

**May 2020; Issue 5**

## **ASSESSING THE IMPACT OF COVID-19 RESTRICTIONS ON ENVIRONMENTAL AND HUMAN RIGHTS IN UGANDA**



*A woman prepares to construct a makeshift house in Kikuube district after being evicted from Sebagoro B landing site during the COVID-19 lockdown. The lockdown is being used by some powerful people to abuse the environmental and human rights of communities in Uganda.*

### **In this newsletter:**

- Assessing environmental and human rights abuses committed amidst COVID-19 restrictions
- Pictorial and lobbying
- In the media
- Upcoming events





# Editorial

Since President Museveni closed schools, churches, bars and other places that government considered high risk for the spread of COVID-19, Ugandans like other people across the world have endured extreme hardships.

The above-mentioned restrictions, which were instituted on March 18, 2020, were followed by more measures on March 30, 2020. On this date, government declared a total lockdown that affected the whole country.

The lockdown was characterised by forcing everyone, except for individuals who were termed as essential workers, to stay at home. A curfew running from 7pm to 6:30am was imposed, public and private transport was suspended, boda-bodas were banned from carrying passengers, hotel and restaurant services were stopped and over 90% of court business was suspended.

In addition to the above, civil society organisations (CSOs), lawyers and other human rights defenders were declared as non-essential workers and could not move to provide much-needed services. These restrictions were intended to fight against the spread of COVID-19 and its social impacts.

We thank God that despite an increase in the total number of confirmed COVID-19 cases which currently stand at 522, our country had not lost any person to COVID-19 by the time this newsletter was shared.

We appreciate the great work done by the doctors, nurses and all those who have worked hard to save lives amidst poor health services. However, as we celebrate the successes made and as the country commences gradual easing of the COVID-19 restrictions, emerging evidence indicates that a number of environmental and human rights abuses have and continue to happen under the cover of the COVID-19 lockdown. These abuses include:

- Over 10,000 people from over 61 landing sites along Lake Albert in the districts of Buliisa, Kikuube and Hoima in the oil region were evicted in violation of their constitutional rights and government directives against evicting people during the COVID-19 lockdown.
- In addition, prior to the lockdown, the Masindi High Court ordered for the withdrawal of Uganda People's Defence Forces (UPDF) and agents of the National Forestry Authority (NFA) from Bugoma forest. UPDF was guarding the forest to prevent it from being destroyed for sugarcane growing among other destructive private interests.
- Further, despite citizens' objections, the National Environment Management Authority (NEMA) issued an Environmental and Social Impact Assessment (ESIA) certificate of approval for the Kingfisher oil project's ESIA report. This is despite the fact that there are no complete and costed mitigation plans in place to avert oil threats and risks on the environment and people.
- In addition, under the lockdown, NEMA was ordered by court to pay a penalty of UGX 182 billion for issuing and illegally cancelling a sand mining permit belonging to DMW (U) Ltd. The company was mining sand in Lwera wetland, a critical water catchment area for Lake Victoria.
- Further, during the lockdown, Total and Tullow announced that Total had agreed to buy Tullow Oil's entire stake in the Lake Albert oil project in Uganda at a cost of \$575 million; government is willing to accept a tax of only \$14.6 million from the sale.
- In addition, the operational space for CSOs and human rights defenders was reduced during the lockdown.
- Further, thousands of people including women that were arrested during the lockdown are being kept in prison beyond 48 hours in violation of the Constitution. Many other environmental, human rights and social abuses were committed during the COVID-19 lockdown.

In our **Word from CEO and Partners**, we show you how government and companies have either failed to enforce laws or connived to make wrong decisions concerning environmental conservation and human rights. Government and the companies were aided by the lack of public scrutiny that was caused due to the COVID-19 lockdown.

Away from the above, this month, AFIEGO engaged in a number of activities. For instance, we supported women community clubs, youth champions and community monitors to document community evictions around Lake Albert in the districts of Buliisa, Kikuube and Hoima. Thereafter, we organised online meetings with CSOs to compile and issue a press release which was shared with the media and other stakeholders to demand for an end to the evictions.

We also visited a community in Buwaate where illegal gas storage, refilling and selling activities are taking place. We organised an online meeting of community leaders and together, we compiled letters to the Ministry of Energy, Ministry of Water and Environment, NEMA, Petroleum Authority of Uganda (PAU), Uganda National Bureau of Standards (UNBS), Electricity Regulatory Authority (ERA), the Kiira Resident District Commissioner (RDC) and others demanding for an immediate stop of the illegal gas activities.

In addition, we undertook media engagements to sensitise communities in Kasese district on how use of renewable energy would contribute to addressing climate change impacts such as

flooding and others that were seen in Kasese and other districts this month.

