OIL AND FOREST GRABS: GOV’T MUST DO BETTER IN FOREST BOUNDARY OPENING PROCESSES

Members of the Save Bugoma Forest Campaign (SBFC) local taskforce, communities and AFIEGO staff following a meeting on January 13, 2022 in Kikuube district.

The meeting discussed the challenges communities experienced in the Bugoma forest boundary opening exercise.

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Dear reader, 2022 has been dubbed the year of nature by some conservationists.

This is because a number of high-level global meetings in which environmental and biodiversity conservation will be discussed will take place this year.

In Uganda, we could also say that among others, the month of January was the month of nature.

This month, communities from Entebbe to Hoima to Kikuube and to Masindi took charge and engaged in efforts to protect forests from land grabbing and oil threats.

Readers must have seen the viral video in which Ms. Assumpta Nakamya from Entebbe alerted everyone to the planting of concrete poles in Kitubulu forest reserve in Entebbe.

The presence of the demarcation poles in a forest raised alarm. It was said that a forest land grabber wanted to grab the 80-hectares forest.

Ms. Nakamya’s video, followed by a public outcry, caused leaders from Entebbe and the National Forestry Authority (NFA) to swing into action.

They uprooted the poles and committed that Kitubulu forest would continue to be protected.

Yet more communities took action, and they continue to do as this newsletter will demonstrate.

In Kikuube district in Western Uganda, communities that live around Bugoma forest requested AFIEGO as the chairperson of the Save Bugoma Forest Campaign (SBFC)-National Taskforce for a meeting. The communities sought to discuss how to address challenges in the ongoing boundary re-opening for Bugoma forest.

The communities argued that if no action is taken and the forest boundary re-opening goes as is, the grabbing of Bugoma forest land that commenced in 2016 will be legitimised.

Elsewhere, in Masindi district, communities who are living in fear of eviction after their land was added to Budongo forest reserve through a boundary re-opening exercise in 2019 also requested AFIEGO for a meeting.

The communities said that because the land that was taken from them lies idle, the land could be grabbed due to oil pressures in the Bunyoro sub-region.

Both the Bugoma and Budongo forest communities also say that failure to involve them in forest boundary re-opening exercises could hurt conservation efforts amidst oil, sugarcane and land grabbing threats.

In our Word from AFIEGO and the SBFC Local Taskforce, we discuss more on the above and make recommendations to improve ongoing forest boundary opening exercises, such as the Bugoma one, for the common good.

In our pictorial section, we bring you some of the activities that we and our partners implemented this month.

For instance, we organised meetings with the Bugoma and Budongo forest host communities to discuss the challenges that they faced during the forests’ boundary opening exercises. We also discussed how
these challenges could be overcome.

In addition, we organised meetings with community observers and nine Tilenga oil project-affected families whom AFIEGO supported to file a court case in the court of appeal in 2021.

The families filed the appeal to quash a 2020 high court ruling through which court ruled that government had a right to evict land owners from their land by depositing any rejected compensation into court.

The ruling contravenes Article 26 of the 1995 Uganda Constitution.

It is also an attempt by government to achieve what they failed in 2016 when they wanted to amend Article 26 of the Constitution to take away citizens’ right to receiving fair and adequate compensation before any possession or acquisition of private property in compulsory land acquisitions by government.

Furthermore, we organised a meeting with the oil refinery-affected people whose court case against low compensation was due to be heard on February 3, 2022 in the Masindi High Court.

We also held a meeting with the oil refinery-affected women whom we and our partners under the Inclusive Green Economy Network-East Africa (IGEN-EA) are empowering to engage in bee-keeping.

Through the meeting, we sought to understand how oil-affected people can be supported to engage in green economic activities.

More so, we engaged with the district leaders of Kikuube and Buliisa to discuss how the harassment of civil society groups and journalists visiting Buliisa could be stopped.

In addition, with our partners under the Green Livelihoods Alliance (GLA) programme, we participated in a gender training to support us to mainstream gender into our work.

We bring you this and our other January 2022 activities in this newsletter.

In our lobbying section, we bring you letters that the SBFC wrote to the Prime Minister, Minister of Lands, NFA and others requesting that the Bugoma forest boundary re-opening exercise is repeated to avoid legitimisation of grabbing of Bugoma forest land.

