

The **ENERGIZER**

AFIEGO's Monthly Newsletter



February 2019; Issue 2

EACOP & KINGFISHER ESIA STUDIES: UGANDANS MUST PUSH FOR COMPLIANCE TO PREVENT NEGATIVE OIL IMPACTS



© AFIEGO

The refinery-affected people during a meeting in which they discussed their challenges. Among them are poverty, lack of access to clean water, food insecurity and a congested and unhygienic camp resettlement at Kyakaboga.

Others are high school drop-out rates, sickly children and others caused by the refinery project. Government did not conduct an ESIA to provide a framework to mitigate these impacts.

Oil-affected communities suffer when government and oil companies do not conduct and implement ESIA's.

- EACOP and Kingfisher ESIA's: Ugandans must push for compliance to prevent negative oil impacts on biodiversity and communities
- Pictorial of our activities
- Lobbying
- In the media
- Upcoming events

Space House, Buwate P.O. Box 34913, Kampala;
Tel: +256 393228323
Email: afiego@afiego.org
Website: www.afiego.org



Editorial

Between February 25 and 28, 2019, AFIEGO visited some of the people who were displaced under the refinery project from Kabaale-Hoima and are now living in districts such as Kiryandongo, Masindi, Kibaale, Kakumiro, Kagadi and others.

We also organised a meeting with over 100 refinery-affected people who were relocated to the Kyakaboga resettlement camp by government in 2017. All the refinery-affected people we met in the different districts and those at the Kyakaboga resettlement camp were living in misery and desperation.

The people are part of the 7,118 people who were displaced from Kabaale-Hoima by government for Uganda's planned oil refinery. Government did not conduct an Environmental and Social Impact Assessment (ESIA) to provide a framework for preventing or mitigating negative environmental and social impacts that the refinery-project would cause.

Government claimed that the Resettlement Action Plan (RAP) for the refinery project of 2012 would act as an EIA. Today however, the refinery-affected people are suffering from poverty, food insecurity, lack of water, health crises, lack of education, poor hygiene and many other problems.

While conducting and implementing RAPs is an internationally recognised best practice in land acquisition, in Uganda, RAPs lack the force of law. They are therefore not binding for enforcement and compliance and are used by government to create impressions to financial institutions such as IFC that the proposed developments are complying with social and environmental practices.

This newsletter therefore presents our efforts to ensure that ESIA's are not only conducted and implemented but that laws are not violated in ESIA processes including in those of the Kingfisher and East African Crude Oil Pipeline (EACOP) projects. This is unlike what happened in the refinery project and during the Tilenga oil project ESIA public hearing processes where laws were violated.

In our **Word from CEO**, we share the suffering different oil affected communities are going through. We show how failure to implement and comply with laws and good environmental conservation practices such as ESIA are responsible for the people's suffering. We call upon NEMA, the Petroleum Authority of Ugan-

da (PAU) and oil companies to comply with the laws of Uganda and good environmental conservation practices.

In our **pictorial section**, we show you some of the activities we implemented this month. For instance, we partnered with the Guild Presidents' Forum on Oil Governance (GPFOG) to organise a regional youth and women leaders' workshop in Hoima.

The workshop was aimed at empowering youth and women leaders to pressure government to enforce and comply with ESIA laws to promote environmental conservation and livelihoods. Over 70 youth and women leaders from the districts of Hoima, Buliisa, Nwoya, Kiryandongo, Kasese and others participated in the workshop.

Further, we facilitated members of AFIEGO's women and youth clean energy clubs in addition to CSOs from Kasese to participate in an exchange learning visit with oil-affected communities in Hoima.

In addition, we organised a Negotiations workshop for national CSOs to build their lobby and advocacy capacity to stop developments that threaten biodiversity and livelihoods. Over 35 CSOs from Kampala and the Albertine Graben participated in the workshop.

Finally, in the **lobbying** and **in the media** sections, you will see the press statement that the refinery-affected people issued prior to their case hearing in March 2019 in which they called for an expedited hearing. You will also see newspaper articles written by our staff and partners in February 2019.

We hope you will enjoy the newsletter.

