

A proceedings report of a training of district leaders on SEA and ESIA



District political and technical leaders, NEMA staff, CNOOC representatives and SICU partners at the training

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Kontiki Hotel, Hoima

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1. Introduction

Between April 16 and 18, the Shared Resources, Joint Solutions (SRJS) Implementing Committee-Uganda (SICU) under the leadership of Africa Institute for Energy Governance (AFIEGO) organised a three-day training for district technical and political leaders.

Other SICU partners include National Association of Professional Environmentalists (NAPE), the Environmental Conservation Trust (ECOTRUST) and IUCN Uganda Country Office.

The training was on the *‘Role of district leaders in Strategic Environment Assessment (SEA) and Environmental and Social Impact Assessment (ESIA) processes in the oil sector’*.

Its objective was to empower selected district technical and political leaders in addition to other stakeholders with knowledge and skills to enable the effective conduct and enforcement of SEA and ESIA for environmental conservation amidst oil developments.

The training brought together over 37 participants from 14 districts affected by the Tilenga, Kingfisher and East African Crude Oil Pipeline (EACOP) projects.

The participants included the L.C.V chairperson of Buliisa and the deputy L.C.V chairperson of Hoima district.

They also included district natural resources, environment, lands and development officers from Hoima, Buliisa, Kikuube, Kakumiro, Masindi, Kyankwanzi, Nwoya, Masaka, Lwengo, Rakai, Kyotera, Mubende, Gomba and Sembabule districts.

Cultural institutions’ representatives and SICU partners also participated in the training.

The training was organised at the request of district leaders. During a SEA and ESIA training for civil society organisations (CSOs) in September 2018, lack of awareness and skills on the conduct and use of SEA and ESIA by districts/local governments was identified as one of the major gaps that fail local leaders to support CSO efforts to champion conservation amidst oil developments.

The training filled the above gap and resulted in the following outcomes:

- Increased knowledge of the status of ESIA for the Tilenga, Kingfisher and EACOP projects by district leaders;
- Increased district leaders’ understanding of oil and gas impacts and how to mitigate them;
- Increased understanding by district leaders of their roles in SEA and ESIA processes;
- A commitment to form a forum for natural resources’ officers from all oil project-affected districts to promote environmental conservation and land rights amidst oil.

SICU will continue working with the district leaders to ensure that lessons gained from the training are shared with other district leaders and that actions identified during the training are implemented.

This will contribute to the SRJS programme goal of securing the International Public Goods (IPGs) of food security, water provisioning, biodiversity and climate resilience amidst oil and forest degradation challenges.

2. Proceedings

DAY 1

2.1. Welcome remarks by Mr Dickens Kamugisha, the SICU chairperson

The SICU chairperson, Mr Dickens Kamugisha, welcomed the district political and technical leaders to the training.

He noted that the training was organised following a recommendation to train district political and technical leaders on ESIA.

“Between September 3 and 5, 2018, we held a training for CSOs on ESIA. During that training, it was recommended that we should not only train CSOs but district political and technical leaders who are responsible for the implementation of ESIA.

We committed to organise the training and we have fulfilled that commitment today,” Mr Kamugisha said.

He further noted that instead of targeting Hoima and Kikuube districts only, SICU decided that districts affected by the EACOP project would be targeted as well.

Mr Kamugisha noted that the Tilenga ESIA had been approved and that the Kingfisher in addition to the EACOP ESIA's were under review.

“Environmental officers have a lot of work to ensure that oil production does not happen at the expense of the environment,” Mr Kamugisha said.

He introduced Ms Ineke Steinhauer and Ms Leyla Ozay, the facilitators of the training. He noted that the two, who work with the Netherlands Commission for Environmental Assessment (NCEA), were going to help the district leaders appreciate their role in ESIA processes.

Thereafter, Mr Kamugisha invited Ms Ozay to outline the training programme for the district political and technical leaders.



The SICU chairperson, Mr Kamugisha, told the district leaders that following the approval of the Tilenga ESIA and in light of the ongoing review of the Kingfisher ESIA, they have a lot of work to do to make sure that oil exploitation does not happen at the expense of the environment.

2.2. Understanding participants' expectations

Ms Ozay helped break the ice by asking the participants to introduce themselves to each other. Thereafter, she assessed the participants' understanding of ESIA. She asked participants with knowledge on ESIA to stand on left and those without to stand on the right.

Seven participants said that they had good understanding of ESIA. One participant with knowledge on ESIA explained that as an environment officer, his work involves conducting, reviewing, monitoring and ensuring compliance to ESIA.



Another participant noted that sensitisation radio talkshows by AFIEGO had increased his awareness on ESIA.

The district political and technical leaders however noted that because the oil and gas sector is relatively new, they had little knowledge on ESIA for the oil sector.

The participants who felt that they did not have enough knowledge on ESIA noted that this was the case because they had not received enough training.

Ms Ozay, one of the facilitators, assessed participants understanding of ESIA.

Participants noted that because the oil and gas sector is relatively new, they needed more knowledge on ESIA processes for the sector

The participants' expectations included the following:

- Increase understanding of oil and gas impacts and how these can be avoided or mitigated (*10 participants were highly interested; one was moderately interested*).
- Define and make a plan of action that I can undertake in the upcoming ESIA's. (*8 participants were highly interested; one was moderately interested*).
- Exchange and learn from others on district governments' roles in ESIA (*10 participants were highly interested*).

2.3. Official opening of the training by the L.C. V Chairperson of Buliisa

Thereafter, the district chairperson (L.C. V) of Buliisa district, Mr Simon Kinene Agaba, officially opened the training.

He thanked the district political and technical leaders for taking off time to participate in the training. He also thanked the SICU funders –IUCN NL- and AFIEGO for organising the training.

“We are happy to learn about this sector [oil and gas], which is new in the local government setting.

The government stakeholders in the oil sector include the Ministry of Energy which makes policies while the Petroleum Authority of Uganda [PAU] regulates the sector. Uganda National Oil Company [UNOC] makes commercial decisions.

Though local governments are not mentioned as stakeholders, we are the implementers of oil decisions as we are the hosts of the resource. Local governments are resident stakeholders.

