



**March 14, 2019**

**COMMUNIQUE FROM THE YOUTH AND WOMEN LEADERS REGIONAL WORKSHOP OF FEBRUARY 28, 2019 IN HOIMA DISTRICT**

## **1. Introduction**

On February 28, 2019, the Guild Presidents' Forum on Governance (GPFOG) in partnership with the Africa Institute for Energy Governance (AFIEGO) organised a capacity building workshop for youth and women leaders from over nine districts including Buliisa, Hoima, Nwoya, Masindi, Kiboga, Masaka, Rakai, Kampala, Kasese and others.

The workshop targeted participants from the districts where big oil projects such as the Tilenga, East African Crude Oil Pipeline (EACOP), Kingfisher and the finished petroleum products pipeline projects and others are being undertaken.

The main objective of the workshop was to empower the youth and women leaders from the oil region with information and skills to mobilise and create pressure to secure biodiversity through effective conduct and implementation of conservation and livelihoods tools such as Environmental and Social Impact Assessments (ESIA), Strategic Environmental Assessment (SEA) and others.

Participants at the women and youth leaders' workshop discussed a number of oil and other related threats including implications of procedural challenges and violations of the law that took place during the Tilenga oil project ESIA public hearings in Buliisa and Nwoya in November 2018.

Participants at the workshop also discussed strategies to influence decisions on the ESIA processes for the EACOP and Kingfisher oil projects, implications of the new environmental laws and others. Based on the above and the plenary discussions, the workshop made the following observations.



## 2. Observations

### DEMANDS TO IMPLEMENT ESIA

a). First, participants observed that to date, no country in Africa has been able to exploit oil without suffering the oil curse characterised by environmental and economic chaos in the form of human rights abuses, environmental abuses, land grabbing and other violations.

b). They further noted that the plans to exploit oil go against Uganda's commitments under the Paris Climate Change Agreement that requires the global community to fight the dangers of climate change through putting a stop on the use of fossil fuels such as oil gas and others.

c). Moreover, participants said, the government of Uganda is pushing to commence oil production in the country amidst poor planning. For instance, they noted that even when the Tilenga ESIA report does not provide for any complete mitigation plan for the identified oil risks on biodiversity and communities, government is pushing for oil production under the Tilenga and other projects. Uganda will not survive the oil curse with poor planning, participants said.

d). They also observed that land acquisitions for the Tilenga project are ongoing despite the fact that NEMA is yet to make a decision on whether the Tilenga project should go on or no based on its environmental and social risks as identified in the ESIA. They noted that this is unfortunate.

e). The participants called on NEMA and the Petroleum Authority of Uganda (PAU) to ensure that oil project activities are not undertaken without approval of conservation tools such as ESIA's. They also called on NEMA and PAU to ensure that unlike the Tilenga oil project ESIA public hearings where violations of the law took place, the EACOP and Kingfisher ESIA processes are conducted in line with both national and international best practices.

### CALL TO END HUMAN RIGHTS ABUSES

f). The participants observed that the over 70 households displaced for the Kabaale-Hoima refinery project and relocated to Kyakaboga-Buseruka are yet to be fully compensated and supported to get their land titles, access to clean water, sufficient food, education and health services, good roads and transport and other basic needs necessary to restore their human dignity. They called on the government to ensure that all the above are remedied.



g). Further, the participants observed that failure to stop the suffering the refinery-affected people are going through is the highest level of human rights abuse and every person in Uganda should stand firm to pressure government to take action.

h). They also observed that government should introduce affirmative action for oil-affected girls so that the challenges the refinery-affected people at Kyakaboga are facing are addressed. Participants reflected on the fact that out of the 11 girls that were in Primary Six in 2018, only one is in Primary Seven in 2019. Girls face unique challenges and should be specially supported to prevent these challenges.

i). They also observed that the Ministry of Lands has failed to operationalise section 20 of the Land Acquisition Act of 1965 through putting place regulations to support the payment of prompt, fair and adequate compensation. They noted that this has left project-affected people (PAPs) across the country at the mercy of corrupt government officials who determine the compensation rates with the luxury to violate the constitution at will.

### **JUDICIARY MUST FASTTRACK HEARING OF PAPS' CASES**

j). The participants observed that the judiciary in Uganda is too slow and expensive to ensure justice to aggrieved PAPs majority of who live below the poverty line.

k). The women and youth leaders called on the judiciary to fasttrack hearing of the refinery-affected people's case of 2014 for justice to prevail. Justice delayed is justice denied.

