



**Supporting Inclusive Resource Development (SIRD)
East Africa
TRAINING PROGRAM
2019**



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Engagement of Women and Marginalized Groups

Caroline K. Kanyago

Faculty of Law, Uganda Christian University

Department of Development Studies, Makerere University



Session Outline

- Legal Framework
- Legal design and implementation challenges
- Community consultation and decision-making



Legal Framework for Women and Marginalised Groups Participation

■ 1995 Constitution

- Participation of *all people* in formulation and implementation of plans and programmes (Objective X).
- Recognition of the role of women in society (Objective XI)
- Gender representation on all government bodies (Objective VI)
- Consultations are embedded in several administrative processes.
- Affirmative action for marginalised groups (Articles 32 and 33)
- Interests of other marginalised groups (Objective XII and Article 35)
- Equality and non-discrimination in citizen participation (Article 21)



Legal and Policy Framework for Women and Marginalised Groups Participation in Extractives

- Legal and Policy obligations on citizen participation in extractives, especially women and marginalised groups are spread across various laws and policies.
- The petroleum law provides for state participation in petroleum activities.
- Constitutional provisions on citizen participation and specifically participation for marginalised groups should apply to extractives
- Respect of rights of women and marginalised groups in decision making processes with respect to land (Section 27, 38A and 39 of the Land Act as amended).



Design and Implementation Challenges

- No comprehensive citizen participation, specifically marginalized group, laws and regulations.
- Management of natural resources rests on colonial citizen alienation ideas
- Laws and policies appear to be gender neutral, but in fact contain hidden biases.
- Power and gender imbalances at household, community, district, national and international level, e.g., compensations at household



Experiences of leaders of women's groups in Buliisa District

- 5 out of 24 respondents gave views during the consultations
- Majority noted that they were informed , but not consulted
- **Views that were ignored:** compensation rates, undesired displacement, impact on culture, the design of social development programs, the option of the community renting land to government as opposed to compulsory acquisition and programs on women empowerment.
- Perceptions and opinions left out because women are the minority in decision making processes in Buliisa

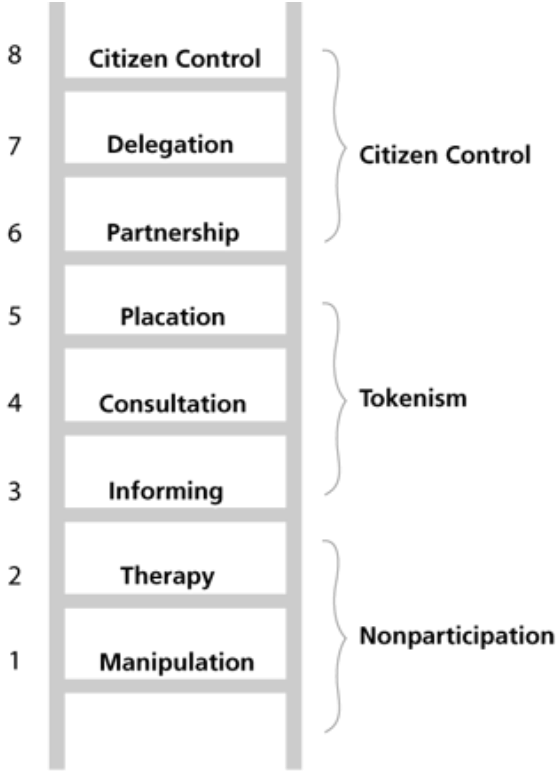


Gender Representation in the Tilenga Project Public Hearings

- Gender representation in engagements
- Gender analysis of different categories of men and women
- https://www.nema.go.ug/sites/default/files/Tilenga%20Public%20Hearings_1.pdf
- Variations in numbers of women and men (different categories)
- What message do these figures send to the public about men and women in the extractive industries?



Ladder of Women and Marginalized Groups' Participation



Arnstein's Ladder (1969)
Degrees of Citizen Participation



Case Study Group Work

Tullow and Total Compensation Experiences



Additional Resources

- Arnstein, S. (1969), “ A Ladder of Citizen Participation,” *Journal of the American Institute of Planners*, 35: 216-226
- Daily Monitor (20th September, 2018), *Residents not consulted over land compensation in Tilenga project*, Available at: <https://mobile.monitor.co.ug/Business/Business/Residents-consulted-land-compensation-Tilenga-project/2471012-4858824-format-xhtml-e0s2ubz/index.html>
- https://www.nema.go.ug/sites/default/files/Tilenga%20Public%20Hearings_1.pdf



THANK YOU!