Further, we supported communities and CSOs in the Democratic Republic of Congo (DRC) to organise a high-level debate and engage their provincial leaders to raise awareness on oil impacts for the promotion of clean energy. We also disseminated educational materials such as photo story calendars, posters and others that strengthened DRC communities and CSOs' understanding of oil impacts.

We engaged in other activities and some of the photos from the activities are captured in our **pictorial and lobbying section**. The sections have been merged as due to the Coronavirus lockdown, we minimised physical activities and engaged in online ones that resulted in the production of lobby and advocacy products such as communication strategies, advocacy letters, press statements and sensitisation in addition to advocacy posters among others.

Finally, in **in the media section**, you will see some of the newspaper articles written by our staff and partners as part of our public education and lobby efforts. The articles were published by major national and online newspapers in Uganda.

We hope that you will enjoy the newsletter.

**Editorial team:**

**Diana Nabiruma**

**Balach Bakundane**

**Sandra Atusinguza**

# Word from CEO & Partners

## ASSESSING ENVIRONMENTAL AND HUMAN RIGHTS ABUSES COMMITTED AMIDST COVID-19 RESTRICTIONS

This month (May), over 10,000 people living on over 61 landing sites on the Lake Albert shoreline in Buliisa, Kikuube and Hoima districts were invaded by security forces. They were informed that they were being evicted.

Households at some landing sites such as Sebagoro B were given only two hours to collect their life's belongings and leave.

The people were informed that a meeting of UPDF officers, police, RDCs and others had sat and had ordered that over 61 landing sites along the oil-rich Lake Albert be closed and occupants evicted.

The people protested their eviction, which was not only inhumane but was also against Ministry of Lands' directives stopping evictions during the COVID-19 lockdown. However, the people's protestations fell on deaf ears as the people are still being evicted.

Mr. Peter Kyasimire and Mr. Ibrahim Okech, two chairpersons of some of the affected villages, told the story of the eviction to our community observers: "On May 21, 2020, UPDF soldiers from Ntoroko district arrived at Sebagoro B landing site and told the people that our landing site was ungazetted and therefore illegal. They asked the community to leave the village immediately."

The landing site occupants said that the soldiers beat people so that they could leave. In the chaos, people lost property and a one Mr. Alfred Lenga says that he lost his entire family and he was still looking for some of his family members who had disappeared amidst the eviction chaos. Mr. Lenga had ran away from the village to escape the beating by the soldiers when he lost his family members.

Following their eviction, one of the evictees, a female fisher, Betty, said, "Why does a government that is protecting people from death by COVID-19 turn around to confiscate our land and leave us to die? I am now 74 years and I only

know this village as my home. My food is fish from the lake. If they want our land for oil, they should have compensated us in line with Article 26 of the Constitution and we leave."

Regardless of the communities' protestations, they were evicted. Todate, most of the evictees are sleeping in the open while others are sleeping in churches, schools and other public places near Sebagoro A village. They have no food, clean water and pit latrines, a situation that has left them desperate and isolated. Unfortunately, due to the COVID-19 lockdown, they have no one including the media to rescue them.

The people's inhumane and unlawful eviction is one of many examples that demonstrate how government has used the inadequate public scrutiny provided by the COVID-19 lockdown to propagate human rights and environmental abuses.

Through this Word from CEO and Partners, AFIEGO and our partners discuss the human rights, environmental and financial abuses that have been perpetuated during the ongoing Coronavirus lockdown and the abuses' implications. We call on citizens, parliament, development partners and others to demand for a stop of the environmental and human rights abuses committed under the cover of the COVID-19 restrictions.



**Some of the families that were evicted from Sebagoro B, now at Sebagoro A, preparing to construct makeshift houses for shelter.**

## HUMAN RIGHTS & ENVIRONMENTAL ABUSES

**a) Bugoma forest giveaway:** During the COVID-19 pandemic, the judiciary made a decision that negatively affects the conservation of Bugoma forest. On March 10, 2020, the Masindi High Court made a ruling through which court ordered that UPDF and NFA guards at Bugoma forest be withdrawn. Court also ruled that NFA and its agents should desist from stopping NZ Holdings from utilising the forest. This decision, which would have been unpopular among communities and conservationists, only got into the main public domain after March 20, 2020. After this date, Uganda had confirmed a Coronavirus case and the public's attention was on prevention of the disease. As such, the unpopular decision went unchecked.

Consequently, because of lack of checks and balances, Bugoma forest, which is critical for the provision of food, water, climate regulation, tourism services and others is under threat as without guards and community oversight, the forest could be cleared for sugarcane growing among other destructive private activities. This environmental abuse that was further facilitated by the COVID-19 pandemic needs to be checked.

