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NEMA, ADDRESS ILLEGATIES & IRREGULARITIES BY TOTAL IN TILENGA EMSPS REVIEW PROCESS

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Stakeholders at a public hearing on the Tilenga oil project's ESIA report in Buliisa district in November 2018. The report was incomplete when the public hearings in Buliisa and Nwoya were held, contrary to environmental laws.

Today, more environmental laws are being violated during the discriminatory review process on the Tilenga oil project's Environmental and Social Management Plans (ESMPs). This must stop.

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- NEMA must stop illegalities and irregularities in Tilenga ESMPs review process
- Pictorial of our activities
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On July 13, 2020, civil society organisations (CSOs) working in the oil and gas sector received a letter from Total. The letter invited the CSOs to review and submit comments on the Tilenga oil project's 28 draft Environmental and Social Management Plans (ESMPs). The comments are supposed to be submitted to Total, the main operator of the Tilenga project.

The call for comments came after the National Environment Management Authority (NEMA) had issued an Environmental Impact Assessment (EIA) certificate of approval to the Tilenga oil project developers, Total E&P and Tullow Oil.

The certificate was issued on April 15, 2019. Under condition 9.1 (ii) of the certificate, NEMA asked the developers to put in place management plans no later than June 30, 2020. This is because the Tilenga Environmental and Social Impact Assessment (ESIA) report that NEMA approved lacked the management plans. Today, the ESMPs are yet to be submitted to NEMA.

NEMA's issuance of an EIA certificate of approval to the Tilenga project developers yet the ESIA report on which NEMA based to issue the certificate lacked EMPs violated the laws of Uganda. So did NEMA's actions of inviting public comments and organising public hearings on the incomplete Tilenga ESIA report in 2018.

Per regulation 19 of the 1998 EIA regulations, NEMA is only supposed to invite the public to make written comments on an ESIA study when the ESIA report is complete. A complete ESIA report includes the mitigation measures, which are elaborated on in an ESMP, to eliminate, minimise or mitigate a

project's impacts, per Regulation 14 of the 1998 EIA regulations.

It is notable that experts whom NEMA invited to review the Tilenga ESIA on its behalf noted that the lack of ESMPs in the Tilenga ESIA made it incomplete. NEMA and the public could not judge whether the mitigation actions identified in the Tilenga ESIA report were implementable to address the identified risks based on the available monetary, human, technical and other resources in the country.

Fast forward to today and NEMA's violation of the law through approval of the Tilenga ESIA without ESMPs has created a situation in which more irregularities and illegalities can thrive. For instance, Total has invited only a few select members of the public to make comments on the draft Tilenga ESMPs.

Moreover, the letter inviting CSOs to make comments on the draft ESMPs –the ESMPs to be reviewed were attached to the letter- was marked as being "Restricted [for] distribution". This is unlawful and unacceptable.

The Tilenga project will have immense community, national, transboundary and international impacts. As such, the draft ESMPs need to be widely reviewed. Why then is Total discriminating against other stakeholders from receiving the draft ESMPs and providing comments? This act is contrary to Regulation 12 of the 1998 EIA regulations, which provides for public participation in the development of EIA reports.

Moreover, Total's invitation for comments on the draft ESMPs raises oversight questions. If the ESMPs were part of the Tilenga ESIA report, they would be subjected to a public review process superintended over by NEMA

and the Petroleum Authority of Uganda (PAU). This would ensure a modicum of much-needed oversight. In addition, per provisions in the EIA laws that safeguard public participation, affected communities and all Ugandans with interest would be invited to review and make comments on the ESMPs to promote environmental conservation and community livelihoods amidst oil risks and threats.

However, the above are not guaranteed as NEMA failed to ensure that the ESMPs were submitted as part of the ESIA report. This presents a huge problem that must be urgently addressed if the environment and community livelihoods are to be protected.

In our **Word from CEO and Partners**, we highlight the illegalities and laws that are being violated in the Tilenga ESMP review process that is being superintended over by the Tilenga project developers. We discuss the implications of the illegalities and irregularities and demand that NEMA and the developers undertake a wider public consultation process in conformity with the EIA laws. In addition, we discuss the gaps and weaknesses in the draft Tilenga ESMPs. We invite citizens to understand these gaps so that they can engage NEMA to demand that the gaps are addressed. Failure to do so will result in immense environmental, economic and social impacts.