In the media section, we bring you some of the articles that were published from our media interviews in addition to articles that staff and our partners wrote.

We hope you will enjoy the newsletter.

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Mr. Kakole Wadri and members of 30 other households have lived on land neighbouring Budongo forest for over half a century. The households live in Marram and Karongo villages in Masindi district in Western Uganda.

In 2019 however, the communities received letters from the National Forestry Authority (NFA). NFA requested for a meeting with the communities to discuss re-opening of the Budongo forest boundaries.

The communities accepted to participate in the meeting. The meeting took place in February 2019 at the Budongo sub-county headquarters in Masindi. It was participated in by NFA officials, district leaders, local council one chairpersons and community members.

“In the meeting, it was agreed that NFA shall involve all concerned parties including local leaders and affected communities in the boundary opening exercise. We were happy with this,” Mr. Kakole, one of the local community leaders and a spokesperson of his community, says.

To their dismay however, when the forest boundary opening exercise commenced in June 2019, communities were not involved in the exercise.

“The officials who opened the forest boundaries came with armed guards and did not allow local communities to participate. When the exercise was done and new markstones were planted, 31 families in Marram and Karongo villages had lost over 20 acres of land. The markstones showed that the land was part of Budongo forest,” Mr. Kakole says.

He adds, “Since we did not participate in the boundary opening process, we couldn’t understand how our land was added to Budongo.”

Today, the communities are contesting the Budongo forest boundary opening exercise, which could hurt conservation of the forest.

OIL AND FOREST GRABS
Since oil and gas exploitation activities picked up in the ecosensitive and biodiverse Albertine Graben, forests and other protected areas have come under increased pressure.

Individuals or entities with hopes of tapping into the oil sector have increased land grabbing and industrial activity in the region, with forests such as Bugoma paying the price.

For instance, it is well known that over 10,000 hectares of Bugoma forest were claimed by private individuals. Bunyoro Kitara Kingdom (BKK) claimed 8,000 hectares as its cultural property. In 2016, the Ministry of Lands issued BKK with a freehold land title. BKK leased the land it claimed to Hoima Sugar Ltd (HSL), which was also issued with a leasehold land title by the Ministry of Lands in 2016.

Todate, HSL, which has violated the conditions set in the Environmental and Social Impact Assessment (ESIA) certificate of approval that the National Environment Management Authority (NEMA) illegally issued to the company in 2020, is destroying Bugoma forest for sugarcane growing.

In addition, MZ Agencies claimed 2,000 hectares of Bugoma forest. Further, in a 2020 meeting between the Save Bugoma Forest Campaign (SBFC) and Hon. Sam Cheptoris, the Minister of Water and Environment, NFA noted that there were two other claims on Bugoma forest land.
When it comes to Budongo forest, communities have expressed fear that the land they claim as theirs lies idle and it could attract land grabbers looking to benefit from the oil sector. These could eat into Budongo forest.

“We engaged NFA so that we could collaboratively manage our land which NFA added to Budongo forest. We wanted to plant trees. However, NFA refused. The land that NFA claimed remains vacant.

Land grabbers could take it and they eat into Budongo forest,” the people said at a meeting that AFIEGO held with them on January 12, 2022 in Masindi district.

Worse more, government has constructed a huge permanent road from Masindi district through Budongo forest and Murchison Falls National Park (MFNP) to Pakwach district.

There are also threats by the same government to build a dam at Murchison Falls. While government and oil companies claim that the above road is not part of the oil roads, the road was built at a time when the Tilenga, Kingfisher and East African Crude Oil Pipeline (EACOP) projects are ongoing.

Moreover, the road and other oil roads projects have been implemented in secrecy.

Citizens did not participate in processes including ESIA reviews, discussion of mitigation plans, monitoring and other processes. Today, it is difficult to understand how the Bugoma and Budongo forests as well as MFNP will be saved from destruction, poaching of biodiversity and other challenges amidst the construction of oil roads.

SECRET FOREST BOUNDARY OPENINGS
Amidst the above, it is commendable that NFA, which has the statutory mandate to manage Uganda’s central forest reserves, is doing what it can to promote forest conservation. Among others, this is being done through re-opening of contested forests’ boundaries.