Editorial team:

Diana Nabiruma-Communications Expert

Samuel Okulony-Environment Expert

Doreen Namara- Legal Expert

Word from CEO

EACOP and Kingfisher ESIA: Ugandans must push for compliance to prevent negative oil impacts on biodiversity and communities

Between February 25 and 28, 2019, I was part of the AFIEGO team that visited some of the people who were displaced by the Kabaale-Hoima oil refinery project. The people resettled in districts such as Kiryandongo, Masindi, Kakumiro, Kagadi, Buliisa and others.

During the same period, we also organised a meeting with over 100 refinery-affected people at the Kyakaboga resettlement camp. The resettlement camp was set up by government for the refinery-affected people who were relocated.

It was painful to see old men and women crying because of the misery, desperation, poverty and isolation they are living in.

Before the displacement by government, families used to live a humble life but they had pride and dignity. Their land was fertile and supported them to get sufficient food. They also had 15 water sources in the refinery area which enabled access to clean water.

The people were also able to generate income to send their children to school and lived with hope for a better future.

Then the displacement to allow oil activities happened! The refinery-affected people's lives changed forever.

Government displaced them in a hurry to commence oil production to the extent that it could not wait to conduct a participatory and acceptable Environmental and Social Impact Assessment (ESIA) to ascertain impacts and put in place a framework for mitigation. This failure explains why the refinery-affected people are suffering today.

MESSY, INHUMANE OIL RESETTLEMENT CAMP

During our field trip to Kyakaboga, parents, especially women, narrated how their children were failing to stay in school because they were spending most of the time looking for water, food and other basic needs. Others are sickly due to poor hygiene and diet.

It should be noted that to date, the entire resettlement camp of over 70 households that were relocated does not have a nearby clinic. It also does not have any viable means of transport. The resettlement also lacks water and other necessities.

More so, the 46 pit latrines constructed by government are close to the main houses and kitchens. Families that government refused to build for houses struggled and built their own homes but they do not own toilets. The entire camp is a messy.

Sadam Tekakwo, the Kyakaboga resettlement L.C.1 chairman says, "Life in this Kyakaboga camp is miserable. The place is smelling because of many toilets being near houses. Our children are also sickly due to congestion, lack of food, poor hygiene and lack of water. I want government to come and pay me compensation and I leave this place".

CASH COMPENSATION FAMILIES NOT ANY BETTER

The refinery-affected families we visited in Kibaale, Kakumiro, Kagadi, Kiryandongo and other districts are also suffering. These families opted for cash compensation from government.

We visited the family of Mr Tom Mpabaisi, his wife Esther Abigaba and their nine children which received cash and relocated to Kiryandongo district.

Mpabaisi first rejected the unfair compensation government gave him. For instance, his five-roomed permanent house was valued at Shs 2.4 million! However, the negative impacts of the cut-off date of June 2, 2012 placed on his land by government forced him to accept unfair compensation in 2017.

He was paid the compensation based on unfair, obsolete and outdated compensation rates of 2010/2011. As a result of poor compensation, Mpabaisi and his family ended up in Kiryandongo, which is over 250km from Kabaale-Hoima.

Mpabaisi had hoped to buy land and resettle near Kabaale-Hoima. However, the compensation money he was given could not enable him to get land in Kabaale-Hoima as he had wished.

Today, he has spent over Shs 20 million on constructing a new house. Yet government paid him only Shs 2.4 million for a similar permanent house that he had on his land in Kabaale.



Mpabaisi, his family and AFIEGO in front of their incomplete house in Kiryandongo. Mpabaisi has spent over Shs 20 million on the house yet he was compensated with only Shs 2.4 million for his house in the refinery area.

His house is unfinished with no doors, windows and others but he and his family, including a baby, are staying in it.

"Life is very difficult. We used to have fertile soils in Kabaale-Hoima but the land I bought here in Kiryandongo is infertile because I received little compensation. It cannot support growing of crops for our food and income. We are starving!

Only those with money can buy matooke [green bananas] from Kigumba town. My 2-year old son you see here is sickly because of poor feeding.

My old sons have certificates in electrical courses but they have failed to get jobs. Our life is miserable," Mpabaisi said during our visit.

WOMEN'S LIVES CRUSHED

In Kakumiro where we visited Ms Stella Kahaingwe and her two granddaughters, there were also tales of suffering. Kahaingwe was also forced to relocate to Kibaale, which is now Kakumiro district. She had wanted to buy land near her community in Hoima but due to the unfair compensation paid to her by the government, the only place she could afford to buy land was in the remote areas of Kibaale.

We reached her home at 11 am and found her with her two young granddaughters. The young girls had been home for over three weeks because they had failed to pay Shs 11,000/ and Shs 18,000/ respectively to attend school.

"Dickens, it is sad that I cannot help my girls to go back to school. I am weak but I have to

feed these children. I no longer have enough energy to grow food for the home and sell to pay school fees.

My youngest son is also here at home because I have failed to pay fees at his secondary school. I need help," Kahaingwe said.

Kahaingwe was abandoned by her husband in 2013 when he received compensation. AFIEGO engaged the Ugandan Human Rights Commission (UHRC) to ensure that her sons became signatories to the bank account that received the compensation money.

This is how she managed to save some of the money paid to her husband to buy land in Kakumiro.



Kahaingwe (3rd L), her granddaughters, AFIEGO staff and others during our visit. Kahaingwe would not have gotten compensation without AFIEGO's intervention. Her granddaughters are also out of school because of poverty caused by the refinery project.

CHILDREN'S FUTURE BLEAK

The refinery-affected adults are not the only ones suffering. Children are too.

During a meeting with community members and teachers at Nyahaira Primary School in Kyakaboga, it was saddening to here that in 2018, there were 11 girls in P.6 but only one girl progressed to P.7 at the school.

While no one knows the whereabouts of the rest of the girls, the teachers suspect that the conditions in the resettlement camp are hostile for the elder girls to stay in school.

Parents are too poor to provide critical basic needs such as sanitary pads to their girls. Girls are also responsible to fetching water where they spend four to five hours in lines at the only water source in the camp.

In addition, all the households at Kyakaboga have been facing a food crisis for months and girls have to stay at home to support their mothers to feed their families.

Parents also have no money to pay between Shs 5,000/ to Shs 25,000/ required to cater for the nursery school teachers, buy school uniforms and other basic needs.



Children who are out of school. Ten out of 11 girls dropped out in P.6 from Nyahaira P/S because they have to fetch water among others.

REGIONAL WOMEN AND YOUTH CONFERENCE

Our field visits were followed by a regional youth and women leaders' workshop at Glory Summit Hotel in Hoima. Over 70 women and youth leaders participated in the workshop.

The main objective of the workshop was to build capacity of the participants to review the Tilenga oil project ESIA progress and strategise to participate and influence the ongoing EACOP and Kingfisher ESIA processes.

Among others, the participants got a chance to listen to some of the above testimonies from the oil refinery-affected people.

They also discussed the violations that took place during the Tilenga ESIA public hearing processes and the impact of poor implementation of laws and compliance on the environment and livelihoods in Uganda.

The workshop observed that these failures explain why oil activities remain a threat in the whole of Africa, Uganda inclusive.

The workshop made the following recommendations for action.

To NEMA and the Ministry of Water and Environment:

1. The new National Environmental law of 2018 to improve environmental governance and compliance in the country should be operationalised immediately.
2. The draft Strategic Environmental Assessment (SEA) and Environmental Impact Assessment (EIA) regulations of 2017 should be completed and operationalised to improve environmental conservation governance.
3. NEMA should ensure that no oil activities are allowed in critical biodiversity areas in the Albertine Graben including lakes, rivers, parks, forests and others. The Sensitivity Atlas should be used to identify critical areas.
4. Ensure conservation of sacred natural sites and territories against oil activities to maintain the social fabric, dignity and identity of the local communities.
5. NEMA should not approve the Tilenga ESIA report and project. If NEMA ignores the views of the over 2,000 stakeholders that participated in the Tilenga ESIA processes, the decision by NEMA approving the project should be challenged in court to ensure compliance.

To Petroleum Authority of Uganda (PAU):

6. PAU as the lead agency and NEMA should follow environmental laws and good practices in the ongoing EACOP and Kingfisher ESIA processes.
7. PAU and NEMA should ensure that the EACOP and Kingfisher ESIA processes contain complete mitigation plans before they are accepted by NEMA and subjected to public hearings. Public hearings cannot be useful based on incomplete ESIA reports.
8. PAU, NEMA, CSOs and other stakeholders should ensure that the public especially host communities are empowered and mobilised to effectively participate in the EACOP, Kingfisher and other ESIA processes for environmental conservation and livelihoods protection amidst oil threats.

To the ministries of energy, lands, gender and justice:

9. Ministry of Energy should work with relevant stakeholders to put in place a resettlement framework and affirmative regulations to

protect the rights of oil-affected women, girls and other vulnerable groups.



Women such as Ms Christine Nyangoma (C), a single mother of five, need their rights protected through affirmative regulations.

Ms Nyangoma is one of the many refinery-affected women whose husbands disappeared after receiving compensation money.

She asked government to relocate her after the disappearance of her husband. Unfortunately, government refused to build her a house.

AFIEGO mobilised the community to build for her and her children a house. Her children are unable to go to school because she has no money.

10. Amend land compensation laws to provide that all land oil-related cases must be heard and concluded within 6 months from the date of filing to improve access to justice to oil host communities.

11. Establish specialised land acquisition and compensation tribunals in all sub-counties and fund them adequately to improve accessible and affordable justice to the poor affected communities.

Dickens Kamugisha
CEO, AFIEGO

Pictorial of our activities

AFIEGO AND YOUTH IN ALBERTINE REGIONAL MEETING FOR ESIA IMPLEMENTATION



On February 28, 2019, the Guild Presidents' Forum on Governance (GPFOG) organised a regional meeting on youth and women's roles in the implementation of Environmental and Social Impact Assessments (ESIAs) in the oil region. The meeting was supported by AFIEGO.

The over 70 youth and women leaders from Hoima, Buliisa, Kikuube, Kiryandongo, Kasese and Nwoya that participated in the meeting gained knowledge on the importance of conducting and implementing ESIA for biodiversity conservation and community livelihoods.

The youth and women leaders' committed to mobilise fellow youth to pressure NEMA and PAU for the conduct and implementation of effective ESIs for the Tilenga, EACOP and Kingfisher oil projects.

In the picture are youth and women leaders after the meeting. The Hoima deputy L.C. 5 chairperson, Mr Frederick Kakoraki (C, in flowery shirt) opened the meeting.

The Hoima District Land Board chairperson, Mr Yustus Ireeba (C, in coat), also facilitated at the meeting.

TASKFORCE FORMED TO IMPLEMENT RECOMMENDATIONS FROM YOUTH REGIONAL MEETING



Following the above regional youth and women leaders' meeting, a taskforce to implement recommendations made at the meeting was formed.

The recommendations, which are captured in our Word from CEO, are meant to promote environmental conservation and community livelihoods amidst oil developments.

The taskforce will also be responsible for working with AFIEGO to mobilise and sensitise communities to enable community participation and monitoring in the Tilenga, Kingfisher and EACOP ESIs for compliance.

Members of the taskforce, who come from the districts of Hoima, Buliisa, Kikuube, Kiryandongo, Kasese and Nwoya can be seen in the picture.

YOUTH AND AFIEGO SENSITISE COMMUNITIES ON RELEVANCE OF COMMUNITY PARTICIPATION IN EACOP, KINGFISHER ESIAS



On February 27, 2019, AFIEGO, GPF OG youth and the refinery-affected people held a radio talkshow at Spice FM to sensitise communities on the relevance of their participation in ESIA processes.

Using the experience of the refinery-affected people, AFIEGO showed communities that without citizen participation to enable the conduct and implementation of ESIA, communities stand to suffer social and environmental impacts.

The radio talkshow was also used to mobilise youth and women leaders for the regional youth and women leaders meeting that was held in Hoima this month.

The talkshow reached communities in eight districts in the Albertine region.

In the picture are from R-L: GPF OG's Mr Yoram Banyenzaki, AFIEGO's Mr Dickens Kamugisha and Mr Innocent Tumwebaze, a leader of the refinery-affected people.

AFIEGO's Ms Sandra Atusinguza (R) and the Spice FM moderator, Mr Peter Abanabasazi (L), can also be seen in the picture.

AFIEGO FACILITATES KASESE WOMEN CLEAN ENERGY CHAMPIONS TO PARTICIPATE IN EXCHANGE LEARNING



Between February 27 and March 1, 2019 AFIEGO facilitated members of women and youth clean energy clubs from Kasese to participate in an exchange learning visit to Hoima.

The visit enabled the women and youth to acquire knowledge in addition to lobby and advocacy skills to protect biodiverse Queen Elizabeth National Park (QENP) and Lake Edward from oil exploitation.

A second competitive licencing round is planned by government in May 2019. Government maintains an interest in licencing out Ngaji oil block in QENP and Lake Edward. This will harm biodiversity and skilling communities is key to prevent this.

In the picture is Ms Angella Muhindo (standing), a member of the Kasese-Katwe clean energy club. She requested AFIEGO to sensitise Kasese communities on ESIA.

A Kasese clean energy youth club member, Mr Sulaiman Miiro (R), can also be seen in the picture.

REFINERY-AFFECTED PEOPLE FACING RE-DISPLACEMENT RESOLVE NOT TO SIGN AWAY PROPERTY UNTIL MINISTRY OF ENERGY ISSUES LAND TITLES

© AFIEGO



On February 26, 2019, AFIEGO organised a meeting with the refinery-affected people to discuss the impending re-displacement of seven refinery-affected families for an oil feeder pipeline amidst no land titles.

The meeting also discussed challenges such as lack of access to clean water, food, harsh weather conditions and others that are faced by women at Kyakaboga. Delay of hearing of the court case that the refinery-affected people brought against government in 2014 was also discussed.

The meeting resolved that the seven families should not sign over their property until Ministry of Energy issues them with land titles.

The people also called on the Kampala High Court to urgently hear and complete the refinery-affected people's case.

AFIEGO staff and community members can be seen in the picture after the meeting.

HIGH SCHOOL DROP-OUT RATES: AFIEGO, REFINERY AND SCHOOL LEADERS IN STRATEGIC MEETING TO ADDRESS CHALLENGE



On February 26, 2019, AFIEGO and the refinery-affected people's leaders visited Nyahaira P/S in Kyakaboga.

The visit enabled AFIEGO to understand causes of the high school drop-out rate among the refinery-affected girls.

Causes of the high school drop-out rate include parents being unable to afford school fees, uniforms and scholastic materials.

Because of lack of services such as clean water and solar power, girls spend time fetching water and parents spend money on buying paraffin among other household items. They therefore cannot afford the little money needed for uniforms and scholastic materials.

AFIEGO, the teachers and refinery-affected people's leaders devised strategies to reduce the high school drop-out rate.

In the picture is the Nyahaira P/S headteacher, Ms. Mary Gulyantonde (5th L) and other teachers.

AFIEGO's Mr Dickens Kamugisha (6th L) and Sandra Atusinguza (3rd R) in addition to the refinery-affected people's leaders can also be seen in the picture.

CSO NEGOTIATIONS SKILLS STRENGTHENED FOR BIODIVERSITY CONSERVATION AMIDST OIL AND SUGARCANE THREATS



© AFIEGO



© AFIEGO

Between February 21 and 22, 2019, AFIEGO led other Shared Resources, Joint Solutions (SRJS) Uganda partners in organising a Negotiations approach training for CSOs.

The training was attended by over 35 participants from CSOs in Kampala and the Albertine Graben. The participants gained knowledge and skills to enable successful negotiation with oil and sugar companies for biodiversity conservation amidst oil and sugarcane challenges.

The meeting was facilitated by negotiations and consensus building experts from the U.S.

In the top and bottom pictures are participants and our partners during the training.

In addition, one of AFIEGO's board members, Ms Doreen Elima (bottom picture, L, second row) participated in the training to support the board play its oversight role over the AFIEGO secretariat.

Lobbying

This month, the refinery-affected people issued a press statement in which they called for an expedited hearing. The press statement was disseminated following a community meeting on February 26, 2019 in which it was agreed that the refinery-affected people should demand for a faster case hearing.

The press statement was issued prior to the refinery-affected people's case hearing on March 4, 2019.



In the media

This month, staff and research associates wrote six newspaper articles which were published in the leading newspapers including the New Vision and Daily Monitor.

Among others, staff and research associates asked NEMA to update the public on progress made in addressing stakeholder concerns raised during the Tilenga ESIA public hearings.

Staff also called on NEMA to comply with environment laws while organising public hearings for the EACOP and Kingfisher ESIA's. In addition, staff showed why government should invest in renewable energy.

Some of the published articles are captured below.

NEMA should comply with established laws and procedures in organising public hearings

On Monday, February 11, 2019, the Ministry of Water and Environment published a new national Environmental and Social Impact Assessment (ESIA) report for the East African Crude Oil Pipeline (EACOP). The report mentioned as was suggested last year, during the Tilenga ESIA report public hearings, when the National Environment Management Authority (NEMA) and the Petroleum Authority of Uganda (PAU) failed to conduct the required public hearings for the EACOP project. The ESIA report, issued in 2018, mentions NEMA as the main body to conduct public hearings for the project. It also mentions that the ESIA report was not made available to the public for a period of 14 days as required by the ESIA Act, 2015. The report also mentions that the ESIA report was not made available to the public for a period of 14 days as required by the ESIA Act, 2015. The report also mentions that the ESIA report was not made available to the public for a period of 14 days as required by the ESIA Act, 2015.

Substantive Details
Research associate of EACOP

Nema, have concerns raised over Tilenga project been addressed?

The National Environment Management Authority (NEMA) has been asked to update the public on progress made in addressing stakeholder concerns raised during the Tilenga ESIA public hearings. The article asks if the concerns raised during the public hearings have been addressed. The article also mentions that the ESIA report was not made available to the public for a period of 14 days as required by the ESIA Act, 2015. The article also mentions that the ESIA report was not made available to the public for a period of 14 days as required by the ESIA Act, 2015.

Cyrus Kibwima
cyrus.kibwima@gmail.com

Promote renewable energy to improve lives

EDITORS: The government has over the past eight years embarked on a power sector reform programme, which has resulted in the implementation of significant structural changes within the sector. The reform programme was aimed at providing adequate, reliable and least-cost power supply to meet the country's demand, promoting the efficient operation of the power sector and scaling up rural and peri-urban access to maximise the impact on poverty reduction. Despite the implementation of these reforms, the country continues to experience significant power supply shortages, low rates of access to electricity and high levels of power losses, all negatively impacting on the country's economic growth. The low level of access to modern forms of energy, particularly renewable energy, has continued to be one of the major infrastructure bottlenecks to socio-economic growth in Uganda. If people have access to renewable energy for their cooking, heating and lighting, this will help to improve their ability to support their families, reduce problems associated with inadequate technologies like the use of biomass and fuels and improve their lives. Renewable energy solutions will reduce expenditures on fuels and help in creation of small business enterprises. Therefore, the use of renewable energy stimulates growth while reducing the adverse impacts of climate change.

PATRICIA LUWIGA, KAMPALA
AFIEGO Research Associate

Ensure gender equality in oil and gas industry

The oil and gas industry in Uganda has a long history of gender inequality. Women are often excluded from the industry, and those who are employed are often in low-paying, low-status jobs. This is a significant barrier to women's economic empowerment and social progress. The article calls for the government to take steps to ensure gender equality in the oil and gas industry. This includes providing training and skills development for women, and ensuring that women are represented in decision-making positions within the industry. The article also mentions that the ESIA report was not made available to the public for a period of 14 days as required by the ESIA Act, 2015.

The writer is from AFIEGO

Upcoming Events

March 4, 2019; Kampala: Hearing of the refinery-affected people's court case against government

March 13, 2019; Kasese: Community sensitisation meeting on environmental impacts of government's failure to implement Uganda's Nationally Determined Commitments (NDCs) on climate change

March 29, 2019; Buliisa: Radio talkshows to sensitise communities on the National Environment Act (2019)

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