Away from the above, this month, we engaged in a number of activities that are captured in our **pictorial** section. For instance, we engaged the Minister of Water and Environment, the Natural Resources Committee (NRC) of parliament and the European Union (EU) delegation to support efforts to protect Bugoma forest from land

grabbing, sugarcane and oil threats. In addition, we organised a meeting during which staff and oil-affected communities reviewed the draft Tilenga ESMPs. We also joined other CSOs working in the oil and gas sector to review the draft ESMPs.

Furthermore, we participated in a meeting during which CSOs drew strategies to stop the planned dam at Murchison Falls.

We also supported our civil society partners from the Democratic Republic of Congo (DRC) to sensitise communities, women, youth, fisherfolk, farmers and others on oil impacts through film screenings among others. These and other activities are captured in the pictorial section.

In our **lobbying** section, we bring you a memorandum of proposals that we and our partners submitted to the Natural Resources Committee of parliament as part of the efforts to save Bugoma forest from land grabbing, sugarcane and oil threats.

Finally, in our **in the media** section, we bring you some of the over 13 newspaper articles that were written by our staff and partners and published by the media. The articles are part of our public education in addition to lobby and advocacy efforts. We also bring you articles that were published from some of our lobby and advocacy activities such as media interviews.

We hope that you will enjoy the newsletter.

Editorial team:

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NEMA MUST STOP ILLEGALITIES AND IRREGULARITIES IN TILenga ESMPs REVIEW PROCESS

This month, Total invited civil society organisations (CSOs) working in the oil and gas sector to make comments on the 28 draft Environmental and Social Management Plans (ESMPs) for its Tilenga project. The ESMPs were developed by Total to fulfill statutory obligations that require project developers to show how they will avoid, minimise or mitigate the impacts of their projects.

In a letter dated June 30, 2020 and signed by Total's General Manager, CSOs were given up to July 31, 2020 to have submitted their comments on the ESMPs. It is notable that the letter was received by the CSOs on July 13, 2020. This gave CSOs up to two weeks (14 working days) to review and submit comments on the 28 draft ESMPs. The CSOs were informed that past that deadline, their comments would be considered during future review processes of the ESMPs.

"The management plans will be living documents, subject to regular reviews and updates ... For this reason, any updates not received by the stated timeline could be included in future updates of the documents."

In addition, Total marked the letter and the ESMPs that were attached to the letter as being under "Restricted Distribution".

This raised many legal and moral questions: Why would Total restrict the distribution of ESMPs for a project whose immense impacts will be felt at community, national, transboundary and global level? Why aren't affected communities, including cross-border ones in the Democratic Republic of Congo (DRC), and other stakeholders involved in the Tilenga ESMP review process?

In addition, what does the law provide as regards timelines for reviewing Environmental Impact Assessment (EIA) reports of which ESMPs are a part? Are the 14 working days given by Total to CSOs within the law?

The request for comments by Total also raised questions about NEMA's role in the Tilenga ESMPs public review process. Would NEMA invite the public and affected communities to review and submit written comments on the ESMPs? How about public hearings? Would NEMA organise any? What does the law say?

EIA PUBLIC REVIEW PROCEDURES: THE LAW

The laws that govern over EIA processes in Uganda include the 2019 National Environment Act, 1998 EIA regulations, 1999 EIA Public Hearing guidelines and others. In particular, the 1998 EIA regulations provide for the processes that must be followed in the conduct and public review of EIA studies. Below are key provisions from the regulations.

(a) ESMPs should be part of ESIA reports: The 1998 EIA regulations compel developers to have ESMPs as part of their EIA/ESIA studies. Regulation 9(1) of the 1998 EIA regulations provides that where "the Executive Director [of NEMA] finds that [a] project will have significant impacts on the environment and that the project brief discloses no sufficient mitigation measures to cope with the anticipated impacts, NEMA shall require that the developer undertakes an environmental impact study." Regulation 14(1) of the same law as above provides that "... The environmental impact statement shall provide a description of the environmental effects of the project

including:

(h) The direct, indirect, cumulative, short-term and long-term effects and possible alternatives [and];

(i) The measures proposed for eliminating, minimising, or mitigating adverse impacts." This means that for any EIA or ESIA study to be considered complete, ESMPs with the mitigation actions, implementing bodies, the resources (monetary and human) and others needed to eliminate, minimise or mitigate the adverse impacts of a project must be attached to an ESIA study.

