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Governance Of Oil and Gas in Uganda

Nabukeera Madinah

Department of Politics and Public Administration

Kyambogo University

Corresponding e-mail: nabmadinah@gmail.com

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Abstract

Effective management of oil and gas resources is vital to boosting Uganda's economic development. The country has 1.38 billion barrels of recoverable oil reserves, significantly improving revenue, exports, and investment. Thus, the current study analysed the governance of oil and gas in Uganda by comparing value realisation, revenue management, enabling environment, and law and practice. The study explicitly compared Uganda's oil and gas sector scores from 2017 to 2021 across four key areas: oil and gas value, the enabling environment, revenue management, and laws and practices. The study employed a descriptive design, using solely quantitative methods to examine Uganda's governance of oil and gas. It relied on secondary data freely available on the Natural Resource Governance Institute (NRGI) website. A two-sample t-test was conducted, and conclusions on the study hypotheses were drawn based on the resulting p-values. The findings emphasise the need to strengthen the enforcement of existing laws. Uganda must move beyond having well-crafted legislation on paper to ensuring its full implementation in practice. The government should uphold the rule of law in managing the oil and gas sector to guarantee that the current legal framework delivers tangible socio-economic benefits.



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Keywords: Oil and gas, environment, revenue, governance, Uganda

1.0 Introduction

The discovery of commercially viable oil deposits in Uganda in 2006 marked a historic turning point in the country's development journey. With an estimated 6.5 billion barrels of oil discovered, of which 2.5 billion are recoverable, Uganda's petroleum resources present both an opportunity and a challenge (Veit, Excell, & Zomer, 2011). If managed effectively, this resource wealth can transform Uganda into a middle-income country by reducing poverty, encouraging socio-economic growth, and raising living standards. However, experiences from other resource-rich nations warn against the so-called "natural resource curse," where poor governance, rent-seeking behaviour, and weak institutions undermine the developmental potential of oil and mineral wealth (Agbaeze & Ukoha, 2018; Frankel, 2012). Avoiding this problem requires deliberate governance strategies that focus on transparency, accountability, and sustainable resource management.

Oil exploration in Uganda has a long history dating back to the colonial period, when oil seeps were first mapped and shallow wells drilled in places like Kibiro, Butiaba, and the Semliki valley. These early attempts stalled due to global events such as World War II, colonial economic policies favouring agriculture, and decades of political instability that deterred investment. It was not until 6 January 2006, with the discovery of the Mputa-1 well, that Uganda officially confirmed the presence of commercial oil (MEMD, 2017). This milestone prompted increased exploration activities, leading to multiple discoveries and growing international interest in Uganda's oil and gas sector (Agbaeze & Ukoha, 2018; Mbabazi & Muhangi, 2017).

Initially, Uganda lacked an adequate legal and institutional framework to regulate the petroleum industry. The Petroleum (Exploration and Production) Act of 1985 and constitutional provisions offered limited guidance in a context where no large-scale commercial oil had yet been proven. Recognising the need for a comprehensive governance framework, the Government introduced key reforms between 2008 and 2015. These included the National Oil and Gas Policy (2008), the Oil and Gas Revenue Management Policy (2012), the Petroleum Acts of 2013, and the Public Finance Management Act (2015), which together sought to establish rules for exploration, production, revenue management, and transparency (GoU, 2013; Oloka-Onyango, 2020). The contemporary exploitation of petroleum wealth requires several considerations in the country's governance frameworks.

In this study, resource governance is understood as the set of "hard" rules, laws, regulations, monitoring, and enforcement mechanisms and "soft" rules norms, standards, and expectations that shape how hydrocarbons contribute to sustainable development. Effective governance requires not only strong legal frameworks, but also predictable institutional practices, equitable revenue sharing, and accountability by all stakeholders (ACODE, 2018; Phillips & Whiting, 2016). While Uganda has made progress in creating a governance architecture for the petroleum sector, recent assessments such as the (RGI, 2021) place the country in the "weak" performance band, citing

gaps in revenue management, value realisation, and enabling environments (Frankel, 2012; Levy & Newell, 2005; Oloka-Onyango, 2020; Qureshi, 2008). Against this backdrop, the present paper critically examines Uganda's oil and gas governance framework over the past four years. It evaluates whether the policies and institutions established are sufficient to steer the country away from the pitfalls of the resource curse and toward inclusive, sustainable development.