We therefore need a lot of engagements and learning to mitigate the negative impacts of the oil resource,” Mr Agaba said.

He officially opened the training after thanking AFIEGO for engaging youth, women and other local council leaders in Buliisa district the previous week.



Mr Agaba (2nd L), the L.C.5 chairperson of Buliisa district and chairperson of the Albertine Graben Oil and Gas Districts Association (AGODA) opened the training. He said that district leaders needed knowledge on ESIA because they are the implementers of oil decisions and need to be knowledgeable as a result.

It is noteworthy that Mr Agaba doubles as the chairperson of the Albertine Graben Oil and Gas Districts Association (AGODA).

The association was founded by the chairpersons of ten districts within the Albertine Graben including Nwoya, Hoima, Buliisa, Arua and Moyo. They also include Yumbe, Ntoroko, Hoima and Kasese among others.

2.4. Discussion of the SEA and ESIA context in Uganda by NEMA

Following the official opening of the training, Ms Ozay introduced the programme for the three-day training.

Thereafter, she invited NEMA’s Mr Francis Ogwang, who represented the Executive Director (ED), to make a presentation on the SEA for the Albertine Graben and the status of the EACOP, Kingfisher and Tilenga ESIA’s.

Mr Ogwang told participants that before discussing the three projects above, it was important to reflect on how the oil sector got to the stage that it is at.



NEMA's Mr Ogwang, who represented the NEMA ED, highlighted the environmental and other key issues raised in the SEA for the Albertine Graben. This improved district leaders' understanding of the SEA.

“The Albertine Graben is an area of international importance because of its rich biodiversity. That’s why government, through the Ministry of Energy and NEMA, carried out a SEA for the Albertine Graben,” Mr Ogwang said.

The SEA for the Albertine Graben was conducted between 2009 and 2013.

The Ministry of Energy led the assessment and NEMA coordinated it. The NCEA was responsible for quality assurance.

Mr Ogwang noted that the objective of the SEA for the Albertine Graben is “to ensure that environmental and socio-economic concerns contribute to a balanced and sustainable development of the oil and gas sector.”

He highlighted some of the shared concerns/issues that were captured in the SEA. They included:

1. Petroleum related activities are in protected and environmentally-sensitive areas.
- 2-6. Co-existence with local communities, archaeology, cultural heritage, other industries tourism and fisheries.
7. Sharing of revenues between national local/regional level (co-operation).
8. Discharges and emissions from the petroleum industry.
9. Waste Management.
10. Water Management.
11. Oil spill preparedness on land and in surface waters.
12. Infrastructure development in the region and transportation of crude and construction materials.
13. Institutional Capacity Building; Structure and Functions.
14. Capacity of District Local Governments (DLGs) to manage environmental concerns.
15. Development of legislation, regulations and standards.
16. Land use and spatial planning.
17. Transboundary and international issues.
18. Establishment of transparent baseline data and scientific basis.

Mr Ogwang told the district leaders that they must be prepared to manage the above and other oil risks.

2.5. Discussion on the status of Tilenga, Kingfisher and EACOP ESIA's

Mr Ogwang informed the participants that oil and gas projects fall under the third schedule of the National Environment Act and must therefore undergo Environmental Impact Assessments (EIA).

He gave the following status updates about the following projects:

Tilenga ESIA

- The Tilenga ESIA report was submitted to NEMA in June 2018.
- A public notice and disclosure were undertaken in October and November 2018.
- Public hearings were organised in Buliisa and Nwoya in November 2018.
- The developer submitted a revised ESIA to NEMA in February 2019.
- The developer tried to address comments raised by lead agencies, project-affected people (PAPs) and other stakeholders that were received at the public hearings.
- The ED of NEMA made a decision on the ESIA (a certificate with conditions was given) in April 2019.

Kingfisher ESIA

- The ESIA was submitted to NEMA in December 2018.
- Copies were sent to lead agencies for comments.
- A baseline verification to familiarise government officials with the project footprint was undertaken.
- A joint review of the ESIA was also undertaken.
- Public disclosure is underway.
- Public hearings will be held in Hoima and Kikuube districts.
- The ED of NEMA will make a decision on the ESIA after receiving comments from the public.

EACOP ESIA

- The ESIA was submitted to NEMA in January 2019.
- Copies were sent to lead agencies for comments.
- A joint baseline verification is underway.

Mr Ogwang thanked CSOs for mobilising the public to participate in ESIA activities.

He said, “I want to thank CSOs for mobilising communities for the Tilenga ESIA public hearings.

In Nwoya, we anticipated that 400 community members would participate in the public hearing but more than 900 turned up.”

He invited CSOs to mobilise stakeholders for Kingfisher ESIA public hearings as well.

He also noted that **though the EACOP ESIA were sent to DLGs, “the reports are in a corner and district local governments (DLGs) are wondering how they will review them.”**

He called on AFIEGO to support the DLGs and lead agencies to review the ESIA.

2.5. Reactions by participants

The following questions or comments were raised by participants after the presentation by NEMA:

Environmental ‘Dutch disease’

1. The Dutch disease is now the Ugandan disease. More efforts are concentrated in the Albertine Graben and other environmental concerns have been dwarfed. NEMA was interested in conserving the Lwera wetland in Masaka but it is now ignored. Lwera has been cleared for rice growing. How are we managing the Dutch disease?

Low awareness on oil impacts

2. People outside the EACOP area and Albertine Graben will experience a spillover of environmental impacts yet other areas are not aware of oil impacts.
3. NEMA needs to put in place a Communication Strategy so that people can understand oil benefits and risks.

Lack of information sharing

4. Has the ESIA for the feeder pipeline been submitted alongside the EACOP ESIA?
5. There are so many RAPs. RAP 1, RAP 2, RAP 3, RAP 5 and we will even go to RAP 7. Sometimes as a leader, I get to know that there is a road here, a flowline here in an adhoc way. We need concrete plans that show where oil infrastructure will pass.