**b) NEMA punished for cancelling sand mining permit:** Further, during the COVID-19 lockdown, NEMA, an institution that is empowered by Section 9 of the 2019 National Environment Act to be the overall environmental regulator, was penalised by court for cancelling a sand mining permit that it issued to DMW (U) Ltd in a critical wetland, Lwera. On May 20, 2020, court ruled that NEMA wrongfully cancelled the permit and was ordered to pay UGX 182 billion to DMW (U) Ltd. This judgment raises many questions: What terms and conditions did NEMA include in the permit especially as regards the grounds for termination? Why did court favour the environmental violator? What was the basis of the huge compensation cost of UGX 182 billion?

While the above questions remain, it is clear that if the judgment remains on Uganda's statute books, it will render NEMA incapable of regulating environmental matters and ensure compliance by actors. Yet NEMA should also be blamed for continuing to issue environmental permits for dangerous activities in critical biodiversity areas including national parks and game reserves, forests, lakes, rivers and others.

Todate, NEMA is facing other cases in the High Court of Uganda for approving oil activities across River Nile, around Lake Albert, in Murchison Falls National Park and other critical areas. This is because NEMA approved the Tilenga oil project that will affect the above critical ecosensitive areas without complete mitigation plans.

It should be noted that once a permit is issued, NEMA does not have absolute control over how the actor will behave. This is dangerous for environmental conservation efforts and NEMA should not be issuing permits for degrading activities, especially in ecosensitive areas.

### **c) Government loss of \$152.4 million in oil taxes:**

In addition, oil companies used the Coronavirus lockdown to announce the planned sale of Tullow Oil's entire assets in the Lake Albert oil project to Total. The sale of Tullow's entire 33.33% stake in the Lake Albert oil project will be done at a cost of \$575 million. During the lockdown, government indicated that it had endorsed the sale and was open to receiving a tax of \$14.6 million from the sale. Remember, government had earlier rejected a tax offer of \$85 million from Tullow Oil for the sale of 21.57% of its assets. Total and CNOOC had accepted to pay Tullow \$900 million under that planned sale that failed due to government's insistence on being paid a higher tax of \$167 million.

How government came to accept the sale of Tullow's entire assets at \$575 million, down from \$900 million, and to accept a tax of \$14.6 million, down from \$167 million that had been assessed by Uganda Revenue Authority (URA), is questionable!

Because of the COVID-19 lockdown, there was no timely and effective discussion of the sale and the above matters, even among CSOs. Yet the planned sale and Tilenga project will undermine environmental conservation efforts and the protection of communities' livelihoods. This is because the project will affect ecosensitive areas such as Murchison Falls National Park, Lake Albert, River Nile, game reserves and others.

Cognizant of the planned sale's project impacts, a section of Ugandans would have wanted to engage government to influence its decision on the sale. However, government and the oil companies denied Ugandans this opportunity by announcing the planned sale at a time when the public was



under lockdown and more attention was focused on surviving the Coronavirus.

**d) Limiting civic space:** Unfortunately, government also used the lockdown to limit Ugandans' civic space that would have enabled public scrutiny to prevent bad decisions. For instance, while a number of services such as health, security, journalism, garbage collection and others were listed as essential services that needed to stay operational during the lockdown, critical services or players such as lawyers, CSOs, human rights defenders and others were not listed as essential workers. This gave government the lack of scrutiny it needed to conduct some of the above activities or make decisions that it would be hard-pressed to make if CSOs, the general Ugandan public and others were allowed to play their watchdog role. Moreover, by failing to classify CSO staff, human rights defenders, lawyers and others as essential workers, government set a precedent that could lead to undermining of the above groups' essential services.

**e) Increased indebtedness:** It is also noteworthy that because of the Coronavirus pandemic, government went on a borrowing spree. The Minister of Finance, Hon. Matia Kasaija, said in March 2020 that due to the slowdown in the economy, Uganda would need \$100 million to support this financial year's budget. Another \$90 million will be needed to support next year's financial budget.

The above money will be borrowed and already, a loan of UGX. 1.9 trillion (\$491.5 million) for Uganda has been approved by the IMF. Uganda is also seeking to borrow \$190 million from the World Bank to cushion the economy from COVID-19 impacts. The increased borrowing amidst lack of public scrutiny means that much-needed funds could be misused, as money in Uganda is often abused.

**f) Maternal mortality and torture of citizens:** Amidst the above, women in labour died because the COVID-19 lockdown denied them transport needed to get to hospitals. Women, children and men also suffered from hunger as their right to make a livelihood was taken away. Further,

MPs such as Hon. Francis Zzake and members of the public were imprisoned, tortured and denied their constitutional right to be presented to court within 48 hours.

## RECOMMENDATIONS

What should be done in the face of the above? Through this newsletter, we are calling on Ugandans, parliamentarians, government, development partners and others to do the following:

(i) Parliament should use its oversight powers to order government to stop the illegal evictions of local communities in the oil region and other parts of the country.