1.1 Statement of the Problem

With substantial investments and revenues anticipated from Uganda's oil and gas sector as it enters the production phase, only prudent management of these resources can steer the country towards the much-anticipated middle-income status. However, despite early progress in establishing laws on exploration, production, licensing, and financial matters, the initial signs of effective governance in Uganda's oil and gas sector remain unpromising. The 2021 Resource Governance Index (RGI) report ranked Uganda's governance of the oil and gas sector within the weak performance band, after assessing value realisation, revenue management, the enabling environment, and the gap between law and practice. Furthermore, oil and gas licensing received a "failing" score, largely due to the absence of a cadastre, the lack of beneficial ownership disclosure rules, and the government's failure to publish contracts with oil and gas companies (Kjær, Therkildsen, Buur & Hansen, 2021; RGI, 2021).

According to Niringiyimana (2021), despite some improvements, governance in Uganda's emerging oil and gas sector - as well as in the wider mining sector - remains weak, with widening gaps between law and practice. This weakness could undermine the country's commitment to transparency and its aspirations for middle-income status (Niringiyimana, 2021; Oloka-Onyango, 2020). Moreover, although Uganda has established transparent policies and laws, parts of the contracting processes remain opaque and are not readily accessible to the public. As stipulated in the Access to Information Act (2005), information appeals are often time-consuming and do not always yield the desired outcomes. For instance, in *Charles Mwanguhya Mpagi and Izama Angelo v. The Attorney General* (2010), the Chief Magistrate's Court of Nakawa ruled that the applicants had not proved beyond reasonable doubt that the public benefit of disclosure outweighed the potential harm to third parties (Bagabo, Mugenyi, Magara & Twebaze, 2019; Oloka-Onyango, 2020).

1.2 General Objective of the Study

Undoubtedly, Uganda has made efforts to establish an institutional and legal framework to guide its nascent oil and gas sector. However, procedures, policies, and laws hold little value unless they are effectively implemented and enforced, supported by administrative efficiency, adherence to the rule of law, public trust in government, and a sound regulatory framework. The primary objective of this study is to assess whether the implementation of Uganda's current oil and gas

governance framework is helping the country avoid falling into the “oil curse” syndrome, with particular emphasis on comparing Uganda’s oil and gas value scores between 2017 and 2021.

1.3 Hypotheses

The objectives of the study were evaluated using the hypotheses below:

Ha₁: There was a significant difference in the scores of the value of oil and gas between 2017 and 2021 in Uganda

Ha₂: There was a significant difference in the scores of the enabling oil and gas environment between 2017 and 2021 in Uganda

Ha₃: There was a significant difference in the scores of the oil and gas revenue management between 2017 and 2021 in Uganda

Ha₄: There was a substantial difference between the scores of the oil and gas Laws and practices in Uganda

2.0 Literature Review

A substantial body of scholarship has examined the “oil curse,” a range of political and economic challenges that affect nearly all oil-producing nations to varying degrees (Peck & Chayes, 2015). While oil and mineral resources can generate considerable benefits, irresponsible governance often distorts economies, encourages corruption, and provokes conflict. Evidence indicates that countries rich in oil and mineral resources are more susceptible to civil unrest than those without (El-Gamal & Jaffe, 2009; Peck & Chayes, 2015). For Uganda, the extent to which oil and mineral wealth will provide sustainable benefits depends largely on transparency, particularly in how the government handles oil and mining contracts with companies.

One major challenge associated with resource wealth is the “Dutch disease,” first observed in the Netherlands in the late 1950s when gas exports strengthened the Dutch guilder. This shift made the manufacturing and service sectors less competitive and left the economy vulnerable when gas prices later declined (Agbaeze & Ukoha, 2018; Ross, 1999). Similar patterns have occurred in African countries such as Nigeria and Chad, where resources and labour moved from non-booming sectors to the oil sector, weakening overall economic stability (Agbaeze & Ukoha, 2018; Robinson, Torvik, & Verdier, 2006).

Oil-producing states also face persistent gaps in information, monitoring, and public participation (Karl, 2007; Morrison, 2012; Ross, 2012). These gaps exist at both local and national levels, where power is concentrated in the executive, fiscal accountability is weak, and rent-seeking practices prevail. In such contexts, civil society groups and advocacy organisations often lack the capacity to hold governments and oil companies accountable. To mitigate these risks, international donors,

Non-Governmental Organisations (NGOs), think tanks, and industry associations have promoted governance reforms and accountability initiatives (Bagabo et al., 2019; Van Alstine, Manyindo, Smith, Dixon, & Amanigaruha, 2014).

Resource governance encompasses both hard rules, such as laws, policies, and regulations, and soft rules, including norms, standards, and social expectations, which determine how hydrocarbons contribute to development and poverty reduction (Van Alstine et al., 2014). Much of the oil curse literature emphasises the importance of robust management frameworks that shield governance from the adverse effects of resource revenues. Mechanisms like sovereign wealth funds, binding savings rules, and careful expenditure controls are recommended to stabilise economies and ensure long-term benefits. These insights are particularly relevant for Uganda, which faces both opportunities and risks in managing newly-discovered reserves.

Globally, governance norms have evolved to counter the negative economic, social, and environmental impacts of extractive industries. Advocates of good governance argue that transparency across the extractive value chain is essential for ensuring that oil wealth benefits the population. In Uganda, this involves enacting policies and laws that regulate exploration and production, define license obligations, establish financial rules, and ensure disclosure and accountability (ACODE (2018)). Governments are expected to regulate resource extraction, collect revenue, and use it to deliver services equitably by promoting transparency, accountability, and participation. The parties involved, such as the government and companies, must comply with these policies, laws, regulations, and best practices, as illustrated in Figure 1.

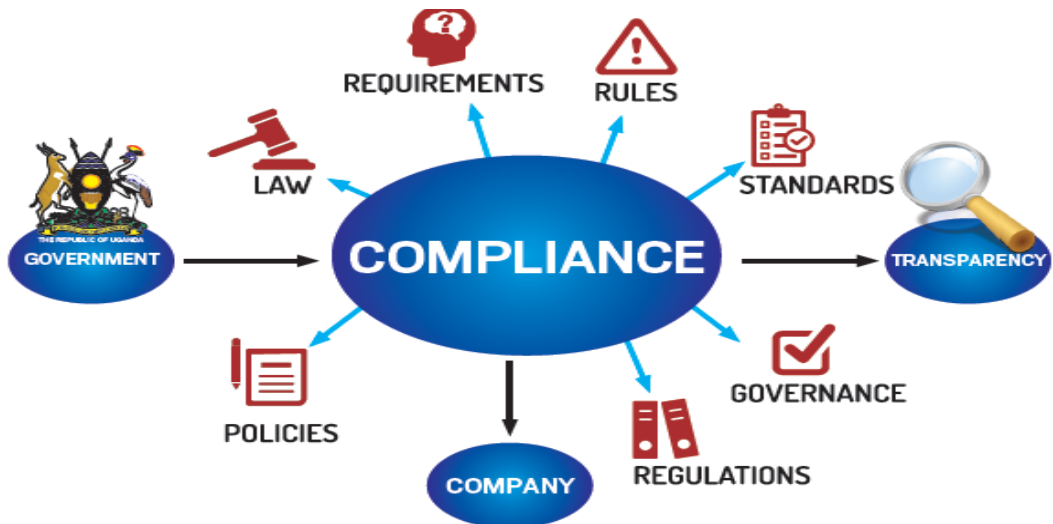


Figure 1: Uganda Oil and Gas Sector Governance Framework

Source: ACODE (2018)

One key governance issue is ownership. Article 244 of the 1995 Constitution of Uganda states

that all minerals and petroleum resources belong to the government, acting on behalf of the people (Oloka-Onyango, 2020). This reflects the public trust doctrine, which obliges government to manage resources transparently and accountably. Another critical issue is contract transparency. According to best international practices, open contracting and disclosure of agreements are essential for civic trust and competition. However, Uganda's oil contracts have often been opaque, with limited public access, despite constitutional requirements and the Access to Information Act (Oloka-Onyango, 2020). Secrecy around contracts has been linked to corruption, environmental harm, conflict, and mismanagement. Countries such as Nigeria, Angola, and Venezuela illustrate the dangers of secrecy, while Norway provides a contrasting model where openness has fostered development (GoU, 2018).

Uganda has also struggled with local content provisions. Many oil contracts lack specific quotas or timelines for employing Ugandans, merely stating that expatriates will gradually be replaced. The National Local Content Act (2019) was introduced to address these weaknesses and strengthen local participation in oil projects Oloka-Onyango (2020) Without effective local content rules, resource wealth can fail to benefit the broader population (Oloka-Onyango, 2020). The literature consistently warns that without openness and accountability, oil revenues tend to worsen corruption, deepen inequalities, and undermine environmental sustainability law? and Minio-Paluello (2010) note that Uganda's licensing processes still suffer from weaknesses that need reform if the country is to achieve international best practices. Lessons from Ecuador demonstrate that institutional reforms and strong governance can transform oil wealth into broader development benefits, including economic diversification and investment in infrastructure (Al-Badri; Lay & Minio-Paluello, 2010).

Internationally, the Extractive Industries Transparency Initiative (EITI) is the leading global standard for resource governance. It requires disclosing revenues, payments, and contracts to promote accountability. Uganda joined EITI in 2020, pledging to adhere to its 12 principles.

However, contract disclosure remains limited, with agreements often treated as state secrets. Even legal requests for access to contracts such as the case of Charles Mwanguhya Mpagi and Izama Angelo v. Attorney General (2010) have been unsuccessful. Uganda's National Oil and Gas Policy recognises that the sector can generate both opportunities and risks. If poorly managed, it can lead to economic stagnation, environmental damage, and increased poverty. To mitigate these risks, Uganda has developed a legal, regulatory, and institutional framework. Capacity-building initiatives have been introduced to enhance monitoring and accountability, but practical implementation depends on the active involvement of all stakeholders, government, companies, and civil society alike.

3.0 Methodology

The study adopted a descriptive research design (Hammond & Gast, 2010) with a quantitative

approach to investigate Uganda's oil and gas governance. This design was chosen because it allows for the systematic description, analysis, and interpretation of existing governance data without manipulating variables. The descriptive design was appropriate since the study aimed to analyse governance indicators rather than establish causal relationships. The population of the study comprised governance indicators in the oil and gas sector of Uganda, as published by the Natural Resource Governance Institute (NRGI) through the Resource Governance Index (RGI). The scope was limited to the most recent available data on Uganda's oil and gas sector governance, focusing on value realisation, revenue management, and enabling environment (Johnston, 2014).

Given the reliance on secondary data, the study employed purposive sampling. Data from the RGI on Uganda was selected because it is globally recognised, regularly updated, and based on internationally standardized governance frameworks. Other potential sources were excluded to maintain consistency and comparability of indicators. Secondary data were collected from the Natural Resource Governance Institute (NRGI) website. Specifically, datasets and reports for Uganda's oil and gas sector under the Resource Governance Index were downloaded and extracted. The study focused on variables measuring governance performance, such as legal framework, transparency, accountability, value realisation, and revenue management (GoU, 2018).

The data were analysed using descriptive statistics (mean, standard deviation, variance, and frequency distributions) to provide summaries of the governance indicators. A two-sample t-test (Chakraborty, Firestone, & Bellows, 2013) was conducted to compare governance performance across different categories of indicators, particularly between value realisation, revenue management, and enabling environment. The analysis was performed using SPSS version 14 (Bryman & Cramer, 2009). Hypotheses were tested at a 95% confidence level, with conclusions drawn based on the significance values (p-values). The study relied on secondary data from the NRGI, which is a globally recognised institution specialising in extractive sector governance. The data's credibility is assured by NRGI's rigorous methodology, peer-review processes, and the use of internationally accepted governance benchmarks. Using one standardised data source ensured reliability and comparability across governance indicators.

The methodology had limitations. First, the reliance on secondary data restricted the researcher's ability to verify or update information. Second, the study did not collect primary data from stakeholders in Uganda's oil sector, which could have provided richer contextual insights. Third, the use of descriptive and t-test analysis restricted the depth of causal inference. These limitations are acknowledged, but the use of RGI data still provides valid insights into governance performance in Uganda. Although the study relied on secondary data, ethical standards were observed. Data was accessed from publicly available sources, with due acknowledgment of NRGI as the primary publisher. Proper citation and referencing were applied in line with academic conventions. No human subjects were involved; hence issues of consent or confidentiality did not arise.

4.0 Results

This chapter presents the descriptive statistics and findings on the study objectives.

4.1 Descriptive statistics

The descriptive statistics of the study variables are presented in Table 1.

Table 1: Descriptive Statistics of the variables

Variables	N	Minimum	Maximum	Mean	Std. Dev
Oil and gas value realisation score in 2017	4	13	72	42.50	24.853
Oil and gas value realisation score in 2021	4	27	78	49.00	22.076
Oil and gas enabling environment score in 2017	7	23	68	46.71	18.062
Oil and gas enabling environment score in 2021	7	20	70	49.71	15.892
Oil and gas revenue management score in 2017	2	36	48	42.00	8.485
Oil and gas revenue management score in 2021	3	43	52	48.67	4.933
Oil and gas law score from 2017 to 2021	2	49	57	53.00	5.657
Oil and gas law practice (enforcement) score from 2017 to 2021	2	38	39	38.50	.707

Source: Author's computations based on NRG1, 2021

Table 1 shows that oil and gas value realisation scored an average of 42.5 points in 2017, below the average score of 49 points in 2021. The enabling environment of oil and gas scored an average of 46.7 points in 2017, slightly below the 49.7 average score points in 2021. The sector's revenue management scored an average of 48.7 points in 2021, above the 42-point average in 2017. Regarding oil and gas laws and enforcement, the sector scored an average of 38.5 points in law enforcement, below the 53-point average for Uganda's oil and gas laws.

4.1.1 Comparing the scores of the value of oil and gas between 2017 and 2021 in Uganda

The study sought to find out whether there was a significant difference in the average score on the value of the oil and gas sector between 2017 and 2021 in Uganda. The oil and gas sector value was measured regarding licensing, taxation, local impact, and state-owned enterprises. The findings are presented using a two-sample t-test in Table 2.

Table 2: Two-sample t-test comparing the scores of the value of oil and gas between 2017 and 2021 in Uganda

Two-sample t test with equal variances

Variable	Obs	Mean	Std. Err.	Std. Dev.	[95% Conf. Interval]	
VR_201~e	4	42.5	12.42645	24.8529	2.953489	82.04651
VR_202~e	4	49	11.03781	22.07563	13.87275	84.12725
combined	8	45.75	7.791364	22.03731	27.32635	64.17365
diff		-6.5	16.62077		-47.16956	34.16956

diff = mean(VR_2017_score) - mean(VR_2021_score) t = -0.3911
Ho: diff = 0 degrees of freedom = 6

Ha: diff < 0 Ha: diff != 0 Ha: diff > 0
Pr(T < t) = 0.3546 Pr(|T| > |t|) = 0.7093 Pr(T > t) = 0.6454

Source: Author's computations based on NRGI, 2021

The findings from Table 2 reveal that there was no significant difference in the average score of the value of oil and gas between 2017 and 2021 in Uganda (Mean difference=6.5 score points, P-value (0.7093)>0.05). The findings may imply that the value of oil and gas sector scored almost the same points in 2017 and 2021 because of the reduction in licensing and local impact.

4.1.2 Comparing the scores of the enabling oil and gas environment between 2017 and 2021 in Uganda

The study's second objective was to investigate whether there was a significant difference in the scores for the enabling environment of oil and gas in Uganda between 2017 and 2021. In terms of the enabling environment, the study examined voice and accountability, government effectiveness, regulatory quality, the rule of law, control of corruption, political stability and absence of violence, and data openness. The findings of the study are presented in Table 3.

Table 3: Two-sample t-test results comparing the scores of the enabling environment of oil and gas between 2017 and 2021 in Uganda

Two-sample t test with equal variances

Variable	Obs	Mean	Std. Err.	Std. Dev.	[95% Conf. Interval]	
EE_201~e	7	46.71429	6.826818	18.06206	30.00966	63.41891
EE_202~e	7	49.71429	6.006799	15.8925	35.01618	64.41239
combined	14	48.21429	4.388019	16.41846	38.73455	57.69402
diff		-3	9.093243		-22.81248	16.81248

diff = mean(EE_2017_score) - mean(EE_2021_score) t = -0.3299
Ho: diff = 0 degrees of freedom = 12

Ha: diff < 0 Ha: diff != 0 Ha: diff > 0
Pr(T < t) = 0.3736 Pr(|T| > |t|) = 0.7472 Pr(T > t) = 0.6264

Source: Author's computations based on NRGI, 2021

The study outcomes in Table 3 revealed at a 5% level that there was no significant difference in the scores of the enabling environment of oil and gas between 2017 and 2021 in Uganda (mean

difference = 3 score points, P-value (0.7472)>0.05). The findings may imply that the enabling environment of oil and gas remained almost the same score points in both 2017 and 2021. No change in the score points was attributed to increased corruption tendencies, government ineffectiveness, and reduced quality in the oil and gas regulatory system.

4.1.3 Comparing the scores of the oil and gas revenue management between 2017 and 2021 in Uganda

The study investigated whether there was a significant difference in Uganda's oil and gas revenue management scores between 2017 and 2021. Revenue management of the oil and gas sector was examined in national budgeting, subnational resource revenue sharing, and sovereign wealth funds. The findings are presented in Table 4.

Table 4: Two-sample t-test results comparing the scores of the oil and gas revenue management between 2017 and 2021 in Uganda

Two-sample t test with equal variances

Variable	Obs	Mean	Std. Err.	Std. Dev.	[95% Conf. Interval]	
RM_2017~e	2	42	6	8.485281	-34.23723	118.2372
RM_2021~e	3	48.66667	2.848001	4.932883	36.41271	60.92063
combined	5	46	2.949576	6.595453	37.81066	54.18934
diff		-6.666667	5.789518		-25.0915	11.75816

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diff = mean(RM_2017_score) - mean(RM_2021_score)          t = -1.1515
Ho: diff = 0                      degrees of freedom =      3

Ha: diff < 0                      Ha: diff != 0              Ha: diff > 0
Pr(T < t) = 0.1665                Pr(|T| > |t|) = 0.3330        Pr(T > t) = 0.8335
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Source: Author's computations based on NRGI, 2021

The study found that the average scores of oil and gas revenue management between 2017 and 2021 in Uganda were not significantly different at the 5% level (mean difference=6.7 points, p-value (0.3330)>0.05). The results may imply that the oil and gas sector revenue management scores remained almost the same in 2017 and 2021 in Uganda due to the ineffectiveness of the national budgeting process.

4.1.5 Comparing the scores of the oil and gas laws and practices in Uganda

The last objective of the study was to investigate whether there was a significant difference between the scores of oil and gas sector laws and practices in Uganda from 2017 to 2021. The findings are presented in Table 5.

Table 5: Two-sample t-test results comparing the scores of the oil and gas laws and practices in Uganda

Variable	Obs	Mean	Std. Err.	Std. Dev.	[95% Conf. Interval]
Law	2	53	4	5.656854	2.175181 103.8248
Practice	2	38.5	.5	.7071068	32.1469 44.8531
combined	4	45.75	4.497685	8.995369	31.43636 60.06364
diff		14.5	4.031129		-2.844548 31.84455

diff = mean(Law) - mean(Practice)

Ho: diff = 0
t = 3.5970

degrees of freedom = 2

Ha: diff < 0
 Pr(T < t) = 0.9653

Ha: diff != 0
 Pr(|T| > |t|) = 0.0693

Ha: diff > 0
 Pr(T > t) = 0.0347

Source: Author's computations based on NREGI, 2021

The results in Table 5 show that there was no significant difference in the average scores of the oil and gas laws and practice in Uganda from 2017 to 2021 at a 5% level (mean difference=14.5 scores, P-value (0.0692)>0.05). The findings may imply that the Government does not fully enforce the laws governing the oil and gas sector, as stated in the Constitution of Uganda.

5.0 Conclusions

The study concludes that oil and gas governance in Uganda was poor between 2017 and 2021. For instance, the study observed no significant improvement in oil and gas value, environmental conditions, revenue management, or law enforcement between 2017 and 2021. The poor performance of the sector could primarily be attributed to the Government of Uganda's noncompliance with oil and gas laws and industry best practices. It hardly adheres to the rules and upholds the rule of law principles despite having a robust oil and gas legal regime. This is likely to create an opportunity to abuse and misuse oil funds and eventually end the oil curse syndrome. Therefore, adherence to the rule of law, openness, and full access to information will allow all stakeholders to participate in the oil and gas sector. Several improvements are necessary to address the following bottlenecks: poor licensing, increased corruption, government ineffectiveness, reduced quality in the oil and gas regulatory system, and an ineffective national budget.

5.1 Recommendations

Strengthen enforcement of existing laws. Uganda must move beyond having good laws on paper to fully enforcing them in practice. The Government should uphold the rule of law in the management of the oil and gas sector to ensure that the current legal regime delivers real socioeconomic benefits.

Restrict ministerial discretion in licensing. Although the Petroleum (Exploration, Development, and Production) Act, 2013 requires a transparent and competitive licensing process, it grants the Minister of Energy broad powers to bypass this process. These discretionary powers should be

limited through legal amendments to prevent misuse and ensure fairness.

Domesticate the Extractive Industries Transparency Initiative (EITI) principles. Uganda's membership in the is a positive step, but without a domestic law to enforce its principles, progress remains limited. The Government should enact legislation to embed EITI standards into national law, making transparency and accountability legally binding.

Ensure contract transparency. The Government should publish all oil and gas contracts, including Production Sharing Agreements (PSAs), in full and without withholding details. This will allow citizens, Parliament, and civil society to assess whether Uganda is securing fair benefits from its natural resources.

Improve public access to information. Key government ministries and agencies should make vital documents such as contracts, licenses, revenue reports, and environmental assessments readily accessible online. Reporting should meet EITI standards in both scope and depth.

Protect human rights and the environment. Current oil contracts do not include enforceable standards on environmental protection or human rights. New laws or amendments should introduce specific and binding obligations on oil companies to safeguard communities, protect the environment, and ensure sustainable operations.

Prevent oil-backed debt risks. Uganda must avoid the mistakes of countries like Angola, where oil-backed loans have created unsustainable debt. While the Public Finance Management Act (2015) provides a framework, Uganda should adopt best practices from Norway by saving all oil revenues in a sovereign wealth fund and using only the interest for expenditure. This will protect the economy and future generations.

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