Particularly, it is commendable that after a 2019 cabinet directive and 2020 as well as 2021 calls by the SBFC, NFA worked with the Ministry of Lands to re-open the Bugoma forest boundaries starting in November 2021. The boundary re-opening was halted in December 2021 under unclear circumstances.

Before the disruption however, communities reported several challenges. These challenges, which communities are also reporting under the Budongo forest boundary re-opening exercise of 2019, have put forest conservation at risk. Below are some of the ills that have been seen in the Bugoma and Budongo forest boundary opening exercises:

**Secrecy**: Relevant stakeholders including communities, cultural institutions, civil society and others were not involved in the boundary re-opening for Bugoma forest.

Communities were not involved in the exercise for Budongo forest. This is despite commitments by NFA and Ministry of Lands. Failure to ensure stakeholder participation harms the credibility of results from the boundary re-opening exercises. As such, communities and stakeholders contest the results, which undermines forest conservation efforts.

**Formalising land grabbing**: In both the Bugoma and Budongo forest boundary re-opening exercises, communities are suspicious that the secret boundary re-openings are aimed at formalising land grabbing claims by HSL and others. Failure to ensure community participation and transparency creates such fears.

People fear that some selfish people in government are conniving with land grabbers against citizens.
• **Securitisation:** Further, the boundary opening exercises are securitized. Survey teams undertake the demarcation processes under the guard of armed security. This scares communities and fails them from engaging survey teams to lend credibility and ensure acceptance of the survey results.

• **Access without consultation:** Moreover, the communities report that when the boundary re-opening exercises commenced in their areas, no notification was given to them that their land was going to be accessed. The communities got confused on seeing unknown people going to their gardens and land to take measurements without prior notice.

• **Destruction of communities’ gardens and food insecurity:** Communities rely on the crops they grow to make a living and get food. However, in both the Bugoma and Budongo forest boundary opening exercises, communities’ gardens were destroyed. In the case of the Bugoma forest boundary opening, crops belonging to over 378 households in over 15 villages in Kikuube district were destroyed. No compensation was offered. This creates bad community attitudes and hurts conservation efforts.

• **Lack of community sensitisation on grievance handling:** Further, the communities say that NFA and Ministry of Lands officials did not sensitise communities especially families that may be affected by the forest boundary opening exercise on how to handle claims and prepare for displacement.

Families with grievances over destroyed property were not informed about the procedures through which they could register their grievances for resolution by the responsible authorities.

• **Oil activities fuelling attacks on protected areas and communities:** Many communities are living in fear that the discovery of oil in their region has worsened the degradation of critical ecosystems including lakes and rivers, forests, wetlands and others.

**CONCLUSION**

To promote conservation of forests in the Albertine Graben, NFA, Ministry of Lands and government at large must ensure the following in managing oil activities and forest boundary opening exercises:

(i) **Assess the nexus between oil activities and their impact on increasing cases of environmental degradation and forest destruction in particular.**

(ii) **Avoid oil activities in critical biodiversity areas** and instead, invest in clean affordable renewable energy such as off-grid solar as a means to avoid the worsening impacts of climate change.

(iii) **With community participation,** repeat boundary opening exercises for forest land, for both Bugoma and Budongo, whose ownership is contested.

(iv) **Further, ensure independent stakeholder participation** in the boundary opening exercises. The Institution of Surveyors, civil society, religious leaders, cultural leaders, local community representatives and others should be involved in forest boundary opening exercises for Bugoma and Budongo forest.

(v) **Avoid the heavy securitization** of boundary opening exercises as this makes communities feel excluded. Exclusion fails conservation.

(vi) **Finally, compensate communities** for their destroyed property to build goodwill and promote conservation.

By AFIEGO and the SBFC Local Taskforce
BUGOMA FOREST BOUNDARY OPENING: AFIEGO AND COMMUNITIES DISCUSS HOW TO OVERCOME CHALLENGES

On January 13, 2022, AFIEGO and the Save Bugoma Forest Campaign (SBFC) local community taskforce organised a meeting in Kikuube district. During the meeting, the challenges seen in the Bugoma forest boundary opening exercise and how they can be overcome was discussed. Communities resolved to work with the SBFC to petition the Ministry of Lands, NFA and other stakeholders to repeat the boundary opening.