(ii) Communities, environmentalists, CSOs and development partners should join hands to stop the ongoing threats to Bugoma forest.

(iii) Court officials and other stakeholders who make decisions that negatively affect conservation should be sensitised more to appreciate the consequences of destroying forests such as Bugoma and others.

(iv) Parliament should investigate the officials of the lands registry and Ministry of Lands with a view to sanction those behind the give-away of parts of Bugoma forest.

(v) Furthermore, NEMA should work with police to stop the ongoing illegal gas refilling activities in Buwaate and should ensure that the persons responsible for the illegal activities are punished.

(vi) Government should not endorse the Total-Tullow sale.

(vii) The COVID-19 restrictions should not be used as an excuse to violate the civic space of CSOs and other human rights defenders.

(viii) Finally, the international organisations that are lending money or extending support to government should tie it to transparent and accountable expenditure to ensure that the money is not lost to corruption.

**By the CEO and Partners**

# Pictorial and Lobbying

This month, AFIEGO and our partners undertook a number of activities including supporting community monitors to engage communities that were evicted from over 61 landing sites on the Lake Albert shoreline. After gathering the facts of the eviction, we worked with the monitors and CSOs to issue a press statement for re-instatement of the people to their land. Our demands were captured by various national and local media outlets.

In addition, we organised an online community meeting through which communities discussed the illegal gas filling activities that are ongoing in Buwaate. Thereafter, we supported the communities to write letters to the Ministry of Energy, NEMA, ERA, PAU, UNBS, the RDC of Kiira and others to end the activities.

Furthermore, we supported CSOs from the DRC Ituri province to engage their provincial leaders to engage the central government for the promotion of clean energy in the Albertine Rift.

In addition, we supported the DRC CSOs and produced educative materials to raise awareness on oil impacts.

We also produced a Communication Strategy for use by the Ministry of Energy, solar energy companies, CSOs and others for the promotion of clean energy in Uganda.

Further, we supported AFIEGO staff to participate in a meeting on safeguarding civic space amidst the COVID-19 lockdown. Other activities that we implemented are captured in the Editorial.

Some of the photos and products from the above and other activities are captured below.



## Ituri: des ONG préoccupées par l'impact de l'exploitation pétrolière au lac Albert

Posted By: admin on: May 08, 2020 In: Opinion No Comments

Au chef-lieu de la province de l'Ituri, Bunia, les organisations de la société civile de l'environnement et des droits humains regroupées ont, ce jeudi 7 mai 2020, organisé une conférence de réflexion sur les conséquences de l'exploitation du pétrole sur les écosystèmes dans la région du Graben Albertin.



**Both ENDS**  
Connecting people for change

Promoting access to off-grid solar energy services for environmental conservation and livelihoods in Uganda



An article by an AFIEGO staff that was published by the New Vision newspaper

A courtesy photo of a technician installing solar panels in one of the markets in Uganda



Communication Strategy  
April 2020

To  
Municipal Town Clerk, Kira Municipality, Wakiso District

Dear Sir/Madam,  
**Re: ILLIGAL AND LIFE THREATENING GAS REFILLING AND STORATE ACTIVITIES IN BUWATE**

First, allow me to thank you and your team for the good leadership in our municipality. We appreciate all your efforts.

Second, the objective of this letter is to bring to your attention and inform you about life threatening gas refilling and storage operations/activities in our residential area in Buwate, and request you to stop these activities, immediately. The following are the details of the above operations/activities:

1. In the neighborhood to my home and other residents, there is a group of suspicious people who operate at night, doing Gas refilling, storage and selling activities.
2. The group's activities/operations are a danger to our community's human and environmental health. Their products are also a danger to the entire country as no one knows about their quality because they are operating without an ESIA report and or an ESIA certificate of approval by NEMA.
3. The activities/operations are being conducted in total violation of the provisions of the National Environment Act (NEA) 2019, specifically sections 113, 126, 176 and 177 as well as schedule 5 of the Act. It should be noted that schedule 5(c) (i) (cc) require any developer regarding facilities for petroleum supply chain such as REFILLING AND STORAGE of liquefied petroleum and nature gas to conduct a MANDATORY Environmental and Social Impact Assessment (ESIA).
4. The people doing the gas refilling and storage in Buwate do not have an ESIA certificate, lack records for compliance (see 177), no annual reports to NEMA (see 177), etc.
5. These people operate their business between midnight and 4am. During this time, they make noise with their gas cylinders, play loud music, trucks bringing containers and taking away gas in the night also make noise and as a community, we are suffering. We cannot sleep because of noise.
6. It is also clear that these people's products are not certified by the Uganda National Bureau of Standards to ensure that consumers and all Ugandans who buy or come into contact with their cylinders and gas are safe.
7. As a community, we are living in fear considering that of recent, there have been many worldwide cases of gas cylinders bursting and killing people.

