

This work was supported by European Union



And African Biodiversity Network



NATIONAL ASSOCIATION OF PROFESSIONAL ENVIRONMENTALISTS

(NAPE)



REPORT OF THE PARALEGAL TRAINING HELD ON 20-22ND MAY 2015



Participants pose for a photo after the training

AT SANCTUM HOTEL, ENTEBBE - UGANDA

1.0. Background and introduction

The National Association of professional Environmentalists (NAPE) is a National NGO, whose focus is on Environmental advocacy and promotion of prudent and effective management of natural resources. NAPE has, over years, advocated for human and other beings' rights. The organization has worked with Ugandan local communities, Government, civil society organizations, (CSOS) and other development partners to address the increasing destruction of natural resources and the environment.

Uganda government has developed and implemented policies and laws promoting industrialization in order to increase its Gross Domestic Product (GDP).

Priority has been given to foreign investments in the fields of mineral extraction, large plantation agriculture and manufacturing industries. This drastic move to industrialization has resulted into natural and environmental destruction, coupled with displacement of communities and destruction of their food production systems. Ecosystems have been destroyed for example water sources, wetlands, forests and communities' cultural heritage.

In order to address this situation, NAPE promotes various conservation approaches. NAPE is increasingly empowering local communities by encouraging and accompanying them to revive their ecological governance systems to address the current rampant nature and environmental destruction. To this end, we are popularizing the philosophy and approach of Earth jurisprudence (EJ) as a strong tool for communities to claim their rights in protecting and conserving nature and environment.

Earth jurisprudence looks at how the traditional community governance systems and community indigenous knowledge is employed by communities to own and manage their land, food and Sacred Natural Sites. EJ's emphasis is that the laws for governing the human and non human beings should be derived from the earth. It contends that the earth is the mother of all natural laws which have been used by African traditional communities to conserve nature.

Earth jurisprudence is a new approach in Uganda which is not well understood by policy makers lawyers and other natural conservationists, yet it complements and, also can be used as an alternative law to ensure nature conservation.

NAPE closely works in partnership with the Gaia Foundation, a nongovernmental organization based in the United Kingdom (UK).

Gaia has accumulated a wealth of knowledge and expertise in working with communities and providing professional knowledge in the area of Earth Jurisprudence.

In 2014, NAPE, with financial assistance from the European Union/ commission (EC) mobilized and facilitated formation of a loose coalition of practicing and upcoming lawyers in Uganda.

The coalition has had two meetings where the gaps of current Ugandan law have been discussed. The coalition with the facilitation of Ms Liz Hosken has been introduced to earth jurisprudence concept and its relevance in empowering communities to address the current nature and environmental destruction.

The last meeting of the coalition was conducted in September 2014 for one day. The meeting over whelming recommended an intensive discussion EJ approach and need for strategizing on how the approach should be popularized in institution of high learning and also the legal fraternity in Uganda. It was further recommended that more training of lawyers and other Nature conservationists be done, in order for them to appreciate EJ as a complementary approach to addressing the current Nature conservation challenges.

Against this background, NAPE organized a 3 day training workshop for the coalition members and other decision makers in the areas of conservation, policy, land and culture. These among

others included representatives of lecturers in public universities such as Makerere and Kyambogo, law students, practicing lawyers, oil affected communities, farmer groups from the oil region and Bunyoro and Buganda kingdoms.

The training was jointly funded by African Biodiversity Network (ABN) and European Union and was facilitated by The Gaia Foundation Executive Director, Liz Hosken.

The training in some way strengthened coalition and other members' EJ knowledge and the new members accepted to be part of the EJ movement in Uganda. It took place on 20-22nd May 2015 at The Sanctum Hotel- Entebbe Uganda and

The training sessions started with a mystiqua on each day.