Tilenga, Kingfisher and EACOP ESIA issues

6. Will the updated Tilenga report be shared with the public to see how their comments were addressed?
7. If local governments make comments on ESIA, NEMA needs to write back to them and point out the resolutions made. We have seen local governments deny decisions by NEMA.
8. NEMA needs to avail the conditions of the Tilenga EIA certificate to DLGs.
9. Will NEMA have more than two public hearings for the Kingfisher and EACOP ESIAs because they are transboundary in nature?
10. This time, we advise that NEMA makes the Kingfisher and EACOP ESIA translations on time. The Tilenga ESIA translations came late.
11. The people used to translate the Tilenga ESIA used a language that was not understood by Bunyoro Kitara Kingdom (BKK). The language was a mixture of Runyoro, Rukiga etc.
12. The translated ESIA reports had small fonts. The reports were thrown away without being used. Ugandan taxpayers' money was wasted as a result.
13. Community capacity to read and write is limited. Communities need to be sensitised on ESIA through oral presentations, radio talkshows etc.

Cultural and sacred natural sites

14. Refinery resettlement: Bunyoro Kitara Kingdom (BKK) was left out in the resettlement process and cultural issues are coming up.
15. Regeneration and restoration of well pads: Sacred natural sites have not been restored. Herbs were destroyed but they were not restored. The Ministry of Gender denies that some of our cultural sites are cultural sites.
16. Please create more space for engagement of cultural institutions in management of cultural issues vis-à-vis oil. The EACOP is going to affect Buganda and Kooki and the Ministry of Gender will deny that the kingdoms' cultural sites are cultural.
17. For the EACOP, it is said that the National Forestry Authority (NFA) will replace cultural sites. However, NFA plants pine and eucalyptus. Are those cultural? How will NFA replace our cultural sites?
18. We are aware that alongside the Kingfisher study, CNOCC did a comprehensive cultural sites study in which BKK was not involved. We need that study.

NEMA weaknesses

19. NEMA is relegating its role of managing the environment to PAU.

20. NEMA does not make decisions, other people are making decisions in oil and gas sector.
21. NEMA needs to be proactive. NEMA collects comments but does not give feedback before approval of projects.
22. Local governments are the biggest partners on the ground. How does NEMA use its position to leverage support from them?
23. The refinery-affected people complained about water issues, poor quality soils but NEMA stepped in very late. NEMA needs to be more involved in resettlement processes to avoid oil impacts on the environment.
24. NEMA needs to do own oversight, and not rely on lead agencies.

Community livelihoods

25. What considerations are given if one is economically displaced or loses communal access? A gap exists and must be addressed.

Legal questions

26. At what point will the National Environment (NE) Act of 2019 be operationalized? When will the regulations be completed and operationalised?

Mr Ogwang answered as follows:

1. **Districts should defend the environment** at all costs as environment management is a decentralized function. For the Lwera wetland therefore, districts need to rise up to the occasion.
2. **On communication gaps:** The Ministry of Energy, PAU and UNOC are responsible for communicating to the public on oil and gas matters.
3. Further, the legal regime does not allow sensitisation on ESIA's beyond project areas.
4. **On RAP management:** NEMA does not exercise mandate over RAPs.
27. **On NEMA's roles in public hearings being usurped:** Lead agencies have the mandate to organise public hearings in collaboration with NEMA. We were operating within the law, that is Regulation 22 of the EIA regulations of 1998 when PAU organised the Tilenga ESIA public hearings.
5. **On failing to restore cultural sites:** NEMA will do a follow up. Before sites are handed back, the due process is followed.
6. **On the Tilenga certificate conditions:** NEMA gives certificates to developers and DLGs hosting the project.
7. **Operationalisation of the NE Act:** The act was signed by the president but it has not commenced yet (is not being implemented). Agreements that were signed prior to the new act coming into force will be governed by the old environment laws.
8. PAU will provide the cultural study to BKK.
9. Two public hearings are planned for the Kingfisher ESIA.

Mr Ogwang committed to “take back the issues raised to NEMA for discussion.”

He also committed to request for the Tilenga and other ESIA certificates to be availed to DLGs.



L: Mr Robert Byaruhanga (standing) from Bunyoro Kingdom called for cultural institutions to be involved in management of cultural aspects in the oil sector and in the restoration of sacred natural sites. He faulted NEMA for failing to ensure that sacred natural sites were restored after oil exploration.

R: Mr Agaba, the Buliisa district L.C.5 Chairperson (C), faulted government for failing to sometimes share information with district leaders.

2.6. Overview of Kingfisher project by CNOOC

Mr David Byaruhanga from CNOOC gave the following updates about the Kingfisher project:

- CNOOC Uganda Ltd is the operator of the Kingfisher Development Area
- The Kingfisher project is located in Kikuube District.

Mr Byaruhanga also informed the participants about CNOOC's land acquisition activities. He noted that three (3) RAPs including RAP 1, RAP 2 and RAP 3 were prepared.

The RAPs were to enable CNOOC to acquire land for a Central Processing Facility (CPF) and other infrastructure (RAP 1), feeder pipeline (RAP 2) and safety zones (RAP 3).

Mr Byaruhanga told participants that 98% of the PAPs have been compensated under RAP 1 while 90% have been compensated under RAP 2. RAP 3 is yet to be approved by government.

He also informed the district leaders about the livelihood restoration programme to be implemented by CNOOC.



Key infrastructure for the Kingfisher project (Courtesy: CNOOC)

Thereafter, Mr Moses Oteng, who supervises the land acquisition function at CNOOC, gave an update on the Kingfisher ESIA.

He outlined the Kingfisher project components, some of which can be seen in the picture above.

He noted that some of the infrastructure such as the escarpment road, airstrip, drilling camp, jetty and others exists.

He also told the participants that the CPF, production wells, flow lines, feeder pipeline, power production and LPG plant, construction camps and lake water intake among others are yet to be built or will be expanded.

Mr Oteng informed participants that waste from CNOOC's activities will be managed by a third party company, workers' camps will be built and that the feeder pipeline will have a 30 metre right of way among others.

The Kingfisher ESIA covers the infrastructure to be built or expanded.



