

OIL REFINERY RESIDENTS ASSOCIATION (ORRA)
KABAALE-BUSERUKA, HOIMA DISTRICT

COMMENTS ON THE ENVIRONMENTAL AND SOCIAL IMPACT
ASSESSMENT REPORT FOR THE EAST AFRICA CRUDE OIL PIPELINE
(EACOP) PROJECT

SUBMITTED TO THE NATIONAL ENVIRONMENTAL MANAGEMENT
AUTHORITY (NEMA)

AUGUST 2019

Introduction

The national oil and gas policy, 2008 requires that the development and production of Uganda's oil and gas resources is undertaken in a manner that protects biodiversity and conserves the environment. The national environmental management Act, No.5 of 2019, encourage participation by the people of Uganda in environmental management matters, and the key stakeholders among others include the project affected communities living in and around areas hosting the project, community representatives, traditional and religious leaders, institutions, civil society and non-government organizations, academia and government ministries, department and agencies.

Background

Oil Refinery Residents Association is a community-based organization registered with Hoima local government and it is an association of the refinery project affected persons whose land was acquired to pave a way for construction of Uganda's oil refinery and other associated infrastructure in Kabaale-Buseruka, Hoima district. Our vision is: *A community where environmental conservation and Human Rights of oil affected communities are given a priority.*

On 23rd July, 2019 the National environmental Management Authority (NEMA) made announcement inviting the Public to submit in their comments on the EACOP ESIA, as such the Oil Refinery Residents Association together with our community took a keen initiative to read the environmental and social impact assessment of the East African Crude Oil Pipeline (EACOP) and herein, we present to you the following concerns regarding the ESIA report.

General comments

The executive summary is biased, particularly the recommendation which states that "ESIA has been prepared by an experienced team with extensive pipeline engineering, environmental and social impact assessment knowledge, including Ugandan partners with expertise in ESIA development in the Ugandan oil and gas sector". This seems to suggest that no one else can therefore input into the ESIA report especially the directly affected local communities like us the people in Kabaale. We suggest that the recommendations should be stated in a way that leaves the report open to public scrutiny.

The technical language used in the ESIA makes it difficult for local communities to understand the contents. The report should be presented in a simplified less technical language and where possible some key sections translated in local languages for effective local input.

Specific comments

Land acquisition, resettlement, and compensation challenges not addressed.

Although the EACOP report indicates that the compensation will be provided in accordance with national law and international standards, currently the affected communities have no one/regulation to help them negotiate and determine what is fair, adequate and prompt compensation as provided for under article 26 of the constitution. The absence of the law that determines what is fair, adequate and prompt compensation leaves the PAPs at the mercy of government and the developer yet experience of PAPs from other affected communities shows that government and companies pay unfair, inadequate and delayed compensation. We recommend that NEMA should first seek for constitutional interpretation of what's fair, adequate and prompt compensation to guide land acquisition processes before making any decision of approving EACOP ESIA report.

Impacts of digging trenches on rivers and wetlands crossed by the pipelines

The proposed technique for water and wetland crossing, open trench has the potential of significant negative impacts, particularly in wetlands. This seems to be ignored and the ESIA report does not make it clear that the proposed technology is acceptable and for what reasons. Also, some water related issues are not fully addressed in the report, for instance, potential conflicts between water need for the project and water supply for people and animals.

In addition, the ESIA report also does not indicate what the depth, width of the trenches that will be dug and what impacts it could cause on the water system. This will destabilize the water flow, contamination and can affect the communities surviving on these water bodies downstream.

Unjustified expectations of jobs and economic benefits.

The EACOP ESIA report raise high expectations of citizens with respect to jobs and other economic benefits, based on the provided information in the ESIA report, it lacks reasoning and justification of jobs and economic benefits which makes the ESIA report exaggerated. The number of jobs, suitable for local workers, is probably very limited and all the investments are tax payer money, of which the major part is paid to international parties/workers. We recommend that as directly affected/host communities be given a certain portion of the job opportunities and NEMA should ask the developer to manage people's expectations by telling them what is feasible and what is not as majority of our people seems to be eager waiting for the jobs and abandoning agriculture which is the most important economic activities in our area.

Conclusion

We appreciate NEMA's effort in ensuring protection of biodiversity and environmental conservation amidst oil and gas development in Uganda and giving us chance to input in the environmental and social impact assessment of the East African Crude Oil Pipeline (EACOP).

Thank you in advance for your cooperation in the above subject matter.

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