Day 1

2.0. Self introduction and sharing expectations

- Participants shared their childhood stories, knowledge on EJ and expectations,

Members among others shared the following expectations;

- Understanding the meaning of Earth Jurisprudence
- Practical application of EJ
- How to protect mining impacts on our SNS
- learn about experiences of mining in other countries
- Acquire knowledge on how EJ is applied



Members in a discussion during the paralegal training

Reflections

Members reflected as follows;

- Appreciation of the past and the need to revive it.
- Noted that much has been lost

- People excited by their culture
- Noted connection of mankind and nature as a source of law (was direct) interconnectivity made people respect nature.
- Nature is a primary source of every thing
- Recognized the need for parents to sit down with the children and share with them about the past
- Culture shapes behaviors
- Distortion of cultures started with the coming of colonialists
- Noted redefining the influence of the money economy. Money shouldn't be on top of the most valuables.
- Erosion of culture is responsible for the current social, economic, political and environmental challenges.
- Culture gives identity
- Recognized dominance by technology for example phones
- Recognized a need to share knowledge with children
- Noted the need to use culture to push for personal development
- Recognized the need to contact the ministers responsible for culture and judiciary to see how work with government in promoting EJ.

Liz

- Recognized shortness of the industrial era and how destructive it is.
- Noted that people had always shared stories and stressed how they are a universal way of encoding knowledge
- Recognized the need to live a future that benefits our children, the need to revive tradition and self discipline.

3.0. Opening remarks by Frank Muramuzi, NAPE Executive Director

In his remarks, he welcomed members and stressed the importance of new learning and he;

- Recognized the need to holistically learn.
- Thanked European Union and ABN for their financial support and in a special way thanked Liz Hosken (The Gaia Foundation) for facilitating the training and effort to promoting EJ and its significance to Community Ecological governance.
- Wished that EJ be embraced by Government and other decision making bodies.
- Said that through culture, the government laws can be influenced especially in education and health circles.

4.0. Story of origin by Liz - about Thomas Berry

She said that;

- Thomas's work was mainly on the petroleum era which was about making money. Thomas indicated that how the industrial machines are destructive to nature and noted that the legal system that emerges through the western world needed urgent attention.
- Liz added that Thomas noted legitimization of seed laws and how this legitimized cooperate way of taking away the seeds.

- Liz emphasized that Thomas acknowledged that a culture which grows fast collapses first and destroys foundations of life.
- She added that Thomas noted that humans know how to link of the planet without compromising its being and stressed the need to strike a balance between the world of nature, spirit and the earth.
- Liz said that language, food is born when communities find themselves and emphasized that this is embedded in their stories and people's way of living.
- Liz recognized that humans can actually control nature but requires understanding of how nature operates and stressed the need not to think that western world brain washed Africans.
- Thomas recommended shifting from human centered thinking to an earth centered thinking. Thomas recognized 2 sources of inspiration, that is, Nature and indigenous society, deriving laws from the earth and understanding how the earth works and the need to question that the thinking that the universe is not a collection of subject.
- She noted that EJ is a change of consciousness and how the law works to maintain what is contained in the universe.
- She recommended making decisions for generations, taking the wisdom of past, living within the law of the universe and in a way that doesn't violet the rights of other beings in the universe

Reflections

Members;

- Recognized the need to have environmental law to be applied.
- Noted completeness of earth Law as a source of law.
- It through knowledge and of seed that the universe / earth can continue to live.
- Recognized that the current law legitimizes destruction.

Day 2

The day started with a Mistiqua led by Shillar, Kagole and Asuman

Liz led members into a session of Reflecting on inspirations and what should be emphasized in the next discussions of the day.

Members shared as follows;

- Excitement about EJ, Presence of the past than the present.
- Want EJ to be discussed more so that members are able to explain to other people
- Level of exhibiting conscious minds
- Discussing linkages between religion and culture
- Interconnectedness of humans and nature
- Co existence of the conventional law and EJ. Using EJ to shape the conventional law.
- The relationship of nature and life is inseparable.
- Learnt that the earth is a communion of subjects not a collection of objects.