CNOOC's Mr Oteng (standing) highlighted components of the Kingfisher project and areas, including sensitive ones, to be affected by the project.

Following the presentations by CNOOC, the district leaders made comments and asked the following questions:

1. The right of way for the EACOP and CNOOC feeder pipeline is 30 metres. That is a significant amount of land to be taken yet no trees will be allowed to be grown.
2. Are we looking at the impact of land acquisition vis-à-vis environmental conservation? There should be an offset strategy where oil companies will plant forests.
3. You say that third party waste managers will be employed. Who is this third party person? We are concerned about waste management. Where will the waste be disposed of and what will the impact be?
4. We need to know how much gas we have and how it will impact the environment. I visited India and could hardly see charcoal. How will gas rehabilitate our environment?
5. Host and other communities need to benefit from gas; government should subsidise LPG to save the environment.
6. CNOOC is going to get water from the lake [Albert]. How will the company replenish the lake?
7. CNOOC perpetuated an illegality by helping communities to get a land title for the hunting ground for the king in the Buhuka flats. When are you coming to rectify this with the BKK?
8. What are the likely impacts of heating for the pipeline? What are the mitigations in case of catastrophe?
9. You talked of relocating graves but some cultural sites such as sacred natural sites are not transferable.
10. You said that crude oil is going to be used to run generators. This will generate high greenhouse gas (GHG) emissions.
11. Why do you have so many RAPs? The money oil companies are using is recoverable and too many RAPs means more money is used.
12. In addition, if we have too many RAPs and we don't do overall planning, we will keep displacing people as is happening with the refinery PAPs.

13. How did CNOOC zero in on the livelihood restoration options it plans to implement?

The following answers were provided by CNOOC:

1. The hunting ground referred to by Bunyoro Kitara Kingdom officials was gazetted by UWA as a hunting ground. However, communities had occupied it over time and requested for a communal land title. Some people had illegally acquired a title and we helped communities who are communal owners to get a title.
2. On livelihood restoration: CNOOC commissioned a study to understand livelihood restoration options preferred by PAPs. The following were requested: financial management, business support, professional skilling, HIV sensitisation, fishing and agriculture. CNOOC is now going to call for bids to implement the livelihood restoration programme.
3. On relocation of graves: It is not anyone's intention to impact on graves during land acquisitions. However, impacting on them is unavoidable sometimes and we need to mitigate through relocation. Ministry of Gender has experience in relocating graves and we rely on their expertise.
4. To this, one representative from Bunyoro Kingdom noted that Ministry of Gender has never been a cultural institution and should not be the authority on relocation of graves.

2.7. Discussion of NCEA's ESIA review findings

Thereafter, Ms Steinhauer made a presentation on NCEA's work in Uganda. She highlighted work such as at NEMA's request, quality checking the SEA for the Albertine Graben, reviewing the Tilenga in addition to the Kingfisher ESIA's and reviewing the scoping report for the EACOP project.

She also highlighted preparing CSOs for their role in the oil and gas sector among others as some of the work that had been undertaken by the NCEA in Uganda.

Ms Steinhauer highlighted the NCEA's observations on the Tilenga and Kingfisher ESIA's. Observations on the Kingfisher ESIA included:

- The ESIA report is well written, has a clear tables of contents and is supported with illustrative figures, photos, tables and maps.
- The None-Technical Summary (NTS) is extensive, but not too long.
- It is well-structured and readable.
- This is however less applicable to the other volumes of the ESIA which are more than 4,000 pages. The reader gets easily lost!

Some of the shortcomings Ms Steinhauer highlighted on the Kingfisher project included:

- Two well pads are located near Lake Albert. In case of accidents, oil will spill into the lake. Why weren't alternative locations sought?
- Further, the feeder pipeline will cross near a river used by communities for water access. This could result in contaminated water. Alternatives should have been sought.
- Drilling infrastructure will be located within a village which will result in noise pollution and raises issues with how waste water and (hazardous) drilling waste will be disposed of.
- The project will have biodiversity impacts on vulnerable species and habitats, Bugoma forest and Lake Albert.

- The Environmental and Social management plans (ESMP) are not sufficiently detailed yet

Ms Steinhauer concluded by saying that NCEA had found that the Kingfisher ESIA has “a number of serious shortcomings [and] NEMA is advised to ask for supplementary information before [an] environmental certificate is awarded.”

Mr Oteng from CNOOC gave the following responses:

- If the two wellpads were to be placed away from the shores of Lake Albert and within the villages, about 1,000 people would be displaced.
- In addition, wellpads 1, 2 and 3 have been in existence since the exploration period.
- Further, alternatives for the location of the CPF were assessed by Petrofar and the current location was the most suitable. Other locations such as the top and bottom of the escarpment were found to be unsuitable.

Mr Oteng also clarified that the use of the airstrip use will be discontinued and a helipad will be put in place.



Ms Steinhauer (front) highlighted gaps identified by NCEA in the Kingfisher, EACOP and Tilenga ESIA's. She noted that she hoped these would guide district leaders as they review the Kingfisher and EACOP ESIA's.

Participants made the following observations based on Ms Steinhauer's presentation:

1. In the previous presentation on biodiversity impacts from oil exploration, NEMA said that restoration was done. We need baseline data on macro and micro species to assess whether adequate restoration will be done in the Kingfisher project.
2. People have and will continue migrating to the oil region for the Kingfisher and other oil jobs. However, jobs will be phased out. What will be done for people who lose jobs and refuse to return to where they emigrated from? Such people encroach on protected areas if they have no sources of income.
3. Roads will bring in more people and this will impact on fisheries stock.

DAY 2

2.8. Recap of lessons learned from day 1

Ms Ozay opened day two of the training by asking participants to highlight key observations or lessons learned from the presentations made by CNOOC, NEMA and NCEA on day 1.

