

ANNEX 8



CIVIL SOCIETY ORGANIZATIONS WORKING ON EXTRACTIVES IN UGANDA

Documentation of Civil Society's Participation in the Formative Stages of EITI at National Level

Narrative Report

February 2020

ANNEX 8

Detailed process trail of Civil Society Participation in Uganda's EITI MSG Constitution Process

Introduction:

The declaration by the government of Uganda to join EITI in January 2019 created excitement among key players in the Extractives Industry. This steered discussions on transparency and good governance of Uganda's natural resources and more specifically, what the government decision meant for the country. As civil society, we have always had consensus that EITI provides an opportunity to improve accountability and transparency in the management of oil and mineral resources in the country.

With Uganda embarking on the process of actualizing her EITI candidature and consequently become an implementing country, there are a series of processes involved each with specific requirements, guidelines and principles to comply with. In order to effectively play our oversight role, Civil society organizations working on oil, gas and mining came together to stage a joint front in our engagements on the EITI process. This was informed by experiences witnessed in other countries in the region where lack of consensus and harmony among civil society stifles progress in the country's EITI process.

In view of the foregoing, the Civil Society Coalition on Oil and Gas, and Publish What You Pay – Uganda took lead in rallying civil society to engage in this process. Below is the list of activities that civil society has undertaken since then.

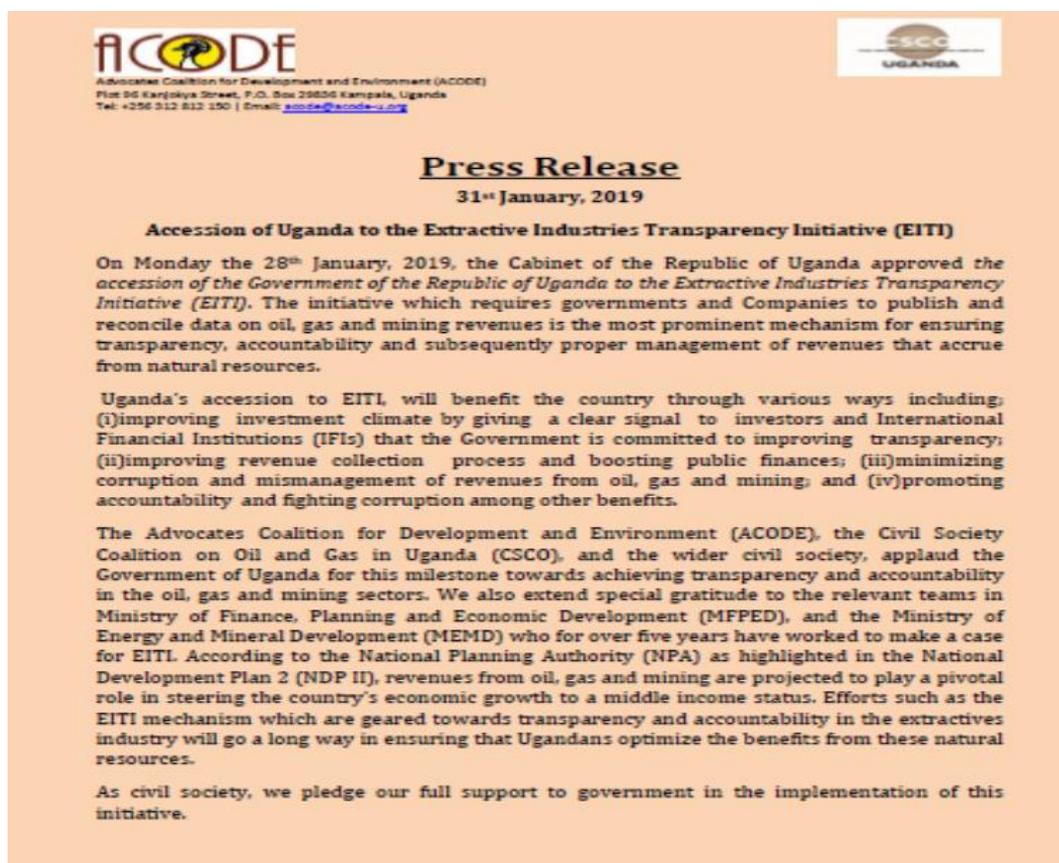
1. **Cabinet of Uganda Resolves to Join EITI on 29th January 2019**

Following the official announcement by Government of the intentions to sign up to the EITI, the CSOs from different sheds started organizing informal/internal meetings to brainstorm on how they would participate in the process and what exactly is required of the CSOs and other stakeholders. The most notable were Publish What You Pay Uganda and Civil Society Coalition on Oil and Gas (CSCO). Internally these networks which bring together over 90 members across the country pondered several actions individually among their members and collectively as the CSOs fraternity working in the extractives sector.

2. **CSO press Conference on EITI Accession.**

Meanwhile CSOs under the auspices of CISCO and Publish What You Pay Uganda organized a press conference that brought together over 15 media outlets. This was intended to make a statement on how the decision that Government had taken was very critical in enhancing transparency, accountability and good governance in the management of extractives in Uganda. The statement also highlighted the specific benefits of joining the EITI as well as the need for effective stakeholder participation in the EITI Process.