- Need to have a sustainable movement on EJ
- Will advocate for EJ in sectoral education for sustainable development project
- Need to utilize other opportunities to ensure that discussion on EJ continue to take place
- Want to understand more EJ what is, what isn't and best practices
- Will bring my family issues about cultural issues and their importances
- Will start influencing young minds to interest them in doing research in EJ (university students)
- The law of the universe is interesting
- Need to check where we went wrong
- Will encourage learning outside classroom setting
- Culture is embedded in ecosystems
- Want discussion on ecology and relation with mankind
- Will use CBS radio platform and share EJ with cultural leaders
- Appreciation of childhood memories
- Eco friendly practices
- Preach the gospel of EJ
- Need to unpack 10 principles of EJ to strengthen confidence
- Words from elders stick in people's minds.
- Teaching my children on saving food (preparing what they can eat and finish)
- Want more intergenerational learning (elders sharing with the youth)
- Will mobilize other members of the community and discuss more about EJ.
- Need to find more elders who are knowledgeable about ecosystems
- Appreciated that EJ is part and parcel of humankind.
- Each of us has a responsibility to promoting EJ.
- Sharing with my family about EJ – need to create time and reflect on the past (how things used to be done)
- Nature has brought us this far
- Need to map out "Natural resources"
- Excited about the participatory approach
- Want to discuss more about shrines
- Knowledge will be shared with family members
- Appreciated that everyone has an origin
- Parents need to teach their children about their cultures.
- Liked the unfolding of the discussion on EJ.
- Want to know the global perspective of EJ will create allies in various sectors

5.0. Sharing the story of the Amazon by Liz

During this Session Ms Hosken gave a narration on how indigenous communities in Columbia and South Africa (Venda) used the dialogue process and managed to influence their governments to recognize their traditions.

She said that the process was started by a few elders after the recognition that western way of doing things had not helped an indigenous person and had no regard for communities' traditions. She added that this continued growing as more people continued to join

Liz stressed how indigenous people in the Amazon have reached a point where government gives them an opportunity to include in government plans aspects on education and health that they want to be addressed every financial year.

She added that having seen what was realized by the indigenous communities in Amazon, a few members in Africa from Ghana, Kenya, South Africa and Ethiopia realized a need to also do the same in Africa.

She said that representatives from the 4 African countries in 2004 had an experience sharing meeting with the communities in the Amazon. At the end of the meeting, the representatives resolved to individually go back to the roots and get know how things used to be done since mother earth`s creation. Liz added that they started the dialogue process among their communities to help the rest of the people tress their roots and this started around Sacred Natural sites with few custodians. Liz also stressed how women in both communities have been instrumental in reviving tradition.

She emphasized how the South African government and religious leaders (especially Bishop Tutu) have started recognizing work around Sacred Natural sites and custodians of the sites.

She also stressed the many challenges encountered for example religion and slowness of the process which prompted some of the members to give up.

She recommended going back to the roots; identify communities where there was conversation, reviving of rituals and developing a personal connection with nature.

Reflections

Culture is directly connected with territory

- Liz emphasized the right to be and to participate in evolution process
- The movement on EJ is targeting African
- Suggested concentrating on a small part and reduce change

6.0. Sharing understanding of EJ- principles + practices

Members noted that;

- The earth is the primary text (The Earth is lawful).
- Human governance systems should be derived from the laws of the Earth
- As a communion of subjects – we all have a right to be, to habitat and a right to participate in the evolutionary process.
- Human values; are written in your heart through daily practice and community practice – law is written in your heart through practice
- EJ is fair to all- same law applies to every one – humans and other than humans, consequence fair for universality of consciousness between humans/ culture and large earth community of which are integral part.
- All imbued with spirit, consciousness
- Humans have capacity to communicate with all aspects of community of the earth but need to redevelop capacity
- SNS are central to the community governance systems and cultural cohesion

PRACTICE

The meeting recognized the need to be more conscious and compliant to the laws of the universe.

DAY 3

Day 3 began with a mystqua

Participants were divided in groups and discussed the following questions;

Questions

1. What excited you
2. What needs emphasis / be discussed more and understanding?
3. Global issues
4. Take home (what you will do as a team and individual levels)

Feedback

Participants among others presented the following;

David

1. Story of Liz about USA where co2 were polluting the area and communities rose against them.
2. Distinction between custodians and witch doctors
3. Climate change and influence of bad permitting climate change driving activities e.g. carbon trading

Karen

1. Discussing principle of EJ especially
2. Rights (right to be habitat, participate in evolutionary process)

Shillar

1. Enthusiasm of members to discussing EJ
2. Application of EJ in practical terms
3. Geo engineering and its implication to health, food