The following lessons were highlighted:

Presentation	Observation/ key lessons	Recommendations
NEMA presentation	<ul style="list-style-type: none"> NEMA has issued a certificate of approval for the Tilenga oil project ESIA with conditions. There is poor coordination between NEMA and district environment offices on ESIA's for the oil sector. NEMA does not have the mandate to regulate the conduct and implementation of RAPs; this is a gap in the law. There was poor compliance to laws by NEMA and PAU in the Tilenga ESIA public hearings. 	<ul style="list-style-type: none"> NEMA should have a mandate in the implementation of RAPs since their poor implementation can result in environmental and social impacts. More stakeholder engagements in ESIA are needed to guide decision making. There is need to empower district environment officers to monitor ESIA. District environment officers should be facilitated to review ESIA's. NEMA should give stakeholders feedback after compilation of comments.
CNOOC presentation	<ul style="list-style-type: none"> CNOOC has conducted three RAPS for the Kingfisher oil project. The Kingfisher oil project is located in a very critical ecosystem (near Lake Albert) and only a good ESIA should be approved. Some communities will be physically displaced and the resettlement process is ongoing or is being planned. The feeder pipeline corridor is too wide covering a total of 30 metres. 	<p>The Kingfisher project should map cultural sites and protect them from degradation.</p> <p>More stakeholder engagements for the Kingfisher project should be undertaken.</p>
NCEA presentation	<ul style="list-style-type: none"> The Tilenga oil project has overwhelming impacts on both biodiversity and the people. The well pads of the Kingfisher oil project are located too close to Lake Albert increasing the risk of pollution. 	<p>Stakeholder involvement in the decision making process is key.</p> <p>CNOOC should explore alternative sites for the well pads.</p>
General discussion	<ul style="list-style-type: none"> There are different levels of understanding among participants on the oil and gas sector. District environment officers are not facilitated to carry out work on ESIA. Budgets can limit effectiveness of district environment officers in monitoring for compliance to ESIA. NEMA should be compelled to disclose the conditions the Tilenga EIA certificate. 	

2.9. Sharing experiences of district environmental officers in Tilenga ESIA process

Ms. Steinhauer asked the Buliisa, Hoima and Nwoya environment officers to share their experience of reviewing the Tilenga ESIA. The officers informed participants as follows:

Mr Rogers Tumusiime, Buliisa District Environment Officer

Review process

- NEMA delivered the two Tilenga ESIA reports to the district.
- One copy was taken to the information center for the public and one remained at the district for review.
- With facilitation from NEMA, the technical district officers including the water, forestry, production and other officers divided sections based on their expertise and reviewed both the hard and soft copies.
- Comments were compiled and presented to the political leadership before they were submitted to NEMA.
- The district was only given two weeks to review the over 5,000 page report, which was insufficient to enable paying attention to details.

Involving political leadership

- Technical officers presented their review findings to the district political leaders including Members of Parliament (MPs), the L.C. V chairperson and, area councilors. This information was used at the public hearing in Buliisa.
- In addition, CSOs helped in summarising key gaps that the leaders used during the public hearing.

Mobilising communities

- The district environment office used radio talk shows, community meetings and worked with CSOs to mobilise communities to participate in public hearings.
- Limited time was given to communities, which may discourage them from participating in future public hearings.

Feedback

- Feedback on the comments by the district was not given by NEMA.

Ms Joseline Nyangoma, Hoima District Natural Resources Officer

Review process

- Upon receiving the Tilenga ESIA reports, technical people at the district reviewed the report with focus on issues affecting their district especially around the oil refinery area.
- Comments were compiled into a report and submitted to NEMA.
- The ESIA consultant went to the district and they presented their views on the ESIA.
- Not enough time to effectively review the big report was given.

Mobilising communities

- PAU, and NEMA led role in mobilisation of PAPs for the public hearing; the district only helped.

Feedback

- No feedback from NEMA was also given.

Ms Acca Evelyn, Nwoya district Environment Officer

Review process

- The Tilenga ESIA was received two days to the public hearing.
- The district reviewed only the NTS Non-technical summary (NTS) and compiled comments.
- Reviewing only the NTS resulted in the district not making adequate comments but they had no option.

Involving district leaders

- The district's comments on the ESIA were given to the political leaders who used them at the public hearing in Nwoya.

Mobilising communities

- The district environment officer worked with sub-county authorities including L.C.3 chairpersons to mobilise communities for the public hearing.

Feedback

- NEMA did not provide feedback on the comments.



Mr Tumusiime (in blue) and Ms Nyangoma (C) said that insufficient time was given to the districts to review the Tilenga ESIA. No feedback was given on the ESIA. The two are the Bullisa and Hoima districts environment and natural resources officers respectively.

Nwoya district was given only two days to review the Tilenga ESIA.

2.10. Stakeholder engagement process in public hearings

Ms Steinhauer took participants through the process of effective engagement of stakeholders in the ESIA process.

The process for effective stakeholder engagement includes:

- i. **Information:** Communities and other stakeholders must be informed on the planned and ongoing development and why their participation is important. .
- ii. **Consultation:** Stakeholders must be consulted and their views must be listened to and acknowledged. Feedback from the consultation that shows how stakeholders' input was incorporated and used in the final decision making must be well communicated.
- iii. **Involvement/collaboration:** Stakeholders must be involved and listened to for better alternatives/solutions. These must be incorporated in decisions to the maximum extent possible.
- iv. **Empowerment:** Stakeholders must be empowered.



Snapshot of effective stakeholder engagement process (Courtesy: NCEA)

2.11. Case study: Stakeholder involvement in Tilenga project ESIA process

Ms. Steinhauer further took participants through the process of stakeholder involvement in the Tilenga ESIA. It included:

- The Tilenga ESIA report was distributed to districts and through various public places.
- Notices on the ESIA were published in newspapers with national circulation.
- NEMA was obligated to provide a summary of the Tilenga ESIA through national newspapers and this was done in conformity with Uganda's 1998 Environment Impact Assessment (EIA) Regulations.
- Technical staff from NEMA and PAU appeared on different talk shows at selected radio stations to discuss the ESIA as part of public disclosure.
- Other materials including translations to local languages were developed to simplify some of the key issues presented in the ESIA.
- Two public hearings were organised in Bullisa and Nwoya to gather public comments on the ESIA to inform final decision making.

She called on participants to monitor for such processes and ensure they actively participate in them.