ANNEX 8



3. CSO Strategy Meeting on EITI Accession Process in Uganda

On February 13th, 2019, Publish What You Pay Uganda together with Civil Society Coalition on Oil and Gas (CSCCO) organized a breakfast meeting dubbed “*CSO Strategy meeting*” at Forest Cottages Hotel in Bukoto to strategize on how CSOs ought to effectively participate in and support the EITI access process. The breakfast meeting brought together over 20 influential representatives of CSOs with interventions on extractives and some development partners such as the European Union and the Democratic Governance Facility (DGF). The strategy meeting was aimed at achieving two specific objectives:-

1. *Reflect on the EITI Processes and how CSOs will support the government to fast-track the application for EITI accession and conduct an effective implementation processes.*
2. *Build consensus on a joint roadmap for CSOs’ participation in EITI Processes in Uganda.*

During the reflection a number of observations were made by the CSOs leaders. Key ones included:- Lack of a mechanism for enabling stakeholder representation and effective participation in EITI processes; CSO representation on the multi-stakeholder group (MSG) had not yet been appointed, and no available mechanism guiding the process of nominating the CSO representative to the MSG existed; Government had not yet officially appointed a government champion/focal point person known to all stakeholders; and inadequate capacity for stakeholders to effectively participate in EITI processes. This raised a key question: how prepared were the CSOs for effective participation? It was observed that the capacity gaps

ANNEX 8

issue applied to other key stakeholders such as Parliament, LGs and grass root communities, particularly with regard to limited understanding of their roles in EITI process; it was also observed that there was some level of mis-coordination of CSO engagement on EITI processes.

As such the meeting resolved to form a CSO Forum on EITI which was termed the



Members of the Core Team at one of the planning meetings

Committee of the Whole House. It identified the conveners, formed a core team to steer the process and developed a CSO Roadmap for CSOs on EITI. PWYP-Uganda and Civil Society Coalition on Oil and Gas (CSCO) were nominated as conveners with the mandate to coordinate all the CSO participation including organizing the CSO EITI Assembly to nominate the CSO representatives to the MSG. Meanwhile the Core Team included Global Rights Alert (GRA), CSCO, CSBAG, PWYP and ACODE. The Core Team would work with the Conveners to operationalize the Roadmap.

4. Interaction with MoFPED to discuss CSO Representation on the EITI MSG

Government convened the first MSG meeting on 22nd March 2019 without CSO representation, and CSOs were concerned that government was proceeding without CSO input contrary to the EITI Standard.

On 2nd April, 2019, the conveners of the CSO forum on EITI (PWYP, CSCO) and GRA wrote to the Chairperson MSG Mr. Moses Kaggwa requesting for a meeting between him and selected CSO representatives. The main objectives of the meeting were to hear about the progress that government had made with EITI, following the Cabinet decision and the public pronouncement in January and February 2019 respectively; to share an update on the steps taken to date by CSOs in preparing to work hand in hand with Government and Industry in the EITI process; and to share information on how CSOs can support the ministry in this process. A copy of this letter is attached as Annex VI.

On the 5th of April 2019, Ministry of Finance wrote a letter to Uganda National NGO Forum inviting CSOs to nominate three representatives. However the letter was received on 11th April 2019. The letter had been delayed because it was delivered to the wrong address -the Uganda National NGO Registration Bureau, leading to it arriving at the correct address 7 days late.

Following on from the CSO letter dated 2nd April requesting for a meeting with the Ministry of Finance, and the Ministry's letter requesting nominations of MSG members from the CSOs, a meeting between the CSOs and government took place at the Ministry of Finance (MoF) offices

ANNEX 8

on Wednesday 24th April 2019. The meeting was attended by four people from the MoF and five representatives of CSOs. During the meeting, CSOs noted that in order to ensure that the process of nominating the civil society representatives to the MSG was inclusive given the thematically diverse nature of civil society, there was need to allow for reasonably ample time for the CSOs to go through a smooth but all inclusive and participatory process of nominating the representatives. They therefore requested for an extension of time within which to submit the names of the civil society representative up to 10th May, 2019, as well as an increase in the number of representatives on the MSG. The Ministry of Finance agreed to these requests during the meeting.

In a bid to formalize the resolutions agreed upon during this meeting, CSOs promptly followed up on the meeting resolutions with a letter on the same day (see letter below). This letter sought for an extension of time within which to submit the names of the civil society representative (from April 30th to 10th May, 2019); the letter also called for an increase in the number of CSO representatives from three to five representatives.



THE UGANDA NATIONAL NGO FORUM

Our Mission
To provide a sharing and reflection platform for NGOs
to influence governance and development processes in
Uganda and enhance their operating environment

24th April, 2019

Moses Kaggwa
Director, Economic Affairs
Ministry of Finance Planning and Economic Development
Plot 2/12 Apollo Kaggwa Road
P.O. Box 8147, Kampala

**RE: NOMINATION OF CIVIL SOCIETY REPRESENTATIVE TO THE
EITI MULTI-STAKEHOLDER GROUP**

Reference is made to your letter date 5th April 2019, on the subject matter.

