

AFRICA INSTITUTE FOR ENERGY GOVERNANCE

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8/November/2018

The Executive Director,
National Environmental Management Authority (NEMA),
P.O. Box 22255,
Kampala.



Dear Sir/Madam,

RE: COMPLAINT AGAINST VIOLATION OF THE LAW ON PUBLIC HEARINGS FOR THE TILENGA ESIA

The above refers,

On behalf of the undersigned civil society organisations (CSOs) and on my own behalf, I take this opportunity to thank you for the work you and your team are doing to promote conservation of our environment amidst oil and other challenges.

We also appreciate the leadership you are providing alongside the Petroleum Authority of Uganda (PAU) during the process of organising public hearings in Buliisa and Nwoya for the Tilenga project's Environmental and Social Impact Assessment (ESIA) report.

The public hearings will take place on November 12 and 15, 2018 in Buliisa and Nwoya respectively.

The hearings will provide a great opportunity to the public, especially to the host communities, to engage government and oil companies to ensure that the planned developments in the Tilenga project area do not negatively impact livelihoods and the environment.

However, we are concerned that in the process of organising the public hearings, both NEMA and PAU are not following the dictates of the law including the Environmental Impact Assessment (EIA) Regulations of 1998 and the EIA Public Hearing Guidelines of 1999.

As you must be aware, Regulations 19 (4) and 20 (2) and (4) require NEMA to give 28 or 21 days' notice to the public and affected communities respectively to give their comments on any ESIA report.

hearings first appeared in the New Vision of 30 October 2019 and by 12 November, the date for the first public hearing in Buliisa, it will be only 14 days contrary to the required 21 days.

This letter therefore is to remind you about the risks of the above violations, which include:

- a. Aggrieved people in the public may challenge the outcomes of the public hearings with costs on the government.
- b. The public may challenge the decision of NEMA regarding approval or none approval of the ESIA report, and thus delay the projects.
- c. The actions of violating the law damages the image and reputation of the government and institutions such as PAU, NEMA and others. This will affect our national efforts to attract good foreign investments for social, economic and environmental development.
- d. Violations may result into wrong decisions by NEMA leading to huge social, economic, environmental and transboundary negative impacts.

We request NEMA to ensure that at all times, lead agencies respect the national and international laws that give the public sufficient time to effectively participate and give adequate comments on environmental impact assessment processes to enable NEMA make the right decisions for sustainable development.

Thank you,

Yours faithfully,



Dickens Kamugisha,
CEO-AFIEGO