AFIEGO ENGAGES BUDONGO FOREST HOST COMMUNITIES TO PROMOTE CONSERVATION

On January 12, 2022, AFIEGO organised a meeting with the Budongo forest host communities in Masindi district. The communities requested for a meeting with AFIEGO to discuss challenges such as failure to involve communities in the Budongo forest boundary opening of 2019. Such challenges can fail conservation as the survey results are contested, as it is in the Budongo forest case. The meeting’s participants requested AFIEGO to work with them to engage NFA to address outstanding grievances.

AFIEGO ENGAGES TILENGA PROJECT-AFFECTED PERSONS OVER COURT CASE

On January 14, 2022, AFIEGO held a meeting with the nine (9) Tilenga oil project-affected persons who rejected inadequate compensation for their property. The people were sued by government and in 2020, the high court ruled against them, so that the people would be compelled to take low compensation. The people approached AFIEGO and in June 2021, applications to appeal the high court decision were filed in the court of appeal. In the meeting, the people and community observers discussed the delay in fixing their case for hearing. The meeting resolved to engage the Chief Justice to enable fixing of a hearing on the matter.
AFIEGO ENGAGES OIL REFINERY-AFFECTED COMMUNITY ON COURT CASE HEARING

On January 13, 2022, AFIEGO and the oil refinery-affected people organised a meeting in Hoima district.

The meeting enabled the people to prepare for hearing of their case that was to take place on February 3, 2022 at the Masindi High Court.

AFIEGO AND PARTNERS ENGAGE OIL REFINERY-AFFECTED WOMEN ON GREEN ECONOMIC ACTIVITIES

On January 13, 2022, AFIEGO and some of our IGEN-EA partners engaged the oil-refinery affected women who are engaged in beekeeping as part of mitigating oil impacts on their families and to restore their livelihoods.

AFIEGO sought to understand how the women’s initiative can be replicated in other oil-affected areas.

This will support greening of the oil region as a means of promoting environmental conservation, climate change mitigation and promoting livelihoods.

AFIEGO AND PARTNERS TRAINED IN GENDER MAINSTREAMING

On January 11, 2022, AFIEGO and our partners under the Green Livelihoods Alliance participated in a gender mainstreaming training in Kampala.

The training enabled the members to understand how they can mainstream gender into programme development and interventions.
This month, AFIEGO and our Save Bugoma Forest Campaign partners petitioned NFA, Ministry of lands and the Office of the Prime Minister over the failure to ensure public participation and transparency in the Bugoma forest boundary opening exercise. We called for the exercise to be repeated. Furthermore, AFIEGO in partnership with the SBFC issued a press statement and called on the Ministry of Lands and NFA to repeat the Bugoma forest boundary opening process.
This month, staff, research associates, and youth champions wrote eight newspaper articles that were published in the leading newspapers. The media also published articles from the media interviews we held this month. Some of the published articles are captured below.
About Africa Institute for Energy Governance (AFIEGO)

AFIEGO is a non-profit company limited by guarantee that was incorporated under Uganda’s Companies Act. AFIEGO undertakes public policy research and advocacy to influence energy policies to benefit the poor and vulnerable. Based in Kampala-Uganda, the non-profit company was born out of the need to contribute to efforts to turn Africa’s clean 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 clean 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 clean energy resources for socio-economic development

Our Mission
To promote energy policies that benefit poor and vulnerable communities

Upcoming events

February 2, 2022: Kampala: Petition NFA to address injustices faced by Budongo forest host communities in the concluded forest boundary opening

February 3, 2022: Masindi: Court case hearing for the oil refinery-affected people

February 11, 2022: Kampala: IGEN-EA members’ reflection and planning meeting on green economic alternatives

February 14, 2022: Kampala, Bunyoro & Greater Masaka: Petition TotalEnergies and district leaders to address the EACOP-affected people’s grievances

February 16, 2022: Kampala: Engage the Chief Justice over delayed hearing of the Tilenga oil project-affected people’s appeal case

February 22-25, 2022: Greater Masaka and Bunyoro: Land rights community sensitisation meetings for EACOP-affected communities

February 26, 2022: Hoima: Radio talkshow on communities’ role in saving Bugoma forest from oil threats

February 28, 2022: Kampala: Launch of research study on the tourism potential of Bugoma forest