Pursuant to the need to ensure that the process of nominating the civil society representatives to the MSG is inclusive and the fact that the aforementioned letter was first delivered to the wrong address only to be received 7 days late, we write to request that you extend the time within which to submit the names of the civil society representative to the 10th of May, 2019.

On a related note, we also request that the number of civil society representatives on the Multi-Stakeholder Group be increased to five as opposed to the three nominees that were requested for. This request is informed by the fact that civil society is thematically diverse, as well as the need for commensurate representation vis-à-vis the government and private sector representatives.

James Muhindo email: muhindoj@gmail.com/0782134708 and Mr. Gard Benda email: benda.worldvoices@gmail.com /0392961664 will be our contact persons as we go through this process.

We thank you for the continued support to this process and look forward to your positive consideration of this request.

Richard Ssewakiryanga
EXECUTIVE DIRECTOR

The Ministry of Finance responded in affirmative to the above letter, by increasing the number of CSO reps on the MSG, and allowing CSOs more time for their selection.

ANNEX 8

5. Capacity Building for CSOs on EITI

Following the observation about inadequate capacity of CSOs on EITI, PWYP-Uganda, CSCO and Global Rights Alert (GRA) organized a two day capacity building training workshop On EITI from 16th and 17th April, 2019 at Essella Country Hotel. The main objective of the training was to build the capacity of Civil Society Organizations, for effective engagement in the EITI process. It was also aimed at achieving the following specific objectives;-

- 1) To equip Civil Society Organizations working on extractives with detailed information on EITI
- 2) Promote CSOs preparedness to engage in the EITI Process and
- 3) Agree and develop a road map to fast track implementation of activities as they relate to CSOs participation in the EITI process.

The workshop was facilitated by experts from Zambia, MoF and NREGI. Mr. Ian Mwinga from the Zambia Extractive Industry Transparency Initiative and Mr. Msoni Mtwalo from Civil Society in Zambia shared experiences and lessons from other EITI implementing countries particularly Zambia. Meanwhile other facilitators were Mr Ongaria Saul from MoF who represented Mr Moses Kaggwa, the Chairperson of the Multi Stakeholder Group, and Dr Paul Bagabo from NREGI. The Ugandan CSOs got the opportunity to learn from the Zambian delegation the Dos and Don'ts of EITI. The CSOs concluded the two-day meeting by coming up with a number of resolutions and action points for their engagement in the EITI process.

6. Formulation of a small team to develop the Terms of reference for nomination of CSO representation and participation

Following the workshop a small working group was nominated to develop the ToR for nomination of CSO Reps on MSG. The committee included the following;-

- James Muhindo – CSCO
- Gard Benda – PWYP
- Bashir Twesigye – CRED
- Lutalo Derrick – UCCA
- Siragi Magara – CSBAG

The conveners working with the Core Team for the purposes of ensuring independence selected a vetting committee to handle the nomination process and also set the dates for nominations and went ahead to send invitations to members for a CSO EITI General Assembly for members to come and nominate/vote.

The vetting committee to evaluate the expressions of interest and oversee the nomination process included

- Dr. Richard Sewakiryanga – ED Uganda National NGO Forum
- James Muhindo – National Coordinator CSCO
- Robert Tumwesigye – Chairman, PROBICCU
- Nelly Busingye – Regional Coordinator, PWYP ESA
- Irene Ssekyana – Greenwatch

ANNEX 8

7. Mapping and updating exercise for CSOs.

The Conveners carried out a mapping of CSOs prior to the organization of the CSOs Assembly to nominate the CSOs reps and set dates which they shared with the mapped CSOs. Prior to this, the conveners had shared the list of members of the general assembly so that other members present could improve the list. The mapping included a multitude of CSO actors including the artisan miners' federation, the media and the Inter Religious Council of Uganda.

DESCRIPTION OF ACTIVITIES LEADING TO THE ACTUAL NOMINATION OF THE CSO REPRESENTATIVES

8. Call for CSO members to express interest in representing CSOs on the MSG.

Following the development and validation of the ToR /criteria for nomination of CSO representatives, a call for Expression of interest (EoI) was circulated by the Conveners. The Call for EoI was issued 24th April, 2019. It was circulated within the mapped members and other various external networks calling for those interested to apply.

9. Meeting to review applications for and shortlisting of candidates.

The vetting /steering committee held a meeting on 2nd May 2019 to conduct the application vetting for the over 7 people that expressed interest in being nominated at the CSO-EITI Assembly. The vetting committee did their part and presented names to the CSO –EITI Assembly on 3rd May 2019 at Hotel Africana.

10. The CSO-EITI General Assembly to nominate the representatives to MSG.

The CSO Assembly was convened on 3rd May 2019 at Hotel Africana with the facilitation of the mandated conveners and financial support from Civil Society Budget Advocacy Group. The Assembly brought together 34 CSO delegates out of the 58 delegates that were invited. The Vetting /steering committee was in charge of the whole program of nomination during the Assembly. The names of those that expressed interest were read to the Assembly delegates and the applicants were given some time to talk about themselves and how they would contribute to the MSG of EITI process.