Participants made the following observations about the Tilenga ESIA process:

- Violations of the law took place during the Tilenga ESIA public hearings and they should not be repeated. The public notices were published in national newspapers only and not through local newspapers as is mandated under the EIA regulations and 1999 Public Hearing Guidelines.
- Further, timeframes within which public hearings should have been organised were violated. This denied communities time to appreciate and make meaningful comments on the ESIA.
- PAU and NEMA also appointed a presiding officer for the public hearings with conflict of interest contrary to the law.
- Many violations took place that undermined effective stakeholder engagement.
- NEMA is preparing to carry out public hearings for the Kingfisher ESIA and it must learn from the Tilenga lessons. Several concerns were raised on the Tilenga ESIA but stakeholders do not know how they were incorporated. Yet NEMA issued a certificate of approval without giving feedback to communities.

2.12. Field visits to EnviroServ and Kyakaboga

In the afternoon session, participants were divided into two groups and were asked to outline key concerns they had as regards the places that were to be visited during the field visit.

2.12.1. Visit to EnviroServ (Nyamasoga) waste management facility

Participants visited the Nyamasoga Oil Waste Management facility in Hoima which is operated by EnviroServ. There, Mr Siraji Ddamulira took participants through the ownership, operational standards, waste treatment procedures and environmental safety safeguards that the company employs.

Participants also visited the laboratory and land fill where waste is stored and treated.

2.12.2. Kyakaboga special settlement camp

In 2012, government displaced over 7,000 people when it acquired land for an oil refinery in Hoima district. Due to poor implementation of the RAP for the project, social and environmental impacts including lack of land titles, living in a squeezed and unsanitary resettlement, lack of access to safe water, high school drop-out rates, loss of shelter, social tensions, cultural disagreements and others have been seen. Participants learnt about these impacts during a visit of the refinery-affected community in Kyakaboga, Hoima.



Participants during the visit to EnvironServ. They visited the laboratory and landfill where waste is treated and stored.

While some good environmental practices were noted, a pungent smell that gave some participants chest pain was noted.



Participants during the visit to Kyakaboga. Local council and community leaders highlighted the social, economic and environmental impacts of the project.

DAY 3

2.13. Feedback from field visit

Ms Ozay led the participants through a recap of day 2. The participants highlighted the observations they made during the field visit to EnvironServ and Kyakaboga.

EnvironServ

- **Land acquisition:** The company had acquired 100 acres of land.
- **Adherence to environmental regulations:** The company had the EIA certificate on the walls. However, we didn't find the certificate's conditions on the wall.
- **Environmental permits:** In addition, we were showed that the company's environmental permits are renewed every year.
- **National content:** The company had technical Ugandan staff.
- **Company ownership:** The company is jointly owned by Ugandans and South Africans.
- **Economic sustainability and business model:** The company is in Uganda for 60 years so they could be doing economically well.
- **Waste disposal:** We did not see where the waste goes.
- **Pollution:** The land fill had a pungent smell.

Recommendations

- There is need to install air monitors to determine the levels of air pollution.
- District authorities need to be more involved in the avoidance or mitigation of the waste plants' impacts.
- There's need for constant monitoring of the spillover effects on health. **When we were at the landfill, I started experiencing chest pains.**
- NEMA should also get its own technology to assess the level of air, soil and other pollution by the waste management facility.

Kyakaboga

- It was so sad to see Ugandans suffering as if they are not in their own country.
- District authorities need to come up and protect their people. They fear to do so saying that companies in the oil sector are owned by politicians. They need to overcome this fear.
- Districts also need to use the media to sensitise the public on oil impacts and lobby for change.

Recommendations

- As district natural resource managers, we are going to form a forum. The forum will advocate for:
 - Strengthening and monitoring of RAP processes.
 - Building local government's capacity on ESIA review and management/implementation; **"Currently, districts are not managing ESIA's at all".**
 - Strengthen institutional framework of districts by ensuring that district environmental committees, sub-county environmental committees and others become active and sensitise people about oil impacts on PAPs.

- The above is important because all Ugandans will experience oil impacts. For instance, when oil spills happen, we will all be affected.



The Lwengo district Natural Resources' Officer, Mr Godfrey Mutemba (L), highlighted observations made during the field visits. A forum for natural resources officers to prevent the impacts in upcoming projects is set to be formed.

2.14. Local governments' role in ESIA

Thereafter, Ms Steinhauer outlined the tasks outlined for implementation by local governments in the SEA for the Albertine Graben.

She noted that out of the 100 activities highlighted in the ESIA, 13 are supposed to be implemented by local governments.

They include:

Key issue in SEA	Local government (LG) activity
<ul style="list-style-type: none"> Petroleum related Activities in Protected and Environmentally Sensitive Areas 	LGs should develop standards for Environment Officers' operations
Co-existence with Local Communities:	
Land administration departments should be actively involved in resettlement action planning	LGs should be involved in: <ul style="list-style-type: none"> • RAP implementation (not planning) • Assisting in issuance of land titles • Settlement of land disputes
Social development investments should be comprehensively addressed in an integrated development programme	Issues in which LGs should be involved: <ul style="list-style-type: none"> • HIV/AIDs • Alternative income generating activities
<ul style="list-style-type: none"> Co-existence with Archaeology and Cultural Heritage 	<ul style="list-style-type: none"> • Support local committees through training in organisational/management skills to effectively manage the different cultural heritage objects in their locality. • Local authorities should establish bylaws and regulations to prevent the destruction and

	ensure preservation and management of cultural aspects.
<ul style="list-style-type: none"> • Co-existence with Fisheries 	<ul style="list-style-type: none"> • Strengthen the multi-institutional approach to fisheries administration and management including Directorate of Fisheries Resources (DiFR), District Local Governments and community representatives e.g. Beach Management Units (BMUs).
<ul style="list-style-type: none"> • Capacity of district Local Governments to manage and/or adapt to environmental and socio-economic challenges. 	<ul style="list-style-type: none"> • Prioritise environmental management when preparing district budgets. • More skilled personnel recruited at the districts to fill vacant posts in the environment and natural resources fields. • Improve co-ordination between central government and LGs for easy information flow. • Collect data to fill gaps. • Involve districts in planning.