Suman

1. Reviving tradition and the interconnectivity of the various components
2. GMOs – have severe impacts

Sostine

1. Stories of origin
2. Personal commitment
3. Expansion of extractive industries

Nyangabyaki

1. Ability of the Amazon to defend their forest, EJ which is not imposed on people

Ashar

1. Open sharing
2. GMOs and the need to target commercial farmers
3. Need to build confidence of communities

Carol

1. Listening to people's stories
2. Will include EJ in Buganda's outreach programs, will organize a meeting for chiefs and come up with a resolution
3. GMOs' effects and need to come up with a statement as a kingdom

Nuwagaba

1. Confirmed that Paul Frailer's methodology of learning works
2. Patenting of seeds and its troubles
3. Want to learn more on clear conceptualization of the words being used in EJ

Lule

1. Land grabbing
2. How to reach out politicians

Denis

- 1- Excited by the participants energy in the whole discussion
- 2- Will work with partners to fundraise for further discussions on EJ
- 3- Will popularize as NAPE, the EJ philosophy

Stephen Muhweezi

- 1- The whole philosophy of EJ
- 2- Will popularize EJ philosophy at the law school of Makerere University and also form a club of EJ
- 3- Will read more about Thomas Berry

Harriet

- 1- Earth as a the primary source of law
- 2- Climate change and its impact on food sovereignty
- 3- Will ensure that EJ in mainstreamed in our organization work.

7.0 WRAP UP AND WAY FORWARD

Members were grouped into 3 categories (universities, Traditional kingdoms and custodians of SNS and CSOs). The groups reflected on the below questions and made presentations.

1. Discussing take home for cso, Buganda and bunyoro kingdoms
2. What we are going to do after here.
3. Sustainability of EJ

Presentations

Individual level

- Integrate EJ principle into activities
- Ashar – create awareness among youth\work closely with uncle to revive SNS
- Eneu – draw a family tree of their clan
- Sostine- personal learning about her clan
- Trace the lineage of her dad- Shillar

NGO level

- Concept on reviving EJ/SNS work on mining in karamoja
- Share info on EJ with EJ practitioners and other stakeholders
- As a group- popularize EJ, information. Sharing.
- Map out vulnerable communities protecting SNS in Uganda especially those threatened by extractives.

Sustainability strategies

- Support dialogues among communities
- Support custodians to revive rituals and leadership structures
- Support Intergenerational learning
- NAPE to work the The Gaia Foundation and bring on board other communities and stakeholders with strong attachment to traditional culture and indigenous governance systems.

Higher institutions of learning (Kyambogo and Makerere)

- Mukisa- integrate EJ in PHD research and education for sustainable development policy
- Keren – trace her ancestral and meaning of some rituals
- Incorporate EJ in her PHD research
- Nuwagaba- traces and passes on info. Of his lineage to his children

- Influence students to pick interest in research in EJ and pick collaborative research
Suman: will support his friend to be confident in promoting culture, Invite promoters of EJ to give talks to his students on EJ and Integrate EJ in his teaching
- As a group, integrate EJ in curriculum. research on EJ, continue planning field trips for students to SNS
- Beyond the meeting; come up with document on EJ and share it with the rest of the members, Organize public dialogues on EJ \

Sustainability; strengthen and widen the network (nape to share milestones in EJ) which can energize other EJ practitioners in universities

SNS groups- Bunyoro

- Explain who we are
- Share what they have learnt with other community members

Traditional kingdoms

- Interest other colleagues to come up
- Hold radio programs on CBS (kingdom`s FM radio)
- Contact Sentebe (chairperson in Buganda kingdom) and discuss a plan on popularizing EJ and revival of indigenous varieties
- Do community outreach programs and encourage indigenous seed banks
- Convene a meeting for parliamentary Buganda leaders, county chiefs and share info. On EJ
- Will continue with collaborative management in collaboration with NFA
- Will continue with agro forestry in Buganda

Sustainability; Network with diff NGOS and empower communities through outreach programs

7.0. Conclusion remarks

Dennis emphasized that EJ needs a conscious mind, requires constant dialogue and encouraged university group to constantly share. He promised that NAPE will keep on fundraising to ensure that the discussion takes place further