Following an elaborate, inclusive and democratic process, the civil society in Uganda duly nominated their five representatives to the Extractives Industry Transparency Initiative (EITI) Multi-Stakeholder Group on Friday 3rd May, 2019. The process of nomination started with a public call for expression of interest by members of the civil society fraternity, after which the shortlisted candidates were subjected to a voting exercise that was attended by over 30 civil society organizations working in extractive sector across the country. The Assembly was supported by CSBAG and organized by the conveners.

ANNEX 8



CSO-EITI Assembly at Hotel Africana

11. Submission of the names of the CSO representatives to MFPED

On 7th May 2019, the CSOs through Uganda National NGO Forum, officially submitted to Ministry of Finance the names of the CSO representatives to the MSG of EITI.

List of Elected Representatives

	Name	Organization	Contact
1	Mr. Gard Benda	World Voices – Uganda (WVU)	benda.worldvoices@gmail.com 0392 961 661 / 0777 209 399
2	Ms. Winfred Ngabiirwe	Global Rights Alert (GRA)	winnie.ngabiirwe@gmail.com 0702 822 928 / 0771 621 017
3	Mr. Onesmus Mugenyi	Advocates Coalition for Environment and Development (ACODE)	o.mugenyi2@gmail.com 0772 423 449 / 0702 423 449
4	Ms. Margaret Lomonyang	Karamoja Women Umbrella Organization (KAWUO)	mlomonyang@gmail.com 0772 901 081
5	Mr. Siragi Magara	Civil Society Budget Advocacy Group (CSBAG)	magarasiragi2013@gmail.com 0783 535 570 / 0701 535 571



ANNEX 8

Photo: First meeting of the CSO MSG Representatives in preparation for consultations on the MSG Terms of Reference.



THE UGANDA NATIONAL NGO FORUM

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to influence governance and development processes in
Uganda and enhance their operating environment*

7th May 2019

Mr. Moses Kagawa
Director Economic Affairs
Ministry of Finance, Planning and Economic Development
Plot 2/12 Apollo Kagawa Road
P.O. Box 8147, Kampala
Uganda

RE: NOMINATION OF CIVIL SOCIETY REPRESENTATIVE TO THE EITI MULTI STAKEHOLDER GROUP

Reference is made to your letter dated 5th April 2019 and our reply dated 24th April 2019 on the above subject matter.

Following an elaborate, inclusive and democratic process, the civil society in Uganda nominated their five representatives to the Extractives Industry Transparency Initiative (EITI) Multi-Stakeholder Group on Friday 3rd May, 2019. The process of nomination started with a public call for expression of interest by members of the civil society fraternity, after which the shortlisted candidates were subjected to a voting exercise that was attended by over 30 civil society organizations working in extractive sector across the country. The nomination of five alternate representatives was not completed and the list shall be sent in due course.

The purpose of this letter is to forward to you five representatives to the Extractives Industry Transparency Initiative (EITI) Multi-Stakeholder Group. The list of nominated representatives and their contact address is attached. For more information on this nomination process, please contact James Muhindo the National Coordinator – Civil Society Coalition on Oil and Gas (CSCO) at muhindoj@gmail.com / 0782 134 708.

We thank you for your continued support and corporation in this process.

Yours Sincerely,

Richard Ssewakiryanga
EXECUTIVE DIRECTOR

ANNEX 8

Annex 1:

PROGRAM FOR THE CSO EITI FORUM/ASSEMBLY ON NOMINATION OF CSO REPRESENTATIVES TO EITI MSG FOR UGANDA.

HOTEL AFRICANA, MAY 3RD 2019

SN	Time	Activity	Responsible Person
1	2:00-2:10 pm	Prayer	Religious leader
2	2:10-2:30 pm	Self-introduction	Moderator
3	2:30-2:50 pm	Overview of the EITI Process	PWYP-Uganda/CSCO
4	2:50-3:10 pm	Adoption of CSO Terms of Reference on the EITI	CSCO/PWYP-Uganda
5	3:10-3:40	a) Announcement of nominees b) Nominees briefly talk about themselves	Returning of Officer
	3:40-4:00 pm	Tea/Coffee break	Hotel
6	4:00-4:30 pm	Voting for the nominees	Returning officer
7	4:30-4:50 pm	Announcement of results	Returning officer
8	4:50-5:00pm	Closing remarks and Departure	1. Nelly Busingye-ESA Coordinator 2. Bashir Twesigye-Chair-CSCO 3. Didas Muhumuza – Action Aid

ANNEX 8

Annex II:

EITI CIVIL SOCIETY ORGANISATIONS FORUM AND ASSEMBLY:

Invited Delegates for the CSO EITI Forum and General Assembly

List of Invitees

No	Organisation	Delegate	Contact
1	ACODE	Onesmus Mugenyi	o.mugenyi2@gmail.com
2	GRA	Winnie Ngabirwe	wngabirwe@globalrightsalert.org
3	BIRUDO	Onencan Paolyel MP	paolyel@gmail.com
4	World Voices Uganda	Gard Benda	benda.worldvoices@gmail.com
5	CRED	Bashir Twesigye	bashirtwesi@gmail.com
6	ECO	Isaac Kabong	ed@ecouganda.org
7	Caritas-Uganda	Godfrey Onentho	gonentho97@gmail.com
8	MICODE	Lawrence Kangula	kanguuz@yahoo.co.uk
9	Green Watch	Irene Sekyana	issekvana@gmail.com
10	PROBICOU	Robert Baganda	alliance.sustainable@gmail.com
11	ASF	Romain Ravet	rravet@asf.be
12	OXFAM	Gerald Byarugaba	Gerald.Byarugaba@oxfam.org
13	TIU	Peter Wandera	pwandera@tiuganda.org
14	AAU	Didas Muhumuza	dmuhumuza2008@gmail.com
15	ACEMP	Don Binyina	donbb@acemp.org
16	Water Governance Institute (WGI)	Henry Bazira	watervgovinst@gmail.com
17	CSBAG	Siragi Magara	smagara@csbag.org
18	SEATINI	Reginah Navuga	nregina@seafiniuganda.org
19	UCCA	Derrick Lutalo	ddlutalo@gmail.com
20	Uganda Law Society		
22	Uganda Press Freedom Forum (UPFA)	Haggai Matsiko	hmatsiko@gmail.com
23	WWF	Ivan Manigaruhanga	iamani@wwfuganda.org
24	ULGA	Richard Okuku	okukurichard@gmail.com
25	NAVODA	Benon Tusingwire	navoda8989@gmail.com
26	AFIEGO	Dickens Kamugisha	dkamugisha@afiego.org
27	IRCU	Jennifer Iraguha	jiraguha@ircu.or.ug
28	NRGI	Paul Bagabo	pbagabo@resourcegovernance.org
29	Oil Watch Network / NAPE	Rajab Bwengye	rajab.oilwatch@gmail.com
30	AFIC	Gilbert Senduga	gilbert@africafoicentre.org
31	COTFONE	Kayinga Muddu Yisto	ykmayinga.cotfone@gmail.com
32	Mubende Miners Association (MUMA)	Emmanuel Kibirige	Ekibirige20@gmail.com
33	KCSON	Paul Mulindwa	mulindwasenior@gmail.com
34	MIRAC	Biira Nasser Kiwanuka	miracdemocracy@gmail.com
35	Karamoja Women Ambrella Organisation	Margret Lamonyang	mlomonyang@gmail.com
36	ACCC	Enock Nimpamya	nimpamyaenock335@gmail.com
37	Albertine Graben Oil & Gas Districts Association (AGODA)	Kwizera Godie	Godiekr2001@yahoo.com
38	CODNET	Edward Mbihebwa	mbihebwa2003@yahoo.com
39	Karamoja Initiative for Sustainable peace	Charles Topoth	topothca@gmail.com
40	Benet Women Association - Karamoja		
41	Mubende Women Miners Association		c/o 0754386518
42	Impact	Lyn Turyatamba	lgitu@pacweb.org
43	Parliamentary Media Association	Gideon Atukwase	
44	The Women Support Initiative (TWOSI)-Lwengo	Nakasaga Rosemary	nrose.twosi@gmail.com
45	RICE WESTNILE	Pax Sakari	ricewn@gmail.com paxsakari@yahoo.com
46	Kitara Development initiative (KITAD)	John Vaita	kitadiuganda@gmail.com
47	BAPENECO	Businge Micheal	busingem4@gmail.com
48	Great Lakes Institute for Strategic Studies (GLISS)	Jackie Btamuliza	mlking1960s@gmail.com

ANNEX 8

49	Resource Rights Africa	Andrew Bahemuka Byaruhanga	akiikiandrew@gmail.com
50	Natural Resource Revenues for Climate Resilience (NRRCR)	Kagaoro Anthony	anthony.kagoro@gmail.com
51	RUWONET	Aliganyira Francis	afrancis@ruwonet.org
52	Citizens' Concern Africa (CICOA)	Mucunguzi Sam	samzoo2014@gmail.com
53	LACWADO	Stuat Bigirwenkya	stuart.bigirwenkya@gmail.com
54	Uganda Wildlife Society	Priscilla Nyadoi	uws@uws.or.ug
55	CESCRA/FRA	Gloria Acayo	gloriaacayo@yahoo.com
56	Association of Human Rights Organisations (AHURIO)	Fredrick Kaahwa	Mpkkaarali@gmail.com
57	Mubende Women Minders Association	John Bosco Bukya	0770693489
58	African Union of Conservationists (AUC)	Raymond Katebaka	ruyoka@rhu.or.ug

ANNEX 8

Annex III

EITI CIVIL SOCIETY ORGANISATIONS FORUM AND ASSEMBLY:

NOMINATION OF CSO REPRESENTATIVES TO THE MULTI-STAKEHOLDER GROUP
(MSG) OF UGEMI

ATTENDANCE LIST

No.	Name	Organisation/title	contact
01	LOKIRU SISTO DODO'TH	TICODEP	0785071689/0776886537
02	TOPOTH CHARLES	KISP	07882124242
03	LOUMO MOSES	KAD	0774575959
04	JAMES MUHINDO	CSCO/ACODE	0782134708
05	ROBERT TUMWESIGYE	PWYP/PROBICOV	0782393912
06	NELLY BUSINGYE	PWYP (ESA)	0789193934
07	KAYINGA MUDDU YISITO	COTFONE	0782920995
08	ALIGANYIRA FRANCIS	RUWONET	0777143970
09	OGOLA LASTER	UWA	0784497870
10	KANGULA LAWRENCE	MID WESTERN REF.CENTER	0772505333 Kangula@micord.org
11	LOKWI ARNOLD	RUPER MINERS ASSOCIATION	0772174769
12	DAVUD KIZITO	TIU	0701679862 dkizito@tiugada.org
13	LOMONYANG MARGARET	KARAMOJA WOMEN UMBRELLA	0772901081 mlomonyang@gmail.com
14	SSENYONJO JULIUS	PEMO (E.D)	0703601531
15	JACKIE BATAMULIZA	GLISS	0783314366
16	KWIZERA GODIE	AGODA	0777398066
17	IRENE SSEKYANA	GREEN WATCH	0788707260
18	TIBASIMA GILBERT	BIRUDO	gilberttibasima@gmail.com
19	EMMANUEL KIBIRIGE	MUMA	0754386518
20	BUKYA JOHN BOSCO	MUMA/UAASM	0708374090
21	SUSAN JULIET	FIC	0779211142
22	AGABA HERBERT	RACD-ISINGIRO	0752900016
23	KOLIBI CARLA	KDO	0776148700
24	NAJJOMBWE SHAMIM	TWOSI	0704776423
25	OMODING BERNARD	SEATINI UGANDA	0755611679
26	LOGIEL SIMONA FORTUNATE	KDF	0781419492
27	MUGYENYI ONESMUS	ACODE	0772423449
28	MUTESI FATIMA	YOUTH CONCERN ON ENV'T	0752481509
29	MUHUMUZA DIDAS	AAU-KLA	0752221191
30	LUTALO DERRIC	UCCA	0703151259

ANNEX 8

Annex IV:

THE TERMS OF REFERENCE AND CODE OF CONDUCT FOR THE UGANDA CIVIL SOCIETY REPRESENTATIVES TO THE EITI MULTI STAKEHOLDERS GROUP (MSG)

TERMS OF REFERENCE

1.0 Background

For over 9 years, Uganda has been pondering a decision to join the Extractives Industry Transparency Initiative (EITI). The Cabinet finally took the decision for Uganda to join the EITI on *January 28* and publicly announced by the Government of Uganda on *January 29, 2019*. This move has been applauded by different actors like Civil society organisations in Uganda working around mining and the oil and gas sector in Uganda and the EU- "The EITI is the global standard to promote the open and accountable management of oil, gas and mineral resources, and Uganda's decision to become a fully-fledged member state is an important step for improved accountability particularly as the country continues to prepare for oil production," said EU Ambassador Attilio Pacifici.¹ The EITI is a global standard that is set to ensure a tremendous improvement in transparency and Accountability in as far as the extractives sector in Uganda is convened and to ensure that the country benefits from the mineral extraction. The EITI aims to join together in a common purpose with governments, companies, civil society groups, investors and international organizations to improve governance in resource-rich countries, in order to defeat the 'resource curse' and bring benefits to the public in economic growth and poverty reduction. CSOs will be able to track down and know how much money is paid by the companies and to hold accountable those that do not pay their fair share of taxes and Royalties.

Following the decision by Government to join the EITI, Government reached out to the NGO Forum in Uganda to convene its Members and submit a list of three representatives to form part of the Multi-Stakeholder Group (MSG) that will comprise of Government, companies and Civil Society actors. On April 16 and 17, 2019 the Civil Society Coalition on Oil and Gas (CSCO), Global Rights Alert (GRA), ACODE and Publish what you pay Uganda partnered together and convened CSOs for a capacity building training on the EITI in order to start an informed process of selecting the CSO representatives to the MSG. From that meeting, a small team was selected to come up with the draft Terms of Reference putting together all the ideas that had been generated at that capacity building training. It was agreed that CSOs would have three (3) representatives and three observers (3) at the MSG.

2. Objectives of the ToRs

To provide an agreed basis on which CSO members collaborate, to enhance the CSO's own transparency and accountability, to clarify roles and procedures and to address risks such as potential conflicts of interest.

1. To guide on what constitutes CSOs for the purposes of the EITI.
2. To provide for the roles and Responsibilities of CSO representatives to the MSG, qualifications, selection criteria, and their tenure among others.

¹ <https://ec.europa.eu/.../uganda/.../eu-applauds-uganda-decision-join-extractive-indus>

ANNEX 8

3.0 Qualification Criteria/ Requirements for CSO representatives on the MSG

a) Definition of Civil Society

For purposes of these ToRs, *Civil Society is defined* to include Non-Governmental Organisations (NGOs), Community Based Organisations (CBOs) and any other Not for profit entities in whatever form that work on Extractives in Uganda.

3.1 Organisations that Qualify to send Members to the MSG

- a) All Organisations that are fully registered in Uganda and that have a reputable profile for having worked in the extractives sector for at least two years. *Except;*
- b) For-profit organizations which include corporations whose revenue derives from activities other than the extractive sector. For-profit making organizations may include media outlets, social enterprises, or consulting firms
- c) Politically affiliated individuals or organizations, which may include individuals who have made clear their intention to run for public office.
- d) Organisations that have become non-operational for a consecutive two year period for financial or other reason.

