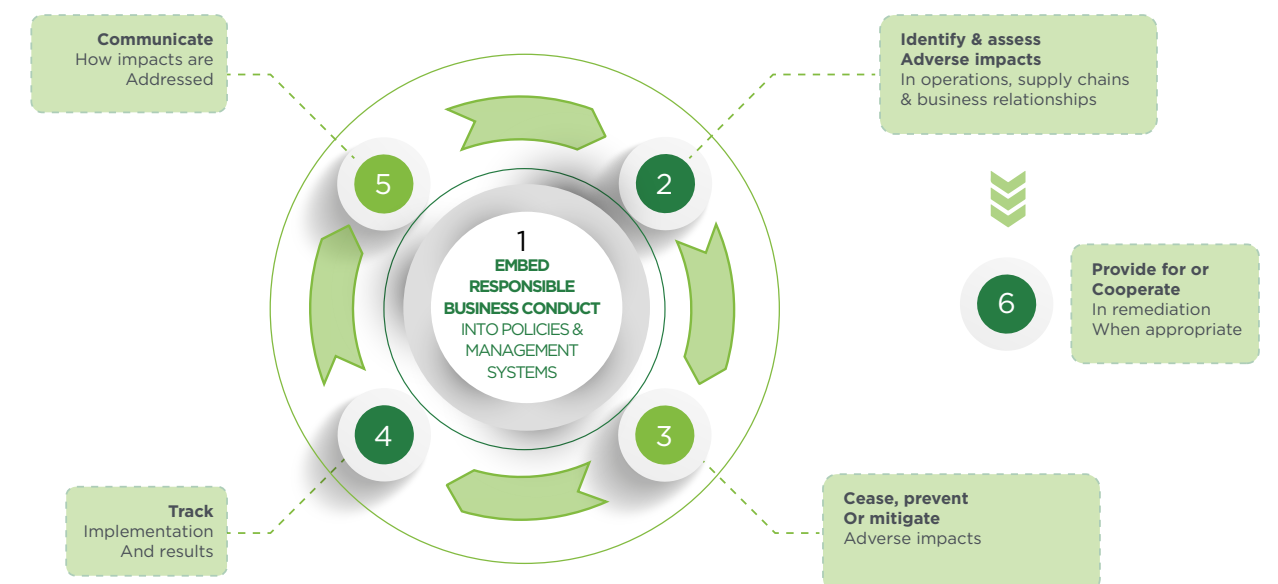


Figure 2: Illustration of the OECD Due Diligence guidance  
Source: adapted from OECD Due Diligence Guidance for RBC

## 5.0 Going Forwards.

The WHRDs working on issues of corporate accountability in Uganda face various risks, threats and challenges that impact adversely on their mandate to effectively promote and protect Human Rights. Whereas the existence of a robust policy, legal and institutional framework is acknowledged, enforcement is generally weak, making both the State and non-State actors complicit in many corporate related abuses and violations of Human Rights. It is therefore important that the government, local business enterprises, multinational corporations and all relevant stakeholders resolve and diligently work to eradicate the persistent risks, threats, challenges as well as rights violations that impede the effective work of HRDs in Uganda.

As the extractives industry grows steadily, issues of Human Rights in business are increasingly affecting local communities, the crucial work of WHRDs in defending and safeguarding small miners is also greatly affected. Against this backdrop, Green Deal's unwavering commitment to empower WHRDs working in the artisanal mining sector remains steadfast.



Many ASMs and local communities in Tapac sub-county, Moroto district have been illegally evicted from their land without prior, prompt and adequate compensation. Artisanal small miners especially women and PWDs do not have easy access to affordable credit facilities to support their mining business. Most of them cannot do much without hiring manpower which comes with labour costs.'

- Local Miner from Tapac Sogdek Miners Association

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## Endnotes

- 1 A landscape assessment is a targeted search/examination to understand the background of an identified challenge. Landscape assessments primarily address the need to identify and quantify impacts of an issue.
- 2 Our work in Africa | UNEP - UN Environment Programme
- 3 Interview with the Chairperson of Kosoroi Miners Association on the 27th October,2023
- 4 Interview with Ms. Akello Sarah on the 27th October,2023
- 5 Interview with a woman local councilor in Tapac on the 26th October,2023



The Green Deal team in a meeting with the Chief Administrative Officer in Moroto





 +256 200 902 816

 [info@greendealglobal.org](mailto:info@greendealglobal.org)

 [www.greendealglobal.org](http://www.greendealglobal.org)