Following the above presentation, Ms Steinhauer asked if local governments are part of the SEA implementing committee.

Participants said that offices exist but LGs are not involved.

Participants agreed to lobby for local governments to be involved in the SEA implementation through the planned forum for the natural resources' officers.

2.15. Discussion of the Tilenga, Kingfisher, EACOP projects

Ms Steinhauer also presented on the general overview of the Tilenga, Kingfisher and EACOP projects.

She highlighted the locations of the projects, the infrastructure that exists or will be developed under the projects and the potential social in addition to environmental impacts of the projects.

Thereafter, she tipped the district leaders on their roles in the ESIA process. They include:

- Identify monitoring roles and budgets set out for district environment officers in the ESMP.
- Issue environmental and other relevant permits.
- Monitor ESIA implementation including implementation of the EMSP.
- Understand conditions set by project funders.
- Some conditions set by funders include supervision of a project by a senior environment and social expert with decision-making power.
- Further, some funding conditions include adherence to a project's ESMP.

Participants identified the following opportunities for local governments in ESIA processes:

- Access copies of the Tilenga EIA certificate and identify local government roles.
- Ensure that stakeholders are engaged in a meaningful way (distribute reports, participate in public hearings).
- Monitor and enforce ESIA conditions and certificate conditions.
- Support implementation of RAPs.

Participants asked the following questions or made comments after the presentation by Ms Steinhauer:

- Assuming NEMA issues an EIA certificate but some conditions are not catered for. What should be done?
- If management plans are of poor quality and have been put in place without stakeholder input, then monitoring for compliance will not help to address impacts.
- For the Tilenga project, an EIA and not ESIA, was approved. What can we do if the developer ignores the social mitigations and conditions?
- The challenge is if NEMA says that the developer should implement social obligations but this is outside the law under which the ESIA was conducted, companies may not implement the social conditions if they know that the law does not oblige them to.

The facilitators replied as follows:

- Ms Steinhauer noted that the ESMP should be updated regularly. “You need to monitor to determine if it is updated every three years as is provided for,” she said.
- Ms Ozay asked whether stakeholders cannot use laws on air quality, social conditions and others to ensure compliance to social conditions. She said that if they exist, they can use those.

2.16. Identification of local government roles in ESIA

The district leaders were divided into three groups for a practical exercise. They were asked to answer the following questions:

- What actions will we take after the training?
- What will we do to fulfill these actions/roles?
- With whom will we link or partner?

The following actions were identified.

Action/role	Activities to fulfill role	Ability	Partners
Group 1			
Role: Create awareness about the rights, roles and obligations in ESIA and resettlement processes	<ul style="list-style-type: none"> -Develop and enforce compensation rates for crops and buildings of a non-permanent nature. -Incorporate ESIAs and RAPs in district development plan. 	<p>Have the ability to implement activities (have human resources & operational structures)</p> <p>However, knowledge on RAPs and ESIAs is limited.</p>	<ul style="list-style-type: none"> -District Council to support capacity building on RAPs and ESIAs. -Oil companies will be targeted to mobilise funds for capacity building (<i>this could result in conflict of interest however</i>).
Role: Form natural resources’ managers’ forum by May 30, 2019 to advocate for compliance to ESIA and RAPs	<ul style="list-style-type: none"> -Awareness creation -Capacity building 	Yes	<ul style="list-style-type: none"> -Government: NEMA, PAU, National Planning Authority (NPA) -Civil society: AFIEGO

	<ul style="list-style-type: none"> -Prioritise ESIA and RAP activities in district budgets -Fundraise 		<ul style="list-style-type: none"> -Cultural institutions: Buganda and Bunyoro kingdoms -Oil companies: Total and CNOOC Uganda -Private sector
GROUP 2			
Role: Ensure district stakeholders (affected communities) are informed and participate	<ul style="list-style-type: none"> -Sensitise communities on potential project impacts through radio talkshows, community meetings etc -Write activity reports and present them to TPC sectoral committees for attention of the district council 	<p>No</p> <p>Lack funding for radio talkshows, transport, stationary etc</p>	<ul style="list-style-type: none"> -District council -CSOs
Role 3: Monitor and enforce ESIAs and SEA	<ul style="list-style-type: none"> -Issue occupational permits -Buy equipment to monitor water and air quality -Undertake quarterly monitoring for compliance -Include communities in monitoring for compliance 	<p>No; need training</p>	<ul style="list-style-type: none"> -CSOs -Development partners
GROUP 3			
Role: Ensure district stakeholders (affected communities) are informed and participate	Sensitise communities on process, effects, opportunities and rights of communities in project.	<p>No</p> <ul style="list-style-type: none"> -Group members need training in implementation and monitoring of RAPs. -Group members also need information on existing RAPs. -Group members also need finances to extend support to community 	Central government

		members for protection of their livelihoods	
Role: Monitor and enforce ESIA, SEA	Ensure enforcement and monitor compliance to: <ul style="list-style-type: none"> • Occupational permits • Building permits • Waste management standards 	No -Do not have budgets	Central government should provide the budgets

2.17. Final remarks by participants, NCEA and SICU

Mr Godfrey Mutemba, the natural resources' officer of Lwengo, thanked NCEA for the training.

"I extend my sincere gratitude on behalf of these gentlemen and ladies. You are knowledgeable and you have shared your knowledge.

We are going to effect the actions [see above table] that require immediate attention. If we call on you to support us, do not hesitate," Mr Mutemba said.

Ms Steinhauer also appreciated the participants and thanked them for their active participation.

She also thanked AFIEGO for organising the training.

On SICU's behalf, Mr Kamugisha appreciated the district leaders for turning up for the training.

"We appreciate that you sacrificed and were here for three days. It shows that you appreciate knowledge.

As SICU partners, we are working on a six-year project to ensure that the International Public Goods (IPGs) of food security, water provisioning, climate resilience and biodiversity are secured.

Securing the IPGs is important for all of us and I thank you for being here to help us attain that goal."