To  
Executive Director,  
NEMA-Kampala

Dear Sir/Madam,

**RE: ILLIGAL AND LIFE THREATENING GAS REFILLING AND STORATE ACTIVITIES IN BUWATE**

First, allow me to thank you and your team for the commitment in promoting good environmental governance. We appreciate all your efforts.

Second, the objective of this letter is to bring to your attention and inform you about life gas refilling illegal, storage and selling activities in a residential area in Buwate. In addition to being environmentally and human rights threatening activities, they are also in the border line of the 220kv heavy Bujagali-Kavanda power lines. We therefore request you to stop these activities, immediately. The following are the details of the above gas activities:

1. The gas activities are being conducted in total violation of the provisions of the National Environment Act (NEA) 2019, specifically sections 113, 126, 176 and 177 as well as schedule 5 of the Act. It should be noted that schedule 5(c) (i) (cc) require any developer regarding facilities for petroleum supply chain such as REFILLING AND STORAGE of liquefied petroleum and nature gas to conduct a MANDATORY Environmental and Social Impact Assessment (ESIA). There is no ESIA for this business.
2. The gas activities are being conducted in a residential area of over 10 householders putting many women, children and other vulnerable people at risk.
3. They operate the gas refilling and storage activities only at night under the cover of darkness and no one is there to ensure safety and health of those activities.
4. The business also lack records for compliance (see 177), no annual reports to NEMA (see 177), etc of the National Environmental Act.
5. During the operations, they make noise with their gas cylinders, music, trucks bringing containers and taking away gas in the night. Due to noise, its difficult to sleep at night.
6. These people's products are also not certified by the Uganda National Bureau of Standards to ensure that consumers and all Ugandans who buy or come into contact with their cylinders and gas are safe.
7. The huge gas containers are in than 15 meters from Bujagali-Kavanda heavy power lines and





## ACTIVITÉS PÉTROLIÈRES DE L'UGANDA: IMPACTS SUR LES COMMUNAUTÉS DE LA RDC

L'Ouganda, voisin de la République démocratique du Congo (RDC) au nord-est, participe actuellement à des processus visant à exploiter ses 6.5 milliards de barils de pétrole. Les gisements de pétrole confirmés en Ouganda sont situés dans le bassin du lac Albert, partagé entre l'Ouganda et la RDC. Les activités pétrolières dans et autour du bassin du lac Albert auront donc un impact sur les pêcheurs, les femmes, les jeunes, les agriculteurs et les communautés du paysage de l'Ituri et du Grand Virunga en RDC. Cette affiche décrit les impacts potentiels des activités pétrolières en Ouganda sur les communautés en RDC.

### Différends sur l'eau



L'Ouganda prévoit de répondre aux besoins domestiques en eau de ses communautés et de prélever de l'eau du lac Albert pour soutenir les activités pétrolières. Plus de 500 000 mètres cubes d'eau (506 millions de litres ou 25 millions de bidons de 20 litres) seront nécessaires par jour pour répondre aux besoins du secteur pétrolier et domestique. La demande accrue du secteur de l'eau qui affectera le lac Albert pourrait accroître les tensions et l'insécurité entre les communautés en Ouganda et en RDC.

### Risque de pollution par les hydrocarbures



Le lac Albert risque d'être pollué par les activités pétrolières en Ouganda, car les activités pétrolières dans le pays seront menées à l'intérieur ou à proximité du lac Albert. La pollution du lac Albert constitue une menace pour les Complices en plus de l'accès des communautés ougandaises à une eau saine et propre.

La pollution constitue également une menace pour la biodiversité en plus de la santé humaine et animale. Des maladies, la pauvreté, la mort et d'autres ont pu être observées en Ouganda et en RDC en raison des activités pétrolières sur le lac Albert.

### Baisse de ressources halieutiques



La pollution du lac Albert due aux déversements d'hydrocarbures et aux déversements de produits chimiques ou plus des perturbations dans le lac dues aux activités pétrolières en Ouganda pourraient entraîner une baisse des captures de poisson. Cela augmenterait la pauvreté des familles de pêcheurs en Ouganda et en RDC.

### Impacts climatiques et biodiversité



Les activités pétrolières en Ouganda entraîneront la production d'émissions de gaz à effet de serre (GES) avec un seul projet entraînant la production de 14,3 millions de tonnes de carbone par an. Les émissions contribueront au changement climatique et entraîneront des impacts tels que les inondations, le temps sec prolongé, le manque de nourriture, la destruction de biens, les déplacements communautaires et autres. Ces impacts se feront sentir en Ouganda et en RDC.