### **CALL TO PROTECT BIODIVERSITY AMIDST OIL THREATS**

l). They also called on GPFOG and AFIEGO to continue supporting youth across the country to effectively participate and influence decisions around the EACOP, Kingfisher and Tilenga oil projects.

m). They expressed their readiness to fight against any oil activities that may endanger critical biodiversity such as lakes, rivers, parks, wetlands and others from which communities have been depending for survival for generations.

n). The youth and women leaders called on government and companies to avoid risking critical biodiversity such as River Nile, Lake Albert, Murchison Falls and Queen Elizabeth national parks, Budongo forest and others with oil activities.

o). The workshop advised government and companies that instead of focusing on investing in risky projects such as oil that do not last for long and do not create



equitable benefits for all, they should invest in projects such as tourism that support conservation while generating equitable and longlasting benefits for all.

### 3. Recommendations

In view of the above deliberations, the over 70 youth and women leaders from the oil region made the following recommendations for action by the actors in the oil industry including government, oil companies, local governments and others:

- (i) NEMA should ensure that no oil activities are allowed in critical biodiversity areas of the Albertine Graben such as lakes, rivers, parks, forests and others based on the Sensitivity Atlas for the Albertine Graben.
- (ii) NEMA should respect the views of the communities from the public hearings held in Buliisa and Nwoya in November 2018 as well as written comments submitted to NEMA not to approve the Tilenga oil project ESIA as it remains a danger to biodiversity and community livelihoods.
- (iii) Unlike the Tilenga oil project ESIA processes, NEMA and PAU should ensure that laws are respected in the EACOP and Kingfisher ESIA's decision-making processes.
- (iv) The government of Uganda and companies engaged in oil and gas exploitation must make full disclosure of all relevant contracts to improve transparency of the oil industry as a means to facilitate effective public participation.
- (v) Ministry of Lands, Ministry of Energy and PAU must ensure that land rights of communities and individuals within the Albertine Graben are secured and respected.
- (vi) NEMA and other stakeholders must ensure compliance with the national and international best practices regarding the application of conservation tools such as biodiversity off-sets, mitigation hierarchy, ESIA, SEA and others, as a means to improve environmental regulation and governance in Uganda.
- (vii) Ensure conservation of Sacred Natural sites and Territories against oil activities to maintain the social fabric, dignity and identity of the local communities.
- (viii) Government and CSOs must ensure that the public especially host communities are mobilized and empowered to effectively participate in oil and other related development decision making processes including the EACOP,



Kingfisher and other processes for environmental conservation and livelihoods. Only citizen participation and determination compel government and companies to comply with the conservation regulations to avoid or reduce oil risks on people and the environment.

- (ix) NEMA, PAU and citizens must stop violation of laws in all oil development processes like it happened during the Tilenga oil project processes.
- (x) Ministry of Energy and other relevant government stakeholders must put in place a resettlement framework specifically to cater for the oil affected women, girls and other vulnerable groups to secure and restore their dignity and identity.
- (xi) Ministry of Lands must amend land compensation laws to provide that any case filed in the courts of law must be heard and concluded within six months from the date of filing in order to improve access to justice for the poor and suffering PAPs.
- (xii) Government must allow the option of leasing land by the PAPs as opposed to acquisition by government so that the communities giving up their land for development continue receiving benefits from the said development. This will mitigate the current suffering the affected communities are going through due to oil and other related impacts.
- (xiii) Ministry of Lands must put in place regulations for the assessment and payment of fair, adequate and prompt compensation to address the challenges of poor compensation dictated by the central government and facilitated by weak district land boards.
- (xiv) Government must establish specialized land acquisition and compensation tribunals in all sub-counties and fund them adequately to improve access to affordable justice to those aggrieved by oil and other related activities.
- (xv) All oil districts and host communities should be supported to form task forces in order to build strong and massive voluntary movements to resist against oil activities that degrade the environment and damage communities' livelihoods as well increase injustices to the local people especially women and children.
- (xvi) CSOs should continue building and strengthening partnerships between government, companies to improve conditions for dialogue and dissent for the benefit of communities and the entire country.



- (xvii) Government should use part of the revenues from acceptable developments to create job opportunities for people from the affected districts as an affirmative action and reward for the unique challenges they are facing and sacrifices they are making to allow development.
- (xviii) Each district land board should always put in place annual compensation rates by 30 June of every year since market prices of land and properties differ from district to district.
- (xix) Government should urgently complete and operationalize the Strategic Environmental Assessment (SEA) Regulations and the Environmental Impact Assessment (EIA) regulations to improve environmental governance through compliance.
- (xx) The current laws that make the public hearing reports by presiding officers secret until NEMA has made a decision should be challenged in the courts of laws and declared null and void.
- (xxi) If NEMA ignores the views of the over 2,000 communities who rejected the Tilenga ESIA, any decision by NEMA should be challenged in court and annulled.

## 4. Conclusion

The participants established a taskforce of nine youth and women leaders to ensure that the observations and recommendations from the workshop are implemented by engaging relevant actors. GPFOG and AFIEGO will continue to work with the taskforce to ensure that communities are mobilised and empowered to influence the EACOP, Kingfisher, Tilenga and other oil development processes that threaten the environment and livelihoods.