Mr Kamugisha, who committed to continue working with the local governments, also thanked Ms Steinhauer and Ms Ozay for facilitating the training. He also thanked SICU members for being good partners.

2.18. Closing remarks by the Hoima deputy L.C.V Chairperson

On behalf of the Hoima district L.C.V chairperson, the Hoima district deputy L.C.V chairperson, Mr Fredrick Kakoraki, closed the meeting.

He thanked AFIEGO, NCEA and the SICU funders for organising and facilitating the training and for providing the district leaders with knowledge.



“Knowledge is power. You may come to a meeting thinking that you know everything but realise that there are gaps.

We are better than we were before the training and we thank you,” Mr Kakoraki said.

He called on all the stakeholders to join their hands to protect the environment amidst oil.

“We will have a disaster otherwise,” Mr Kakoraki said.

Mr Kakoraki, the Hoima deputy L.C. V chairperson closed the meeting. He thanked the project funders, AFIEGO and NCEA for organising and facilitating the training.

He also thanked AFIEGO and other CSOs for improving Hoima DLG’s access to information, though challenges remain.

Mr Kakoraki closed the meeting thereafter.

3. Annexes

3.1. Annex 1: List of participants

4. No	Name	Sex	District	Position	Email and telephone no.
1.	Agaba Kinene Simon	M	Buliisa	LCV C/AP	0772516691 Kineneas@gmail.com
2.	Kakoraki B. Fredrick	M	Hoima	Vice chairperson	kakorakifredrick@gmail.com
3.	Francis Ogwang	M	NEMA	Environmental inspector	0782343891 francis.ogwang@nema.go.ug
4.	David Byaruhanga	M	CNOOC	Community relations manager	0792798237 david.byaruhanga@cnoocuganda.com
5.	Moses Oteng	M	CNOOC	Land acquisition supervisor	0776798403 moses.oteng@cnoocuganda.com
6.	Nyangoma Joseline	M	Hoima	DNRO	joselinenyangoma@yahoo.com 0772628153
7.	Tumwebaze Innocent	M	ORRA-Hoima	Chairperson	innocenttwz@gmail.com 078726114
8.	Ochokdogu Julius	M	ORRA-Hoima	Mobiliser	0777314552 0751314552
9.	Egaru Moses	M	IUCN-UCO	SPO	Moses.egaru@iucn.org 0774275807
10.	Mutemba Godfrey	M	Lwengo	DNRO	gmutemba1974@gmail.com 0701414805

11.	Diana Nabiruma	F	AFIEGO	Senior Communications Officer	dnabiruma@afiego.org 0782280073
12.	Robert Katemburura	M	NAPE	Project Officer	katemburura@nape.or.ug 0786395034
13.	Barugahara Benard Atwooki	M	Buliisa	DCDO	bbarugahara@yahoo.com 0772372098
14.	Namakula Justine	F	Kyankwanzi	DNRO	namakulajustine2014@gmail.com 0781405085
15.	Rukahemura Robert	M	Bunyoro Kitara Kingdom	P.A to Prime minister	rukahemura@gmail.com 0772360167
16.	Kiyingi Jamil	M	Kyotera	DNRO	kiyingijamil@gmail.com 0772623617/ 0700421467
17.	Kyobutungi Rubaaza Winie	F	Gomba	DEO/ DNRO	winnierubs@yahoo.com 0772967669
18.	Byaruhanga Francis	M	Sembabule	DEO/ DNRO	byarugaba.francis@yahoo.com 0772565445
19.	Catherine Twongyeirwe	F	AFIEGO	Finance Assistant	ctwongyeirwe@afiego.org 0787175664
20.	Nnamiyingo Mackline	F	Kakumiro	DEO	macknam@gmail.com 0775123257
21.	Nyangoma Joseline	M	Hoima	DNRO	joselinenyangoma@yahoo.com 0772628153
22.	Acca Everline	F	Nwoya	DEO	accaeverline@gmail.com 0777482657
23.	Kayovu Jude	M	Kyotera	DEO	judekayovu2018@yahoo.com 0700576579/ 0776981378
24.	Byaruhanga Robert	M	Bunyoro Kitara Kingdom	Special Assistant Oil and gas	byaruhangarobert1@gmail.com 0772964192
25.	Tumusiime Rogers	M	Buliisa	DEO	musiimoroger@gmail.com 0784986552
26.	Nsimiire William	M	Masindi	DEO	nsimiire@gmail.com 0772380840
27.	Ireeba Justus	M	Hoima	Chairperson District Land Board	yustusireeba@yahoo.com 0772613167
28.	Dickens Kamugisha	M	AFIEGO	CEO	dkamugisha@afiego.org 0782407085
29.	Atusinguza Sandra	F	AFIEGO	Field Officer	atusinguzasandra@afiego.org 0781408192
30.	Ineke Steinhauer	F	NCEA		isteinhauer@eia.nl
31.	Kalungi Richard Bikande	M	Rakai	DEO	kalukaluk18@gmail.com 0759719475
32.	Bisanga Sufyan	M	Mubende	DEO	sufyanbisan@gmail.com 0759463463/ 0785557877
33.	Kazini Francis	M	Kikuube	District Councilor	0772835691
34.	Swaibu Nyangabyaki	M	Hoima		0772434394 swaibunyangabyaki@gmail.com

35.	Kumakech Geofrey	M	Hoima	Sc. For.Production	kumakechgeofrey43@gmail.com 0774898461
36.	Kabatalya Joyce	F	Hoima	CDO	jkabatalya@gmail.com 0772694135
37.	Samuel Okulony	M	AFIEGO	Project Coordintaor	sokulony@afiego.org 0779760145
38.	Leyla Ozay	F	NCEA		LOzay@eia.nl

3.2. Annex 2: Evaluation results

Participants' expectations at start of meeting	Evaluation result
Understand oil and gas impacts and how to mitigate than before	All agreed that they had better understanding
Better overview of the oil and gas industry	All agreed that they had a better overview
Exchange and learn better from other DLGs on government roles	All agreed that this expectation had been met
Understand better ESIA roles	3 said that they require more knowledge The rest agreed that they had better understanding