En outre, l'environnement qui soutient l'agriculture et d'autres activités en Ouganda et en RDC sera détruit par les activités pétrolières en Ouganda. Les communautés et les OSC devraient appeler les gouvernements ougandais et congolais à évaluer tous les impacts de cette activité en évitant les activités pétrolières dans les zones écologiquement sensibles.

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Website: www.afiego.org



Africa Institute for Energy Governance



### Mafuta huathiri haki za ardhi

Mafuta huathiri ufikaji wa jamii katika ardhi wakati ardhi yao inanunuliwa kwa nguvu na serikali kwa fidia ya chini. Jamii inapaswa kufanya kazi na serikali, viongozi wa wilaya na AZAKI ili kuzuia fidia ya chini, isiyoweza na kuchelewa.

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01 JANUARI

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Jan 1 <sup>st</sup> New Year's Day			26 <sup>th</sup> Jan - Liberation Day			

Space House, Buwate, P.O. Box 34913, Kampala;  
Tel: +256 39328323  
Email: afiego@afiego.org  
Website: www.afiego.org

## CSOS PROTEST EVICTION OF 5 FISHING COMMUNITIES ON LAKE ALBERT

May 23, 2020 Written by Earth Finds Published in Environment 0 comments

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10 votes



INTERNET PHOTO/THE INDEPENDENT

The CSOs want the president, parliament, Uganda Human Rights Commission and district land boards to investigate the matter.

Africa Institute for Energy Governance (AFIEGO) is leading 23 other civil society organizations protesting the impending eviction of 10,000 occupants of several landing sites on Lake Albert in Hoima and Kikuube districts.

The CSOs in a press release shared Thursday revealed that the eviction is reportedly premised on the directive of President Yoweri Museveni to stop inward migration through Uganda's porous



To  
Resident District Commissioner,  
Kira Municipality-Wakiso

Dear Sir/Madam,

20 May 2020  
Received for D/DPC  
21 MAY 2020

### RE: ILLEGAL AND LIFE THREATENING GAS REFILLING AND STORAGE ACTIVITIES IN BUWATE

First, allow me to thank you and your team for the commitment to ensure security of people and property in our area. We appreciate all your efforts.

Second, the objective of this letter is to bring to your attention and inform you about illegal gas refilling, storage and selling activities in our residential area in Buwate. In addition to being environmentally and human rights threatening activities, they are in the border line of the 220kV heavy Bujagali-Kawanda power line. We therefore request you to stop these activities immediately. The following are the details of the above gas activities:

- The gas activities are being conducted in total violation of the provisions of the National Environment Act (NEA) 2019, specifically sections 113, 126, 176 and 177 as well as schedule 5 of the Act. It should be noted that schedule 5(c) (i) (cc) require any developer regarding facilities for petroleum supply chain such as REFINING AND STORAGE of liquefied petroleum and natural gas to conduct a MANDATORY Environmental and Social Impact Assessment (ESIA). There is no ESIA for this business.
- The gas activities are being conducted in a residential area of over 10 householders putting many women, children and other vulnerable people at risk.
- They operate the gas refilling and storage activities only at night under the cover of darkness and no one is there to ensure safety and health of those activities.
- The business also lack records for compliance (see 177), no annual reports to NEMA (see 177), etc of the National Environmental Act.
- During the operations, they make noise with their gas cylinders, music, trucks bringing containers and taking away gas in the night. Due to noise, it is difficult to sleep at night.
- These people's products are also not certified by the Uganda National Bureau of Standards to ensure that consumers and all Ugandans who buy or come into contact with their gas are

Received by the Chairman Buwate  
15 May 2020  
To  
Municipal Town Clerk, Kira Municipality, Wakiso

Dear Sir/Madam,

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- The group's activities/operations are a danger to our community's human and environmental health. Their products are also a danger to the entire country as no one knows about their quality because they are operating without an ESIA report and/or an ESIA certificate of approval by NEMA.
- The activities/operations are being conducted in total violation of the provisions of the National Environment Act (NEA) 2019 and specifically sections 113, 126, 176 and 177 as well as schedule 5 of the Act. It should be noted that schedule 5(c) (i) (cc) require any developer regarding facilities for petroleum supply chain such as REFINING AND STORAGE of liquefied petroleum and natural gas to conduct a MANDATORY Environmental and Social Impact Assessment (ESIA).
- The people doing the gas refilling and storage in Buwate do not have an ESIA certificate, lack records for compliance (see 177), no annual reports to NEMA (see 177), etc.
- These people operate their business between midnight and 4am. During this time, they make noise with their gas cylinders, play loud music, trucks bringing containers and taking away gas in the night also make noise and as a community, we are suffering. We cannot sleep because of noise.
- It is also clear that these people's products are not certified by the Uganda National Bureau of Standards to ensure that consumers and all Ugandans who buy or come into contact with their gas are



# In the media

This month, staff and research associates wrote newspaper articles which were published in the leading newspapers including the *New Vision*, *Daily Monitor* and *The Observer*. Newspaper and online media articles were also published from our lobbying products such as advocacy letters, press statements and others.