3.2 Individuals that qualify to be part of the MSG.

- a) The person shall come from any registered Civil Society Organisation that has a reputable profile for having worked in the extractives sector for at least two years.
- b) The person shall have proven individual work experience Mining, Oil and gas or any other issues within the extractives industry in Uganda.
- c) Should have the capacity to carry out their duties as the CSO representatives.
- d) Show the Will and commitment to serve on the MSG
- e) Must demonstrated skills, experience, knowledge about EITI and the will to learn more about the EITI process.
- f) Must have a strong negotiation and public relations skills, and demonstrate commitment to the principles of Transparency and accountability in extractives,
- g) Must have a history of and integrity in advocacy and experience in any of the following areas; environment, human rights, natural resource governance , mining, oil and gas e.t.c
- h) Must have the capacity to nurture and maintain constructive engagement with stakeholders
- i) Understands and shares the EITI goals and aims.
- j) Must have sufficient time for MSG activities and wider EITI activities.
- k) Must demonstrate evidence of ability to engage in financial discussions.
- l) Demonstrate experience or record of engagement in civil society advocacy especially on natural resources and EITI.
- m) Demonstrate personal qualities to negotiate confidently, work with wide spectrum of stakeholders.
- n) Have no affiliation in the extractive industries that could be interpreted as a conflict of interest with respect to the extractive industries.
- o) **Must not be an elected Civil Servant or Government official or secure employment opportunities with companies including consultancies.**

ANNEX 8

4.0 Application requirements for an MSG Member

- a) A letter of expression of Interest as MSG Member
- b) An updated Copy of the CV of the individual.
- c) Brief profile of the Organisation where the applicant works
- d) Relevant documentation confirmation the legal status of the organisation.
- e) A recommendation letter from the Organisation.

5.0 Nomination of MSG Representatives and Observers.

- a) The Steering Committee of the MSG shall issue out a call for applications.
- b) The interested MSG representatives will express their interests by submitting their documents to the Steering Committee that will carry out the vetting exercise.
- c) The vetting/ Steering Committee shall then review the applications and shortlist the better candidates.
- d) The shortlisted candidates shall be presented to the general Assembly to vote the successful candidates.

6.0 Voting of substantive MSG representatives

- Voting shall be by secret ballot and each organisation shall be entitled to one vote.
- Each Organisation shall have one vote for three MSG Representatives and three Observer Members to the MSG
- The CSOs voting organisations are encouraged to consider aspects of diversity of representation including gender equity on the MSG.
- Where the Coordinator is a candidate, another member of the CS in meeting will act as returning officer.
- The voting shall be conducted by a presiding officer chosen from those present at the general Assembly and these shall neither stand for any post.
- The returning officer at the general Assembly shall announce the results of the votes of each candidate at the general Assembly.
- A substantive CSO MSG representative who for some reason is unable to attend the MSG Meeting, may appoint a person from any of the three observers to represent him or her at that Meeting. This has to be done in writing.

6.1 Mandate of the MSG Representatives

- a) CSO reps will represent the views of CSOs not own views
- b) The representatives communicate with these constituents to seek input and accountability
- c) Provide feedback regularly about the MSG and EITI processes, and to facilitate the constituency to effectively participate.
- d) Representatives should advance the interests of the public and communities affected by extractive industry activity
- e) Be in position to draw on the views and input of wider civil society, to whom they are accountable
- f) Upon election the reps shall sign non-confidentiality clause

ANNEX 8

- g) Demonstrate that the EITI can be used as a tool to promote and lobby for the accountable management of Uganda's natural resources

7.0 Observer Members to the MSG

- a) There shall be a total of three (3) observer Members voted for at the General Assembly in the same manner as the substantive CSO representatives to the MSG.
- b) The primary role of these observer members shall be to observe proceedings at MSG and caucus with the three substantive CSO representatives to the MSG to reach a better position on issues before the MSG.
- c) The Observer members shall play an advisory role to the substantive CSO representatives and not a competing role.
- d) An observer member could replace any of the substantive MSG Members in case a vacancy/vacuum arises.

8.0 Recall of an MSG Member

The representatives may be recalled upon

- a) Failure to attend three consecutive meetings
- b) Failure to give feedback and/or consult the constituency
- c) Leaving the Organization that earned him or her the representation

9.0 Term of Office of MSG Members and Observer Members

- a) An MSG Representative or Observer Member shall hold office for a term of two years.
- b) Upon the expiry of the term of two years, the term of office of the MSG or Observer Member may be renewed for another term of two years only.
- c) No MSG or Observer Member shall serve for a term exceeding four (4) Consecutive years.

10. The Steering Committee

- a) There shall be a steering Committee for purposes of overseeing the continuity of the EITI process.
- b) The Steering Committee shall be comprised of Five Members from the Civil society organisations working in the Extractives sector.
- c) The Steering Committee shall be a standby Committee which will meet as and when matters arise.