This was not done for the Tilenga ESIA.

(b) Consultation of affected communities:

The 1998 EIA regulations also provide for how EIA or ESIA studies are to be conducted. Regulation 10 provides for the conduct of an EIA in accordance with terms of reference developed by the developer in consultation with NEMA and the lead agency.

In conducting the EIA study, a developer is mandated to take all measures necessary to seek the views of the people in the communities which may be affected by the project. This is per Regulation 12 (1) of the 1998 EIA regulations. Per Regulation 12(2)(a), the views are supposed to be sought following sensitisation of affected communities, over a period of 14 or more days, on the anticipated effects and benefits of a project in the mass media in a language understood by the affected people.

Thereafter, developers are mandated to hold meetings with the affected communities at convenient venues and times for the affected communities as agreed upon with local council leaders. This is per Regulation 12(2)(c) of the 1998

EIA regulations.

(c). Invitation of written comments from the general public: Following conduct of the EIA study by the developer and submission of an EIA report to NEMA, the following is supposed to be done:

- NEMA is supposed to invite for comments on the EIA study from the lead agency.

- Under Regulation 19(1), NEMA, is mandated to within ten days of receiving the comments of the lead agency, and if satisfied that the environmental impact statement is complete, invite the general public to make written comments on the EIA study.

- The above invitation is supposed to be made in a newspaper having national or local circulation and for a period NEMA considers necessary, per Regulation 19(2).

- Comments from the general public are supposed to be received by NEMA within 28 days from the date of the invitation, per Regulation 19 (4).

(d) Invitation of comments from persons affected by the project:

In addition, under Regulation 20(1) of the 1998 EIA regulations, NEMA is mandated to invite for comments from persons who are most likely to be affected by the proposed project. The invitation is supposed to be made in a newspaper having local circulation in the project area, other mass media and through the distribution of the necessary information through lower governments.

The individual or collective written comments of the persons likely to be affected by the project are supposed to be received within 21 days from the invitation, per Regulation 20(4).

VIOLATIONS IN TILenga ESMPs REVIEW PROCESS

Is the Tilenga ESMPs review process in conformity with the law? It isn't. An analysis of the draft ESMPs review process shows that the following violations of the law are occurring or occurred:

(i) NEMA invited the public to make comments on the Tilenga ESIA report in 2018 when it lacked the ESMPs. This violated regulations 14 and 19 of the 1998 EIA regulations.

(ii) Further, Total has failed to consult the affected communities in Buliisa, Nwoya, Masindi and other districts on the Tilenga ESMPs per Regulation 12 of the 1998 EIA Regulations. Needless to say, the procedures such as sensitising affected communities on the project through the mass media, inviting them for a meeting on an EIA study and others as provided for under Regulation 12 of the 1998 EIA regulations have not been implemented.

(iii) In addition, other than consulting CSOs working in the oil and gas sector, the wider general public is yet to be consulted on the Tilenga ESMPs using the procedures under Regulation 19 of the 1998 EIA regulations.

(iv) Further, an invitation of the affected communities to make comments on the Tilenga ESMPs per Regulation 20(1) of the 1998 EIA regulations has not been made yet. It is uncertain whether the communities will be invited to make comments.

(v) It also remains unclear as to whether NEMA will organise public hearings on the Tilenga ESMPs as is provided for under Regulation 22 of the 1998 EIA regulations. The regulations compel NEMA to call for

public hearings where there is a controversy or where a project may have transboundary impacts, as the Tilenga project does.

GAPS AND WEAKNESSES IN TILenga ESMPs

It is notable that amidst the above violations or uncertainties, the Tilenga ESMPs have gaps and weaknesses. These include the following:

- The ESMPs lack information on the resources (monetary, technical, equipment and others) needed to implement the ESMPs. This means that NEMA and Ugandans won't have full information on whether the resources needed to avoid the risks of the Tilenga project are available so as to make a decision to approve the ESMPs or not; NEMA makes the decision on the ESMPs.

- Further, the timelines within which the ESMPs must be updated are not stated in most of the ESMPs. This means that citizens will not be able to hold the Tilenga project developers accountable to update the plans.

- In addition, overall, the role that stakeholders such as communities, CSOs, cultural institutions, religious leaders, local governments, government agencies, ministries and others will play in implementation of the ESMPs is not provided in most of the management plans. Without adequate stakeholder participation, the ESMPs may not be implemented.

- Furthermore, the ESMPs lack a sound analysis of Uganda's laws. The plans merely state the laws without assessing whether the available laws are sufficient to protect the environment amidst oil risks and threats. This is dangerous.

- In addition, the ESMPs do not provide adequate mitigation measures to protect ecosensitive resources and biodiversity from degradation. For instance, the Waste Management Plan allows the developer to temporarily store hazardous waste in

Murchison Falls National Park (MFNP). Wildlife is also not adequately protected under the Site Clearance Plan. Further, wetlands aren't adequately protected under the Wetland Management Plan.

- Furthermore, the mitigation actions to protect community health under the Community Health, Sanitation, Safety and Security Plan aren't sufficient. This is because the developers fail to provide for measures that will ensure that health impacts arising from oil pollution, increased car emissions, increased dust and others are avoided, minimised or mitigated.

- In addition, the mitigation measures that are provided under the Gender Management Plan to protect women and youth from the Tilenga land acquisition and other project impacts are insufficient. No measures to protect women from the Gender Based Violence (GBV) that could arise from giving women and men the same powers in land acquisitions are provided.

- Further, while the same plan as above recognises that unmarried youth miss out on compensation due to cultural barriers –children miss out as well because they are not property owners-, no mitigation measures are provided to protect youth's livelihood rights. Experience from the oil refinery land acquisition and other projects shows that youth's economic rights and education are negatively affected by compulsory land acquisitions.

RECOMMENDATIONS

In view of the above, the following should be done:

(i) Parliament needs to investigate and penalise the Minister for Water and Environment that supervises NEMA over NEMA's violation of the EIA regulations. This violation was seen when NEMA invited the public to make written comments and organised public hearings on the Tilenga ESIA in 2018 yet the ESIA lacked ESMPs.

(ii) In addition, in line with Regulation 12 of the 1998 EIA regulations, NEMA should compel Total to consult the affected communities on the Tilenga ESMPs using the procedure that is prescribed under the same regulation.

(iii) Further, when the Tilenga ESMPs are submitted by Total, NEMA should invite citizens and affected communities to submit written comments on the ESMPs as is prescribed under the 1998 EIA regulations. Public hearings should also be held on the ESMPs. Citizens should compel NEMA to implement this recommendation.

(iv) At the moment however, NEMA should halt the ongoing ESMP process by Total until all the cases against the irregularities and illegalities that were seen in Tilenga ESIA public review processes in 2018 are concluded. These cases were filed in the High Court by youth and CSOs.

(v) No oil activities should be allowed to commence until all the court cases and public concerns are resolved.

(vi) Finally, citizens should engage NEMA and Total to address gaps in the Tilenga ESMPs including filing court cases to ensure justice.

By CEO and Partners

Pictorial of our activities

AFIEGO AND PARTNERS ENGAGE MINISTRY OF WATER TO SAVE BUGOMA FOREST



On July 15, 2020, AFIEGO and our partners organised a meeting with the Minister of Water and Environment (MWE), Hon. Sam Cheptoris, to draw strategies to save Bugoma forest from land grabbing, sugarcane growing and oil threats.

The meeting was also participated in by the Executive Director of the National Forestry Authority (NFA), Mr. Tom Okurut in addition to representatives of CSOs, tourism operators and environmental journalists. It took place at the Ministry of Water and Environment's head office in Kampala. The meeting enabled the above-mentioned stakeholders to draw strategies to save Bugoma forest.

In the photos are Hon. Cheptoris (C), Mr. Okello (5th R) and some of the members of the Save Bugoma Forest Campaign team during and after the meeting.

AFIEGO AND PARTNERS PETITION PARLIAMENT TO SAVE BUGOMA FOREST



AFIEGO and our partners supplemented the above efforts to save Bugoma forest when we petitioned the Natural Resources Committee (NRC) of parliament on July 30, 2020.

In the petition that was received by Dr. Keefa Kiwanuka, the Chairperson of the NRC, AFIEGO and our partners called on parliament to act on government officers who are responsible for the giveaway of the forest.

We also called on parliament to engage NEMA to join efforts to save the forest. We also made other demands to save the forest.

In the photos are Dr. Kiwanuka (C), Hon. Andrew Kiiza Kaluya (2nd R), the vice-chairperson of the NRC, and other members of the NRC while receiving and discussing the petition from the Save Bugoma Forest

AFIEGO AND PARTNERS IN MEETING WITH EU TO SAVE BUGOMA FOREST



To save Bugoma forest from land grabbing, sugarcane growing and oil threats, it is important to engage a wide range of stakeholders who can play various roles to save the forest.

On July 28, 2020 therefore, AFIEGO and the Save Bugoma Forest Campaign team met a delegation from the European Union (EU). The delegation was led by the EU Ambassador to Uganda, H.E. Attilio Pacifici.

The meeting enabled the Save Bugoma Forest Campaign team and the EU delegation to agree on possible solutions to protect Bugoma forest from the threats it is faced with.

In the photos are H.E. Pacifici (C), other EU delegation members and the Save Bugoma Forest Campaign team after the meeting.

AFIEGO AND PARTNERS COMMISSIONED LEGAL RESEARCH TO SAVE BUGOMA FOREST



On July 16, 2020, AFIEGO and our partners under the Save Bugoma Forest Campaign commissioned research to defend Bugoma forest from the threats it is faced with.

The legal research will enable AFIEGO and our partners to understand the factors responsible for the court losses that NFA has suffered in its defence of Bugoma forest. The research will also enable AFIEGO and our partners to understand the legal options available to save Bugoma forest.

In the photos are some of the Save Bugoma Forest campaign team members during discussions with lawyers and after commissioning the legal research.

AFIEGO AND PARTNERS IN MEETINGS TO REVIEW THE TILENGA ESMPS



On July 28, 2020, AFIEGO organised a meeting during which staff, youth and oil-affected community members reviewed the Tilenga ESMPS.

In addition, between July 29 and 30, 2020, AFIEGO joined other CSOs working in the oil and gas sector during a workshop to review and compile comments on the Tilenga ESMPS.

The weakness and gaps identified in the ESMPS will be submitted to Total and will be used to influence NEMA as it makes a decision on the ESMPS.

In the photos are AFIEGO staff and CSOs working in the oil and gas sector during the review meetings.

AFIEGO SUPPORTS DRC CSOS TO STRENGTHEN COMMUNITIES' UNDERSTANDING OF OIL IMPACTS



Between June and July 2020, AFIEGO supported our CSO partners in the Democratic Republic of Congo (DRC) to strengthen communities' understanding of oil and gas impacts.

Our partners organised film screenings and distributed Information, Education and Communication (IEC) materials to communities to raise their awareness on oil impacts.

It is hoped that the lessons gained will be used to safeguard the environment and community livelihoods through the promotion of clean energy.

In the photos are the community members who live around Lake Albert following two film screenings.

Lobbying

This month, AFIEGO worked with the Save Bugoma Forest Campaign team to produce a memorandum containing proposals to save Bugoma forest from destruction. The memorandum was submitted to the Natural Resources Committee of Parliament.

In addition, AFIEGO and our partners under the Save Bugoma Forest Campaign undertook a media campaign as part of efforts to save the forest.



Kamugisha handing over a petition to Kiwanuka, the chairperson of the natural resources committee, which commended the environmentalists for their campaign

ACTIVISTS PETITION HOUSE OVER FOREST

By Henry Sekanjako

Environmentalists have petitioned Parliament seeking for its intervention in the pending destruction of Bugoma Central Forest Reserve, for a sugarcane plantation.

Appearing before the parliamentary committee on natural resources yesterday, the environmentalists that have since started a save Bugoma Forest Campaign, want the government to compensate those claiming ownership of the forest, to save it.

"We believe that Parliament has the mandate to use its legislative and oversight powers to save Bugoma forest for the common good and equitable development," Dickens Kamugisha, the executive director Africa Institute for Energy (AFIEGO) said.

In their petition to Parliament, the environmental activists said two companies – Hoima Sugar Ltd and MZ Agencies, are in the process of cutting down over 10,000 hectares of the over 41,000 hectares of Bugoma forest for sugarcane growing.

"Parliament has a

responsibility to stop government officials from conniving with land grabbers to destroy Bugoma Forest.

"Indeed, the forest must be saved at all costs, so that it continues to play its important role as a tropical rainforest with ecological, climatological and socio-economic functions," Kamugisha, the interim chairperson Save Bugoma forest crusade, told the MPs.

The forest is a sanctuary for chimpanzees which, according to the activists, must be protected to strengthen tourism in the country.

COURT RULING
On December 3, last year, Hoima Sugar Ltd and Bunyoro Kitara Kingdom got a court ruling ordering NFA and her agents to stop guarding the contested part of the forest (Muhangaizima sector of Bugoma) to enable Hoima Sugar to use the said land as it wishes.

In the appeal, NFA had requested court for orders to preserve and protect Bugoma Forest.

However, the judge ruled that the applicant, NFA, had failed to prove that there is a threat to Bugoma forest.

Consequently, NFA's case in the High Court was dismissed.

NFA appealed and the case is pending hearing.

They noted that Hoima Sugar Ltd is in the final stages of an Environmental and Social Impact Assessment (ESIA) process that may pave way

for a certificate of approval from NEMA to commence destruction of Bugoma forest.

"Parliament should intervene to put the process on halt. The case will be overtaken by events if NEMA goes ahead to issue the ESIA and the forest destroyed," Joan Akiza, the programme and legal officer at National Association of Professional Environmentalists (NAPE), said.

The committee, chaired by Kiboga County MP Dr Keefa Kiwanuka commended the environmentalists for their campaign to save the forest.

He said the committee would study the petition and also interact with responsible government agencies, such as NEMA, NFA and lands ministry, for action.

According to Kiwanuka, the committee had visited Bugoma and Mabira forests and was disappointed at the level of encroachment.

Andrew Kaluya (Kigulu South) the committee vice-chairperson, said: "These courts have done us a disservice, we are on a weaker side."

"There is a ruling which we think can be overturned in the appeal process."

The committee which is set to meet the environmentalists again, however said Parliament's intervention will be taken after thorough scrutiny of the petition to avoid sub judice since the matter is in court.



30 July 2020

The Chairperson and members,
Natural Resources Committee (NRC),
Parliament of Uganda,

Dear Sir/Madam, engages

RE: MEMORANDUM CONTAINING PROPOSALS TO SAVE BUGOMA CENTRAL FOREST RESERVE (CFR) FROM DESTRUCTION

1. Introduction

The undersigned signatories take this opportunity to thank you and all your committee members for the great legislative and oversight work being done by your committee and parliament at large. We also recognise that despite the challenges faced, parliament has steadily continued to use its constitutional mandate to promote the principles of good governance, transparency and accountability in the country. This is commendable and we thank parliament.

2. Objective of this memorandum

This memorandum highlights the threats that Bugoma Central Forest Reserve (CFR) is faced with and it is in view of the above threats that we request parliament to use its oversight powers to save the forest. The reserve is located in Kikuube district in the Albertine Graben. The Albertine Graben is the host of Uganda's over 6 billion barrels of oil reserves. It should be noted that the oil exploration and exploitation activities are ongoing in and around critical biodiversity areas including Murchison Falls National Park, Bugungu Game Reserve, River Nile, Lake Albert, Queen Elizabeth National Park, Budongo CFR, Bugoma CFR and others. While the exact impacts of the above oil activities at the moment may not be predicted with certainty, the reality remains that to date, all African oil-producing countries are suffering untold environmental and/or livelihood problems.

3. Threats to Bugoma Forest

Amidst the uncertainty of oil challenges in the Albertine Graben, Bugoma CFR is on the verge of being traded and destroyed for sugarcane growing. As civil society partners under the Save Bugoma Forest Campaign (SBC), we strongly object to any attempts to destroy Bugoma forest for sugarcane or any other land use that is not compatible with forest conservation.

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In the media

This month, staff, research associates and youth champions wrote over 13 newspaper articles that were published in the leading newspapers including the New Vision, Daily Monitor and The Observer.

The media also published articles from the media interviews we held this month. Some of the published articles are captured below.

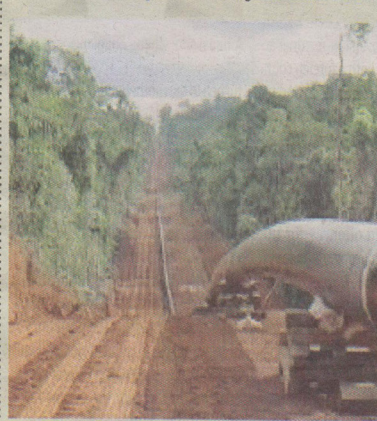
Oil project will increase Uganda's vulnerability to climate change

The discovery of commercial oil deposits in Uganda was made in 2006. It is anticipated that government will earn significant revenue from the inflow of oil money. If collected and utilised responsibly, generated revenues have the potential to uplift Uganda's economic growth and development.

The East African Crude Oil Pipeline (EACOP) will be running from the oil fields in Hoima, western Uganda to Tanga port in Tanzania transporting crude that will be electrically heated throughout the pipeline.

However, government is ignoring related climate impacts that will arise even when it thinks that oil is a blessing to the country. For instance, an understanding of EACOP must begin with the nature of the material the pipeline would transport, a waxy variety of crude oil

that solidifies at ambient temperatures and has to be heated to at least 50 degrees Celsius throughout the 1443km length of the pipeline to arrive at a port for international export, vastly increasing the environmental and economic costs of exploit-



ing Lake Albert area crude oil reserves.

An understanding of the East Africa Crude Oil Pipeline must also begin with the fact that world's temperature has increased by an estimated 0.90 C as atmospheric levels of carbon dioxide (CO2) have risen from 290 parts per million (ppm) in pre-industrial times to more than 415 ppm in 2019, an atmospheric level of CO2 that has not been experienced since at least three million years ago.

The Intergovernmental Panel on Climate Change (IPCC), is warning that a further increase

of world temperature by more than another 0.60 C, a consequence of CO2 levels exceeding 450 ppm, would have far-ranging catastrophic consequences on humanity, including food security and livability of cities.

Section 8.22 of the EACOP ESIA is titled: 'Climate' and sub-section 8.22.2 of the ESIA is titled: 'Project Greenhouse Gas Emissions'

This section of the ESIA confines its assessment to only the operational emissions of CO2 and reaches the following conclusion (on page 8-370).

The key conclusions related to the EACOP project's impact on climate include "Direct operational emissions in Uganda once the bulk heaters begin operation will range between 11-18 ktCO2e/a, which represents around 0.014-0.029% of Uganda's total GHG emissions in 2030: the contribution of EACOP to national emissions is therefore low and will not affect Uganda's ability to meet its emission reduction target published as part of the UNFCCC's Paris Agreement."

Patrick Edema,
epatrick60@gmail.com

Respect women rights on land as primary users

Many scholars have argued that there is a direct relationship between women and girl-children land rights, economic empowerment, food security and poverty reduction. While women's land and property rights are vital to development, the reality remains that in many parts of Uganda, these rights are often not shared equally between men and women, and are routinely violated, denied and given insufficient protection and enforcement.

This has been seen in government compulsory land acquisition and other forms of land transactions. Not only do women have lower access to land than men. They are also often restricted to secondary land rights, meaning that they hold these rights through their male family members. Women have been left out in decision making, formulation of land policies and many other associated land rights. This situation, however, has been worsened by the discovery of oil and gas in the Albertine region.

Women and girls in the oil project-affected communities are suffering additional injustices and they lack the means to fight the injustices and defend their rights. These sufferings, among others, include family breakdowns, denial of access and control of compensation funds, school dropouts, deterioration of health services, clean water, food insecurity and degradation of social fabric.

This problem is partly due to our societal setup which is patriarchal and land ownership is dominated by men, who dominate the majority of decisions related to land use and management. This puts the security of women's land tenure in jeopardy.

Women have been left out in decision making on land matters.



Chris Opio
Women rights



However, despite of the above safeguards, women continue to suffer great injustices during land acquisition, land sales and deals. Most of these laws are well stipulated on the paper and thus lack clear regulations and implementation framework, which continue to put women and the girl-children in a vulnerable situation. This is especially true with the development of oil and gas projects in the Albertine region, which has led to increasing demand for land. This is worsened by unfair traditional history of land ownership that undermines their role on land use and management.

For example, the women affected by the oil refinery in 2012 contrary to the consideration made in the resettlement action plan (refinery RAP, 2012) and the constitutional safeguards for women land rights, were not fully engaged during the land acquisition processes. As a result, many women and girl-children were abandoned by men after receiving the compensation money resulting in family divorce, separation and school dropouts. This is one example that women and girl-children suffer additional effects during land acquisition and transaction. And with the increasing land acquisition for oil and gas projects, and land sales in the Albertine region, there is need for local communities, leaders, and agencies to come together and work out a lasting solution for women land rights to avoid the experiences of the oil refinery project-affected.

In the Land Act, there are two sections that directly address gender, land and property rights. Section 38A of the Land (Amendment) Act 2004 provides for a spouse's security of occupancy on family land, and Section 39 requires spousal consent prior to entering into any land transaction concerning land on which the spouse resides on and uses for sustenance.

Mr Opio is the coordinator, Oil Refinery Residents Association (ORRA).
Kabaale-Buseruka, Hoima

Oil exploration shouldn't ruin nature

On Tuesday, the media reported about the Energy ministry informing the public that the discovery of commercial quantities of oil in the five blocks in the Albertine region will create additional petroleum resources for the economy. But the ministry was silent on the consequences of oil on the environment, wildlife, and livelihoods.

Nobody should dupe the public that oil exploration will not affect the environment. The National Environmental Management Authority (Nema) did the environmental impact assessment for oil exploration in these national parks. The country

should know that oil activities in the national parks is going to impact the environment by reducing the number of animals in the park by disrupting animal breeding, cause migration of animals, which will cause human-animal conflict and competition for space and food hence destruction of peoples crops.

The parks are important because unlike oil that will be extracted for few years and get finished, the parks and their resources, if well conserved, will be valuable for a long time.

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Electricity inaccessibility does not favour holding digital elections

In any country, Uganda inclusive, elections and other political processes are pivotal to the quality of a country's governance. Elections can either advance or set back a country's long-term democratic development as well as regional and global foreign policy priorities. Elections are a key benchmark in any nation-building project, allowing failed states and divided societies to reconstitute a source of commonly accepted authority.

The most vital principle defining credible elections is that they must reflect the free expression of the will of the people as clearly stated in the first article of the 1995 Constitution as amended that "all power belongs to the people, who shall exercise their sov-

ereignty in accordance with this Constitution."

To achieve this, elections should be transparent, inclusive, and accountable, and there must be equitable opportunities to compete in the elections. These broad principles are buttressed by several electoral process-related obligations, as well as a number of key rights and freedoms. The electoral cycle approach depicts elections as a continuous, integrated process made up of building blocks that interact with and influence each other, rather than as a series of isolated events.

Looking at the recently released revised electoral roadmap for 2021 General Election, the first of its kind given electoral cam-

paign duration and prohibited mass rallies. The EC has rolled out scientific elections programme that involve contestants campaigning using TV, radio, and other media platforms. This is happening in a Uganda where electricity access has reached nearly 60 per cent of the population in urban areas and only 18 per cent rural areas. Relating this to technology that depends on electricity to operate means that 40 per cent from urban areas and 82 per cent from rural areas will be left out the electoral process. Therefore, the level of energy accessibility in the country does not favour holding of scientific elections.

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Upcoming events

August 5, 2020; Kampala: Submission of letter to NEMA to address irregularities and illegalities in Tilenga Environmental and Social Management Plans (ESMPs) public review process

August 5 to 7, 2020; Hoima: AFIEGO-WEMNET media training on reporting on oil threats

August 7, 2020; Hoima: Meeting with Bunyoro Kitara Kingdom to save Bugoma forest

August 7, 2020; Kampala: Submission of comments on the Tilenga EMSPs to Total E&P

August 12, 2020; Buliisa, Hoima and Kikube: Sensitisation radio talkshow on saving Bugoma forest from land grabbing, sugarcane, oil and other threats

August 14, 2020; Kasese: Petitioning of area MPs to use their meeting with President Museveni and their oversight powers to stop licensing out of Ngaji oil block

August 18, 2020; Kampala: Petitioning the Minister of Energy to deal with the Achwa dam deemed power challenges and the Karuma dam project delays

August 19, 2020; Kampala: Hearing of the court case for cancellation of the Tilenga EIA certificate

August 20-21, 2020; Buliisa and Nwoya: Community sensitisation meetings on the Tilenga ESMPs

August 27-28, 2020; Hoima and Kikuube: Community empowerment meetings to address delayed compensation of the EACOP project-affected communities

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