Some of the published articles are captured below.

## LETTER OF THE DAY

### Promote clean renewable energy

The government of Uganda and that of the UK signed a Compact Agreement under which the country committed to promoting and expanding investments in off-grid solar opportunities for people as opposed to reliance on hydro and fossil fuel-based grid.

It was recognised that the grid electrification could not improve access to clean energy for Ugandans, especially for vulnerable groups such as women, youth and others where more than 80 per cent of the population remain reliant on biomass energy and other dirty sources.

The agreement was a recognition that grid electricity and use of fossil fuels were the biggest obstacles to improving clean energy access to uplift the living standards of people, especially for the vulnerable groups such as women.

It is clear that grid and fuel based electrification remains unaffordable, unreliable and consequently, this undermines efforts to improve services in education, health, clean water, environmental conservation and others.

The country is richly endowed with abundant energy resources, which are fairly distributed across the country with an average of 5.1 kWh/m<sup>2</sup> of solar energy, access to quality solar energy remains low with progress in the sector curtailed by a number of challenges like poor coordination by government for off-grid connections.

In the presence of Covid-19 pandemic, this should be an opportunity



for us to rethink our economic growth path that has come at a heavy cost to the people and planet to bring about a fundamental shift for the clean energy transition.

The policy makers should not lose sight of the looming climate crisis, but rather design economic stimulus packages with social inclusion and environmental sustainability built into every decision in particular sustainable energy development.

It is clear that we are living in truly unprecedented times, and the country faces unique energy challenges that undermine the ability of government to respond to this crisis and build economic resilience.

Renewables can underpin these efforts and therefore can play an instrumental role in both the response and the recovery.

According to International Renewable Energy Agency's recently

launched Global Renewables Outlook report, renewables can supply more than half of all power needs in Africa alone by 2030, boosting the regional economy by more than 4.4 per cent and growing jobs by close to 50 per cent in the process.

For instance, in the recent Covid-19 policy report for Asia and the Pacific, it identified renewable energy as one of the main sectors to stimulate countries' economies with people's standards of living.

Therefore, government should deploy renewable energy. If clean energy is rapidly and well-placed, it can support immediate crisis response efforts including electrification of public health value chains, improving the education system, improve businesses opportunities, among others.

Patrick Edema,  
Environmental engineer

### People In Slums Finding It Had To Cope Up With Covid19 Pandemic Shocks



Patrick Edema, the writer is a community rights collector at AFEGG

Comments (1)  
By Patrick Edema

The government of Uganda has opted a range of strategies to manage the spread of COVID-19. However, as desirable as the strategies may seem, the urban poor are disproportionately negatively affected and the people in slums are a case of point.

### Uganda should reject Tullow-Total sale agreement

Tullow and Total EAP Uganda BV (Tullow Uganda) have signed a Sale and Purchase Agreement (SPA) to transfer its entire interests in Block 1, 1A, 2 and 3A in Uganda and the proposed East African Crude Oil Pipeline (EACOP) system (the Uganda interests) to Tullow Uganda for cash consideration of \$575m (the cash consideration) plus potential contingent payments after first oil (the transaction).

The cash consideration consists of \$500m payable at completion and \$75m payable following the Final Investment Decision (FID) of the Lake Albert Development Project. Additional cash consideration may be received by Tullow in the form of contingent payments, which will be payable on upstream revenues from the Lake Albert Development Project depending on the average annual oil production.

BRIGHTON ARYAMPA  
RESEARCHER

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international oil companies at the expense of Ugandans. Completion of these agreements means betrayal of citizenry participation that are locked down in their homes abiding to the guidelines to curb COVID-19 as set by the health ministry.

This defies the principle of social contract and permanent sovereignty over natural resources as per General Assembly Resolution of December 14, 1962, Resolution 1.

It states that the right of people and nations to permanent sovereign over natural resources must be exercised in the interest of their national development and wellbeing of the people of the state concerned. Completion of this agreement will lead to a loss of much-needed revenues at a time when the country's economy is affected by the pandemic.

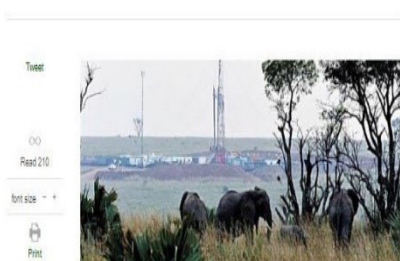
If Uganda has hopes of emerging as a relevant consumer of energy

in addition to being an important global supplier, it needs to initiate such agreements to their benefit, maintain its long convention of responsible energy stewardship owing to its diversification and development of economy, accelerate growth of additional hydrocarbon reserves and contribute significantly towards the implementation and development of other alternative sources of energy. Oil and energy is certainly an important asset and a country is likely to earn more from it, but this will not happen through shady and desperate agreements such as the Tullow-Total sale which puts Uganda on the verge of losing much-needed taxes during this pandemic where businesses and many sectors are declining.

The agreement should be rejected or renegotiated. Uganda cannot afford to lose any monies arising from this global threat.

### IN UGANDA, SHORT TERM OIL & GAS GAINS RISK DESTROYING HIGH VALUE TOURISM ZONES

May 16, 2020 Written by Earth Finds Published in Opinion 0 comments



COURTESY PHOTO

Ecosystem services such as natural parks and forests among others are a future to national development only if there is restoration of degraded ecosystems.

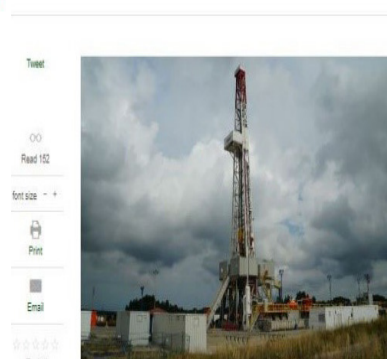
By Sandra Atusiqueza

In a recent study report on Economic Valuation of Murchison Falls Conservation Area (MFCA) and Budongo Central Forest Reserve (BCFR) by NEMA, oil and gas activities shall have adverse impacts on the ecosystems along the Albertine graben which hosts sensitive biodiversity and Ramsar sites which is estimated at 114 trillion Ugandan Shillings (US\$ 40 billion).

In the same NEMA 2017 Economic Valuation report of MFBFC, it is estimated that per annum the

### OIL DISASTERS: WHY MAN IS THE REAL THREAT TO LIFE ON EARTH

May 16, 2020 Written by Earth Finds Published in Opinion 0 comments



INTERNET PHOTO

Oil companies continue stating that the adoption of best practices is too expensive to guarantee their profits from their investments.

By Cyrus Kabale

As we mourn the outbreak of global crisis COVID 19, thousands of people have been displaced by rising water in Lake Victoria, Lake Kyoga and swept away from their homes by riotous floods.

### HERE IS WHY UGANDA NEEDS A SOLAR ENERGY POLICY

May 11, 2020 Written by Earth Finds Published in Opinion 0 comments



INTERNET PHOTO

Solar as a source of energy is discussed for lighting, heating and powering machines.

By Sandra Atusiqueza

The supply and availability of solar energy is critical to the social and economic transformation and development of the country or the public will shift to the destruction of the environment for energy alternatives.

In a current COVID 19 pandemic situation like this, solar energy could be the best alternative to electricity to provide power and run machines in hospitals and factories which suffer payments of electricity bills time and again, further, the recent nationwide power blackout due to environmental hazards at Halubale dam a few minutes to the presidential address on Coronavirus would be addressed as a case of point.

### Invest in clean energies

On May 17, 2020, Reuters reported that the major oil and gas companies in Europe including BP, Shell and Total were increasingly focusing on investing in green renewable energy projects as opposed to oil.

The news site reported that faced with the realisation that European countries are likely to prioritise low-carbon green energy investments in their post-COVID economic stimulus programmes, the major oil companies had cut planned investments in oil and gas. However, they had not extended the same cuts to the green renewable energy projects.

For instance, Reuters reported that while Total still plans to spend \$1.5 to \$2 billion on its low-carbon business, the company cut its overall 2020 spending to \$15 billion, from \$18 billion. This cut of \$3 billion did not affect the planned renewable energy investments.

In addition, BP "aims to keep its previously planned \$500 million in spending on low-carbon initiatives this year, despite a company-wide spending cut of 20 per cent in the wake of the coronavirus," Reuters reported.

# Upcoming events

June 1, 2020; Hoima, Buliisa, Kikuube: Radio talkshow on land rights amidst the COVID-19 pandemic

June 5, 2020; Kampala: Hearing of the refinery-affected people's court case

June 8, 2020; Kampala: Petitioning Ministry of Water and Environment and NEMA to complete and operationalize the draft ESIA regulations

June 12, 2020; Kampala: Media engagements to challenge unfair court award of UGX 182 billion to DMW (U) Ltd over cancelled sand mining licence

June 19, 2020; Kampala: Hearing of the refinery-affected people's court case

June 22-26, 2020; Hoima and Kasese: Radio drama on benefits of promoting clean energy

June 30, 2020; Kampala: Petitioning NEMA to compel Total E&P to complete and put in place mitigation plans for the Tilenga oil project

## About Africa Institute for Energy Governance (AFIEGO)

Africa Institute for Energy Governance (AFIEGO) is a public policy research and advocacy NGO 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