11.0 Code of Conduct

11.1 Mutual accountability

ANNEX 8

- Civil Society constituency members and MSG and observer representatives are mutually accountable and shall work together in a spirit of mutual respect and trust, including respecting reasonable standards of confidentiality among themselves.
- CS MSG and observer representatives recognise that their legitimacy on the MSG depends on the effectiveness of their liaison with, and on the confidence of, civil society colleagues.
- Civil Society MSG representatives and Observers undertake to work together cohesively and to prepare together in advance of MSG meetings.
- Civil Society MSG Representatives shall be accountable to the Civil society members that work on extractives through the General Assembly.
- To inform key decisions and obtain a mandate on core issues, representatives/alternates may also consult the CS constituency by email.

11.2 Conflicts of interest

- CSO MSG representatives and observer members are expected to operate (fully) independently off government, extractive companies, extractive industry associations and the wider private sector at all times.
- Direct financial or operational links with government, extractive companies and extractive industry associations are considered a conflict of interest.
- Should CSO representatives to the MSG while serving their term of office on the MSG obtain employment or any consultancy contract either with Government or any company, it shall be termed as conflict of interest and such member shall automatically forfeit their position as a MSG representative for Civil Society
- Indirect (e.g. close family) financial or operational links with government, extractive companies and extractive industry associations are considered an indirect (potential) conflict of interest.

12.0 Amendment or Review of the TORs

- This ToR and Code of Conduct document will be reviewed at least every three years by the CSO Members at the General Assembly to ensure that it continues to serve the needs of the CSOs and cater for any emerging changes in the sector.
- All Amendments shall take immediate effect upon being passed by the General Assembly of all CSOs working on Extractives.

ANNEX 8

ANNEX V

Convened by:



Call for Expression of Interest to Represent Civil Society on the EITI Multi-Stakeholder Group

24th April, 2019

On 28th January, 2019, the Cabinet of the Republic of Uganda approved the accession of the Government of the Republic of Uganda to the Extractive Industries Transparency Initiative (EITI). As a condition precedent to Uganda commencing its EITI candidacy, a Multi-Stakeholder Group (MSG) comprising of Government, Civil Society and Private sector must be established to steer the EITI process at National Level. Pursuant to EITI Guidance Note No. 14 which provides for the Establishment and Governance of the MSG, each stakeholder group must appoint their own representative bearing in mind the desirability for pluralistic and diverse representation. It is upon this background that the Civil Society Coalition on oil and Gas (CSCO) in conjunction with Publish What You Pay – Uganda as civil society conveners for EITI, are working with the Uganda National NGO Forum to nominate representatives of CSOs on the Multi-Stakeholder Group.

Objective

The objective of this call is to ensure that the process of nominating the civil society representatives to the MSG is democratic, inclusive, and transparent so as to ensure effective representation of CSOs and accountability of the representatives to the constituency.

Submission of Expression of Interest

Interested members of the civil society fraternity may submit the requisite documents in response to the Call for Expression of Interest. The application documents must be submitted in line with the provided procedure and format as per this call.

The application requirements for one interested in include the following:

- a) A letter of expression of Interest to represent Civil Society on the MSG
- b) An updated copy of the Curriculum Vitae of the individual applicant.
- c) Brief profile of the Organization where the applicant works
- d) Relevant documentation confirming the legal status of the Organization Network or Coalition.
- e) A recommendation letter from the Organization, Network or Coalition you work with.

Relevant qualifications for applicant individuals

- a) The person shall come from any registered Civil Society Organisation that has a reputable profile for engaging with government and having worked in the extractives sector for at least three years.
- b) The person shall have proven individual work experience Mining, Oil and gas or any other issues within the extractives industry in Uganda.
- c) Should have the technical capacity to carry out their duties as the CSO representatives.
- d) Show the Will and commitment to serve on the MSG

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ANNEX 8

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- e) Must demonstrated skills, experience, knowledge about EITI and the will to learn more about the EITI process.
- f) Must have a strong negotiation and public relations skills, and demonstrate commitment to the principles of Transparency and accountability in extractives,
- g) Must have a history of and integrity in advocacy and experience in extractives related fields including but not limited to the following areas; environment, human rights, natural resource governance, mining, oil and gas.
- h) Must have the capacity to nurture and maintain constructive engagement with stakeholders
- i) Understands and shares the EITI goals and aims.
- j) Must have sufficient time for MSG activities and wider EITI activities.
- k) Must demonstrate evidence of ability to engage in financial discussions.
- l) Demonstrate experience or record of engagement in civil society advocacy especially on natural resources and EITI.
- m) Demonstrate personal qualities to negotiate confidently, work with wide spectrum of stakeholders.
- n) Have no affiliation in the extractive industries that could be interpreted as a conflict of interest with respect to the extractive industries.
- o) **Must not be an elected Civil Servant or Government official or secure employment opportunities with companies including consultancies.**

How to apply

The Call for Expression of Interest (EoI) is open to all members of civil society with the aforementioned requisite qualifications. Based on Expressions of interest received, the applicants that meet the nomination criteria shall be subject to a vote by members of the civil society at a General Civil Society Forum, where upon the successful candidates shall become the CSO Representatives to the MSG.

All Expressions of interest and annexes should be submitted electronically citiug@gmail.com to and copy in muhindoi@gmail.com & r.ssewakiryanga@ngoforum.or.ug by 7:00 pm on Tuesday 30th April, 2019. All documents must be submitted in PDF.

In collaboration with:

