

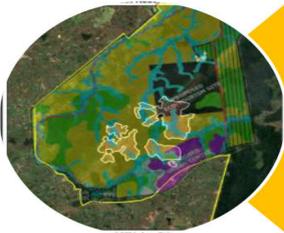
The ENERGIZER

AFIEGO's Monthly Newsletter



January 2021; Issue 1

ELECTED LEADERS, PRIORITISE ADDRESSING ENVIRONMENTAL EMERGENCIES



A map showing the 405 hectares of Bugoma forest land that had been cultivated by Hoima Sugar Ltd by January 7, 2021. Clearing of Bugoma forest is happening inspite of the cases in the High Court and Court of Appeal to protect the forest.



NEMA's Executive Director, Dr. Tom Okurut (R), while handing over the EACOP ESIA certificate of approval to the General Manager of the EACOP oil project, Mr. Martin Tiffen (L), in December 2020. NEMA continues to violate relevant laws that are meant to protect nature from oil threats.



Thousands of dead fish that washed up on the shores of Lake Victoria in December 2020. There is fear that such events are impacts of climate change. These events may worsen as Lake Victoria continues to suffer including from oil pollution.

In this newsletter:

- Environmental conservation in crisis: Checklist of emergencies that must be addressed by elected leaders
- Pictorial of key activities
- Lobbying
- In the media
- Upcoming events

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A country in crisis: that is what this month (January) felt like for many Ugandans. First, on January 14, 2021, the country went to the polls to elect a president and Members of Parliament (MPs) that will represent Ugandans between 2021 and 2026.

The elections were preceded by an Internet shutdown, arrests and detention of opposition politicians in addition to civil society organisation (CSO) leaders. Violence in which over 54 Ugandans lost their lives was also seen.

After the elections, families from Kyotera to Mukono to Kampala began or continued with the search for their relatives who went missing during and after the election campaigns. It can be said that January was tough for the majority of Ugandans.

It was also tough on the environmental front as unfortunate crises emerged. For instance, during the month, the Save Bugoma Forest Campaign (SBFC) that is chaired by AFIEGO accessed images of the section of Bugoma forest that is claimed by Bunyoro Kitara Kingdom (BKK) and Hoima Sugar Ltd. The images showed that Hoima Sugar Ltd had cultivated 405 hectares of Bugoma forest land, including the land meant for eco-tourism purposes.

This is a violation of the conditions of the environmental certificate of approval that the National Environment Management Authority (NEMA) issued to Hoima Sugar Ltd.

In the same month, the Ministry of Energy reported that it had received four bids for five oil blocks that were put up for oil exploration licensing in May 2019. Among the oil blocks that are up for bidding is Ngaji, which covers the biodiverse and ecosensitive Queen Elizabeth National Park and Lake Edward. Should Ugandans fail to hold their elected leaders accountable, the park and lake could be destroyed.

In addition, this January, populist election campaign promises to allow oil activities including in ecosensitive areas, permitting rice farmers to return to wetlands and others still rung in the ears of conservationists and Ugandans.

The destruction of Uganda's forests, national parks, lakes, rivers and others spells doom as per information from the World Bank, close to a third of Uganda's wealth comes from natural resources which support agriculture, fisheries, tourism and other top foreign exchange earners.

In our Word from the **Youth Energy Desk** therefore,

youth clean energy champions take the opportunity to highlight the environmental and other crises that the newly elected leaders must urgently address to save Ugandans from doom. The leaders must not fail the youth, women, children and other vulnerable groups who hurt the most when the environment is degraded.

In our **pictorial** section, we bring you some of the activities we implemented this month. For instance, we held a staff and partners planning meeting in which our priority actions for 2021 were discussed.

In addition, we held meetings with our partners under the SBFC to plan for the activities that need to be implemented in 2021 to save Bugoma forest from sugarcane growing and oil threats.

Furthermore, with the SBFC, we supported lawyers to file court appeals for cancellation of the Environmental and Social Impact Assessment (ESIA) certificate of approval that was issued to Hoima Sugar Ltd by NEMA in 2020.

In addition, we held planning meetings with our partners with whom we filed the court case to stop the environmental dangers of the East African Crude Oil Pipeline (EACOP) project. The case was filed in the East African Court of Justice (EACJ) in 2020. We did so much more as you will see in the pictorial section.

In our **lobbying** section, we bring you letters that we and our partners wrote to NEMA demanding for the certified EACOP ESIA certificate of approval among other documents. We also bring you a letter that we and our partners wrote to the National Forestry Authority (NFA) through which we requested the authority to allow us to join its court cases against Hoima Sugar Ltd and MZ Agencies to protect Bugoma forest.

We further bring you a letter that we and our partners wrote to the Ministry of Lands in addition to the Ministry of Water and Environment to request that the SBFC members and other stakeholders are allowed to participate in the planned boundary opening of Bugoma forest to protect the forest.

In **in the media** section, we bring you some of the newspaper articles that were published by the media from our activities. We hope you enjoy the newsletter.

Editorial team:

Diana Nabiruma

Sandra Atusinguza

Balach Bakundane

ENVIRONMENTAL CONSERVATION IN CRISIS: CHECKLIST OF EMERGENCIES THAT MUST BE ADDRESSED BY ELECTED LEADERS

Dear elected leaders,

Allow us to begin this open letter to you by telling you two important stories. The first one is an unfortunate tale that you are likely familiar with or have lived through, if you belong to the opposition camp.

On September 15 and 16, 2020, nine campaigners, civil society leaders and members of the media who were engaged in efforts to protect Bugoma forest from land grabbing, oil and sugarcane threats were arrested. They were detained at police in Hoima district.

Seven of the detained were released in the evening on the day of their arrest –September 16, 2020. Two others, who were arrested on September 15, 2020, were released two days after their arrest –on September 17, 2020.

The campaigners who were released on the latter date were accused of inciting violence to cause an unlawful demonstration. They were released on police bond and are required to report to the police station as part of their bond conditions.

For opposition politicians, the above ordeal of limiting the civic space in which environmental and human rights defenders (EHRDs) operate is all too familiar as the politicians have lived through similar, and even worse experiences.

This is why this open letter is very important, as will later be seen.

Another story that we would want to relay to you has to do with our close cousins, the baboons. In 2019, we watched footage that portrayed how so-called development projects were hurting our aforementioned close cousins, not to mention other biodiversity.

In the footage that was shot in Murchison Falls National Park (MFNP), a baboon could

be seen by a murram road that was being upgraded for tarmacking to support oil activities in MFNP. As the baboon went about its business, a huge red Sinotruck carrying murram to further compact the road under construction drove past it.

The truck raised such a cloud of dust that the baboon, which was covered in the invasive agent, put its hands to its face to protect itself. It was a sore and symbolic sight.

Symbolic of an environment and biodiversity in crisis. On one hand, government says that it must pursue development projects ostensibly for the benefit of Ugandans. However, this 'development' is coming at the expense of environmental and biodiversity conservation.

This is unacceptable. As you our elected leaders are aware, nearly one third of Uganda's wealth comes from its natural resources which support tourism, agriculture, fisheries and other activities. This means that Uganda's forests, national parks, lakes, rivers, wetlands and other resources must be jealously conserved.

And, we believe that as our elected leaders, all of you, from local to district to national level, are duty bound to protect Uganda's natural resources. Through this open letter therefore, we the youth and women who suffer the most consequences when the environment is destroyed, are requesting you to act on the following urgent environmental crises.



Nearly a third of Uganda's wealth comes from its natural resources, which must be protected

CONCERNS

a) Destruction of Bugoma Central Forest Reserve (CFR): The demise of Bugoma CFR has been in the public domain for nearly three years now. In 2016, Uganda's Ministry of Lands issued freehold and leasehold land titles to Bunyoro Kingdom and Hoima Sugar Ltd respectively for 8,000 hectares covering Bugoma forest land.

The National Forestry Authority (NFA) contested the giveaway of the forest land through courts of law. However, due to evidence submitted by government officials against NFA among others, courts ruled in favour of Bunyoro Kingdom and Hoima Sugar Ltd, so that they maintain hold of Bugoma forest land to date. In August 2020, NEMA issued Hoima Sugar Ltd with an ESIA certificate of approval, allowing the company to destroy the forest.

By January 7, 2021, the company had cultivated 405 hectares of the Bugoma forest land. The company had cultivated even in those areas that NEMA forbade it from using for sugarcane growing. This crisis must be stopped.

b) Impending destruction of Queen Elizabeth National Park (QENP): Another crisis that needs urgent addressing is the planned licensing of Ngaji oil block. The oil block, which covers QENP and Lake Edward, was reopened for bidding by the Ministry of Energy in May 2019.

This followed failure by government to attract bidders for the oil block in 2017 following national and international CSO campaigns to stop licensing of the oil block. Despite widespread protestations, government reopened the oil block for licensing in 2019.

Government hopes to conclude licensing of the oil block, and four others, by the end of this year (2021). This is unfortunate.

Uganda's national parks and lakes play immense ecological, economic and social

roles such as supporting tourism, fisheries and other industries which benefit the youth and women. The parks should not become the playground for polluting oil activities.



Tourism, one of Uganda's top foreign exchange earners, is at risk because of the environmental crises

c) Murchison Falls National Park, Lake Victoria at risk due to EACOP project:

On December 3, 2020, NEMA issued an ESIA certificate of approval to Total, the lead developer of the EACOP oil project. The EACOP, a planned 1,445km crude oil pipeline whose Final Investment Decision (FID) is expected to be made by March 2021, is a big threat to the environment. Combined with the Tilenga and Kingfisher oil projects, the projects will affect over 30 ecosensitive areas such as national parks, game reserves, forests, rivers and lakes among others that extend to Uganda, Kenya, Tanzania, the Democratic Republic of Congo (DRC) and others.

Among the key areas that will be directly and indirectly affected by the EACOP are MFNP, Uganda's oldest, largest and one of the most visited national parks, in addition to Lake Victoria. The lake is the second largest freshwater lake in the world and over 40 million people rely on it. Yet one third of the EACOP will pass through the Lake Victoria basin. This is alarming.

d) Oil roads through ecosensitive areas: This article started off with the tale of the baboon and the invasion it and other biodiversity in MFNP are faced with due to oil activities such as development of oil roads in the park. This month, the media reported that European banks such as BNP Paribas, Credit Suisse Group and ING Groep had ended financing of the Ecuadorian Amazon oil trade.

This and other actions to end fossil fuel financing

including for projects in ecosensitive areas are indicative of the fact that oil exploitation and environmental conservation are incompatible. Yet in Uganda, government has allowed oil exploitation activities in MFNP and Lake Albert to go on under the Tilenga and Kingfisher oil projects.

A feasibility study to develop a hydropower dam at Murchison Falls to likely support oil projects is planned. What losses do Ugandans stand to suffer when the environment is destroyed for oil and hydropower dams, leaders must ask themselves?



Road works and oil activities in Murchison Falls National Park are a threat to biodiversity conservation.

RECOMMENDATIONS

The environmental, economic, social and other losses have been documented in oil exploiting countries such as Nigeria, Angola, Ecuador and others.

In addition, in an *Economic Assessment of the impacts of climate change in Uganda*, the Ministry of Water and Environment noted that if no adaptive measures were taken, climate change would cost Uganda about US\$273 - 437 billion between 2010 and 2050. Cutting down forests such as Bugoma and oil exploitation activities stand to worsen climate change.

This must be avoided through acting on the following recommendations:

(i) Before the General Elections, parliament was investigating the land grabbing and other challenges faced by Bugoma and Zoka forests. As a matter of urgency, the newly elected MPs must ensure that the report of these investigations is completed and is tabled before parliament for debate and action to stop the challenges to Bugoma forest.

(ii) Further, before the elections, the SBFC that is chaired by AFIEGO had engaged parliament's Natural Resources Committee to investigate the Ministry of Lands officials who issued land titles for Bugoma forest and testified against NFA in court. The SBFC recommended that if found culpable, these officials are penalized. The SBFC also recommended that if all other means fail, government should compulsorily acquire the Bugoma forest land in private hands. Parliament and the executive should act on these recommendations respectively.

(iii) In addition, the elected leaders including those from Kasese, Kanungu, Rukungiri and other districts that border QENP should engage the Ministry of Energy to stop the licensing of Ngaji oil block. Oil companies must avoid bidding for the oil block as well.

(iv) Finally, the leaders especially the local council and district leaders in addition to MPs from the districts affected by the Tilenga, Kingfisher, EACOP and oil roads projects should engage the executive with the view of ending the development of oil projects in ecosensitive areas.

Thank you for reading our letter and we hope that you will take action to end the environmental crises Uganda is faced with

Youth leaders for clean energy

Pictorial highlights of key activities

January 4, 2021

AFIEGO opens its offices. In January, a staff and partners' meeting is held to plan for 2021.

Staff, our partners and the board adopt a workplan that prioritises activities such as saving Bugoma forest from oil and sugarcane threats, engaging government, using court and campaigning to stop the EACOP project dangers, promoting clean energy and others.

January 8, 2021

AFIEGO and our partners under the Save Bugoma Forest Campaign (SBFC) file court appeals for the cancellation of the Environmental and Social Impact Assessment (ESIA) certificate of approval that was issued to Hoima Sugar Ltd by NEMA.

Court commits to make a ruling on the case by February 10, 2021.



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THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA AT KAMPALA
(CIVIL DIVISION)
THE CONSOLIDATED MISCELLANEOUS APPLICATION NO 509 OF 2020 AND
MISCELLANEOUS CAUSE NO 255 OF 2020

1. WATER & ENVIRONMENT
MEDIA NETORK (U) LTD
2. NATIONAL ASSOCIATION OF PROFESSIONAL ENVIROMENTALISTS (NAPE)
3. AFRICA INSTITUTE FOR ENERGY GOVERNANCE

VERSUS

1. NATIONAL ENVIRONMENTAL MANAGEMENT AUTHORITY
2. HOIMA SUGAR LIMITED

RESPONDENTS

2nd AND 3rd APPLICANTS' WRITTEN SUBMISSIONS

January 8 and 11, 2021

AFIEGO and our SBFC partners agree with NFA to join hands in NFA's court cases against Hoima Sugar Ltd and MZ Agencies.

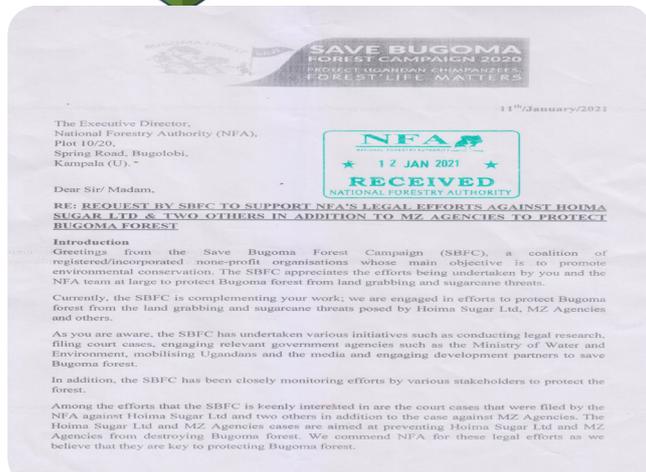
The SBFC also completes the constitutional case filing process to protect Bugoma forest.

Further, with the SBFC, AFIEGO writes to the Ministry of Lands and Ministry of Environment to request to join the planned boundary opening of Bugoma forest.

January 18 and 25, 2021

AFIEGO and our SBFC partners hold meetings to plan the strategic actions needed to save Bugoma forest in 2021.

Activities that are agreed on include re-mobilising local community support to protect the forest, pursuing court cases to their conclusion, following up on commitments made by various stakeholders to protect the forest and others.



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January 20, 2021

AFIEGO and eight CSO partners including those from the community write to NEMA requesting for the EACOP ESIA certificate of approval, the presiding officer's report from the EACOP ESIA public hearings and the final EACOP ESIA report on which NEMA based to approve the EACOP project.

January 29, 2021

AFIEGO supports the oil refinery-affected people to write to the Principal Judge protesting the judge's decision to shift their case against government over delayed and unfair compensation to the Masindi High Court. This will further delay the case, which has been in the court system since March 2014.



Some courtesy or file photos have been used.

This month, staff and research associates wrote newspaper articles which were published in the leading newspapers including the *New Vision*, *Daily Monitor* and *EarthFinds*. Some of the published articles are captured below.

LETTER OF THE DAY

Elect leaders who value environment

On Thursday, January 14, Uganda vote for their leaders, including President and Members of Parliament. These and other leaders are key in implementation of policies that can help to protect our environment from destruction.

Last year, climate change in Uganda and other parts of the world, manifested itself in storms, flooding, unpredictable increase of lake water levels, onslaught of locusts and Covid-19 pandemic, among others. These disasters have greatly affected the livelihoods of many Ugandans and beyond. This includes government spending a lot of money to mitigate the impact of climate change, which could have been avoided by just protecting the environment.

On December 30 last year, rivers Nchweera and Ntungwa both in Queen Elizabeth National Park burst their banks, leading to the flooding of the Rwenzama landing site on Lake Edward in Rukungiri District. The floods destroyed houses and displaced more than 100 families hence exposing residents to cholera. Floods also destroyed businesses in the affected areas.



For instance, fishermen can no longer access the lakes yet fishing is one of their major sources of livelihood.

When we talk about the issue of conserving environment, the concern is about taking care not only of present, but also our future. The environment provides essential needs of human life. We often forget how much humanity depends on environ-

ment (ecosystem services).

Yet despite the great benefits and free ecosystem services we get from our environment, human beings continue to destroy the environment with reckless abandon. Governments and its agencies mandated to protect, safeguard and conserve the environment (ecosystem services) for the present and future generations are doing very little to

ensure that the destruction of the environment is brought to an end.

It is on record that many government officials have been participating in the destruction of the environments. Due to high levels of corruption coupled with pressure to acquire land for industrialisation, wetlands, forests, and water bodies, among others, have been destroyed or encroached upon to the detriment of human life. Without a clean and safe environment, neither humanity nor investment can thrive.

Therefore, I appeal to Ugandans that on January 14, they should elect leaders whose manifesto prioritise environment conservation.

In order to protect and safeguard Ugandans against the present and future dire impact of climate change that is already manifest in environment today, we need to vote into positions of responsibility leaders who prioritise environment protection. Wish all Ugandans a peaceful election.

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UGANDA'S ENERGY & CLIMATE CRISIS CAN BE ADDRESSED THROUGH NDCS IMPLEMENTATION

January 11, 2021 | Written by Earth Finds | Published in Opinion | 0 comments



By Patrick Seema

In 2016, up to 197 countries including Uganda signed the Paris Agreement, an international climate accord to strengthen global response to the threat of climate change. Various countries which were parties to the agreement agreed to work towards keeping global temperatures below 2 degrees Celsius, above pre-industrial levels.

Is the oil pipeline project asking for too much to stay alive?

BULIISA
FLOODS THREAT
The latest battle in the oil region is not over land grabbing. It is about floods that are threatening to swallow Buliisa district, where most of Uganda's oil has been discovered. But the investors in the oil sector and the Government are punching far below their weight in addressing the drivers of climate change. writes Gerald Tenywa



Children with distended stomachs hold their hands at Wansoko landing site in Buliisa. They look frustrated because there is nowhere to play after their homes and playgrounds were submerged three months ago.

"We do not know when the water levels will go down," said Olive Kunguka, a resident of Wansoko. "We have been held captive by the floods."

The floods in this part of the world, according to Kunguka and her peers, were last experienced in the 1960s. This has been associated with climate change and the destruction of forests and wetlands which used to act as breaks for the water.

Climate change is caused by emissions, such as carbon dioxide, from production processes, which trap heat escaping to the atmosphere, thereby causing global warming. The warming of the earth disrupts rainfall patterns and also melts the ice on mountain tops, such as the Rwenzori.

Over the last 50 years, Uganda's temperature has increased by 1.5 degrees Centigrade – meaning "that climate change is taking place



will continue up to 2030. In their NDCs, countries communicate actions they will take to reduce greenhouse gas emissions in order to reach the goals of the Paris Agreement. In the NDCs, countries also communicate actions they will take to build resilience to adapt to the impacts of the rising temperatures, according to UNFCCC.

Also, the changing climate has caused increased frequency in floods and droughts in the last three decades.

"We have to adapt and mitigate the impacts of climate change," Akot said, adding that climate is changing and will continue doing so, so adaptation and mitigation should become the living reality for the population.

The floods in Buliisa have also covered some oil wells, a grim reminder that the oil sector will not be spared from bearing the brunt of the impacts of the change.

However, the National Environment Management Authority (NEMA) has ruled that the impact from the construction and operation of the oil pipeline

LONG-TERM STRATEGIES
To better frame the efforts towards the long-term goal, the Paris Agreement invited countries to formulate and submit long-term low greenhouse gas emission development strategies by 2020. The emissions from oil and the potential impact on climate change have not been included in Uganda's policy on climate change-NDC and 2020 long-term low greenhouse gas emission development strategies.

a critique of the Environmental and Social Impact Assessment study an EACOP on request by the Africa Institute of Governance and Oil. The understanding of the EACOP must also begin with the fact that the world's temperature has increased by an estimated 0.9 degrees Centigrade as atmospheric levels of carbon dioxide have risen from 280 parts per million (ppm) in pre-industrial times to more than 415 ppm in 2019, an atmospheric level that has not existed since at least three million years ago.

The Intergovernmental Panel on Climate Change (IPCC) says a further increase of the world's temperature by more than another 0.6 degrees Centigrade as a consequence of carbon dioxide levels exceeding 450 parts per million, would have far-reaching catastrophic consequences on humanity, including food security and livability of cities.

SIGNIFICANCE OF PARIS AGREEMENT
The Paris Agreement is a legally binding international treaty on climate change. It was adopted by 196 Parties at COP 21 in Paris on December 12, 2015 and entered into force on November 4, 2016, according to the United Nations Framework to Combat Climate Change (UNFCCC).

"Its goal is to limit global warming to well below 2, preferably to 1.5 degrees Celsius, compared to pre-industrial levels," stated UNFCCC.

It added: "To achieve this long-term temperature goal, countries aim to reach global peaking of greenhouse gas emissions as soon as possible to achieve a climate neutral world by mid-century."

The Paris Agreement is a landmark in the multilateral climate change process because, for the first time, a binding agreement brings all nations into a common cause to undertake ambitious efforts to combat climate change and adapt to its effects.

LETTER OF THE DAY Expand SAGE to cover youth

Social protection is recognised across the world as a critical element of national development strategy. It is seen as a gateway to reach the vulnerable so as to achieve inclusive and equitable development.

In Uganda, the social protection programme came through Social Assistance Grants for Empowerment (SAGE) scheme targeting vulnerable family and senior citizens of 65 and 60 years, although lowered to 60 years among the Karimojong.

However, in June 2015, the Ministry of Gender phased out the Vulnerable Family Grant on grounds that it was contentious and not well-received by communities.

Nonetheless, the idea behind the programme was to enable the vulnerable to access basic needs and start income generating activities.

But the question is, how much is at stake or available for the vulnerable to access the so-called basic needs or start income-generating activities?

Under the SAGE programme, Shs25,000 (about \$7) per month, is given to senior citizens. Con-



sidering the current standards of living, that amount can neither buy utilities, drugs nor start the smallest business? The low amount aside, the SAGE programme faces challenges of inequality, inequitable and exclusiveness.

Uganda has 134 districts, although the programme is currently running in 55 districts.

The government set up and trained the district SAGE support teams. It is also in the process of establishing regional centres to support districts technical support units. But rolling out the programme in only 55 districts is not only unfair, but also undermines equitable national development.

Besides, excluding the youth

Upcoming events

February 1, 2021; Online: Meeting with BothEnds to discuss environmental governance lobby and advocacy

February 5, 2021; Kasese: Community empowerment meeting on oil impacts and citizens' roles in promoting clean energy

February 8, 2021; Kampala: Third planning meeting on saving Bugoma forest

February 11, 2021; Kikuube: Community empowerment meeting on oil impacts and citizens' roles in promoting clean energy

February 16-24 2021; Hoima, Kikuube and Kakumiro: Community engagements on implementation of the Resettlement Action Plans (RAPs) for the EACOP oil project

February 26-March 5, 2021; Kasese, Hoima, Kikuube, Buliisa: Youth and women leaders' reflection meetings on economic alternatives for the Albertine Graben

About Africa Institute for Energy Governance (AFIEGO)

Africa Institute for Energy Governance (AFIEGO) is a public policy research and advocacy organisation dedicated to influencing energy policies to benefit the poor and vulnerable. Based in Kampala, Uganda, the organisation was born out of the need to contribute to efforts to turn Africa's energy potential into reality and to ensure that the common man and woman benefits from this energy boom. Through lobbying, research and community education, AFIEGO works with communities and leaders to ensure that energy resources are utilised in a way that promotes equitable development, environmental conservation and respect for human rights.

Our Vision

A society that equitably uses energy resources for socio-economic development

Our Mission

To promote energy policies that benefit poor and vulnerable communities