

## May 2024; Issue 5

### DISPOSSESSED BY TILENGA OIL PROJECT: FAMILIES DEMAND THAT TOTAL DESISTS FROM USING THEIR LAND



Some oil affected community members and their lawyers after addressing a press conference in Kampala in May 2024.

The community members and lawyers condemned the illegal evictions of oil-affected families by the Ugandan government to help oil companies to take over people's land.

#### In this newsletter:

- Wounded and betrayed: Oil-affected families weep as courts fail them
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Dear reader, welcome to AFIEGO's May 2024 newsletter. On May 14, 2024, AFIEGO supported a press conference in Kampala during which some Tilenga oil project-affected families and their lawyers addressed over 20 journalists on the violations that oil-affected people are facing.

The families noted that government is filing cases in court against poor people and courts are issuing eviction and demolition orders against them.

As a result, oil-affected families are losing their land and property to oil companies including TotalEnergies without adequate compensation.

Indeed, beginning in 2020, the Government of Uganda (GoU) has used courts to secure eviction orders against oil project-affected families. The families are from TotalEnergies' Tilenga oil project area.

The GoU is using the courts to violate and indirectly amend Article 26 of the 1995 Constitution.

The Constitution provides against deprivation of citizens of their property during compulsory land acquisitions unless prompt, fair and adequate compensation is paid.

In allowing the GoU to evict oil project-affected persons without adequate compensation, courts are being used to legitimise illegalities and impunity.

In our **Word from CEO**, we share the story of a family that was evicted and their house demolished with the kind of high-handedness that no government

should use against its people. The eviction of the family, and others before it, sets a bad precedent that could affect every Ugandan seeking adequate compensation in case of displacement.

Through this newsletter, we call on the GoU to stop using courts to illegally amend Article 26 of the Constitution. We also call on TotalEnergies to desist from using land that has been acquired through unfair court orders.

In addition, in this newsletter, we bring you our **pictorial** section summarising the activities implemented by AFIEGO and our partners in May. These activities include community empowerment engagements, media trainings, meetings between lawyers and communities, press conferences and others.

In our **lobbying** section, we share some of the lobby and advocacy products that we disseminated in May.

Finally, in **in the media** section, we bring you some of the newspaper articles written by our staff and partners that were published in the leading newspapers in May.

We hope you enjoy the newsletter.

### **Editorial team:**

**Diana Nabiruma**

**Amina Acola**

**Rachael Amongin**

**Balach Bakundane**

### WOUNDED AND BETRAYED: OIL-AFFECTED FAMILIES WEEP AS COURTS FAIL THEM

"I have a big wound on my heart," Rose Alinaitwe says.

Alinaitwe hails from the peaceful village of Kirama in Kigwera sub-county in Buliisa district. Part of TotalEnergies' Tilenga oil extraction project is located in Buliisa.

The peace exuded in Kirama village however does not extend into Alinaitwe's heart. Indeed, she need not tell a keen observer that her heart is full of grief.

Observed as she cooks over an open fire, one can tell that a tragedy of huge proportions befell Alinaitwe recently. Often an attentive mother, Alinaitwe absent-mindedly shoos away her baby who is vying for her attention.

The only task that Alinaitwe can pay attention to is ensuring that logs of firewood are pushed into her three-stone cookstove, and that the logs burn. Her energy is sapped by sorrow, and she cannot pay attention to more than one task at a time. Even if this task is comforting her baby and other children that are equally aggrieved.

Why is Alinaitwe in such a pitiful state?

#### THE BEGINNING

Alinaitwe is a wife to Fred

Balikenda, a man that is well known for his resistance to the Tilenga oil project.

Alinaitwe and Balikenda are from one of the households affected by the Tilenga oil project in Buliisa district. Their property, which was affected under the Tilenga Resettlement Action Plan (RAP) 2, was assessed in 2018 when TotalEnergies, on behalf of the Ugandan government, started on processes to compulsorily take over their land and other property.

Balikenda and his wife opted for in-kind compensation where they were promised land, a land title and a house by TotalEnergies. They were also promised cash compensation for other assessed items such as crops. After many years of waiting from 2018, they received cash compensation for crops as they continued to wait for land, a land title and a house on the promised land.

Finally, Balikenda and Alinaitwe received replacement land and a land title but no house. He was told that the house was being built. Before the said house was completed and handed to him however, TotalEnergies decided to displace him. How so?

#### TROUBLED TIMES

In 2022, TotalEnergies told Balikenda, Alinaitwe and his family to go and live in a rented house. Balikenda rejected the option of

a rented house and indicated that he would relocate when his replacement house was completed.

TotalEnergies insisted on Balikenda and his family leaving his land and went ahead to fence off his family including children. This was in 2022. As a result, Balikenda lost his ability to grow food, feed his family and use his land to get income to take his children to school and provide other basic needs. The fencing also resulted into the death of his animals and other challenges.

In 2023, TotalEnergies told Balikenda that his house was complete and he needed to leave the fenced land to allow oil activities to continue. Balikenda noted that before he could be relocated, he needed to be compensated for the livelihood losses he had suffered after his home was fenced off.

He provided evidence of the death of his animals and indicated that he would voluntarily relocate after he was compensated for the death of his animals and other human rights violations.

### **COURT PROCESSES**

Unfortunately, on December 4, 2023, the Government of Uganda (GoU) filed a case against 42 Tilenga oil project-affected families including

that of Balikenda. On December 8, 2023, the High Court in Hoima ruled in favour of the government allowing eviction of the families.

Several of the 42 families were never served with court papers when they were sued by the GoU in December 2023. The court case against them was also rushed. The case was filed, heard and ruled on in a record four days!

The rushed processes made it hard for the affected families to prepare replies in the case against them, appear in court and procure legal services. In short, the families were denied their right to a fair hearing. Be it as it may, on April 12, 2024, the GoU filed an application for a demolition order against Balikenda.

On May 9, 2024, the Hoima High court went ahead to rule in favour of the government. The court did not give Balikenda, whose lawyers had filed an appeal and orders for a temporary stay to bar the GoU from evicting Balikenda, a fair hearing.

Thereafter, on May 13, 2024, the government demolished Balikenda's house. They forced him, his wife Alinaitwe and children to leave their land before payment of compensation for the lost animals and violation of his rights.

Today, Balikenda and his children are living in a quickly set-up makeshift house in a neighbour's



compound. While Balikenda, Alinaitwe and their children are traumatised by their harsh eviction which was enforced or witnessed by court bailiffs as well as legions of security and GoU officials, Balikenda remains strong.

He insists that will not live in the replacement house constructed by TotalEnergies until he is compensated for the lost animals and rights violations.

His community and extended family members are aggrieved as well.

“My son was treated like an animal,” Balikenda's aging dad, whose body vibrates with anger that has refused to dissipate since Balikenda was unceremoniously, evicted says.

### FAMILIES FACING EVICTIONS

Other families, which were sued by the GoU for the Tilenga oil project, are faced with

impending harsh evictions.

They include the families of Mr. Julius Asiimwe, Mr. Jealousy Mugisha Mulimba, Ms. Pityedi Mugisha and Ms. Dorothy Mbabazi to mention but a few.

Indeed, the compulsory land acquisition processes for the Tilenga project have hurt many families, and they bear wounds today.

Total and the GoU must right their wrongs. Community rights must be protected and to do so, Total must avoid using any land that has been acquired through forceful eviction and demolition orders against poor families.

The GoU must also stop using courts to indirectly amend Article 26 of the 1995 Constitution. Courts should also promote rule of law by refusing to be used by the GoU to issue illegal eviction orders against Ugandans, including poor communities.

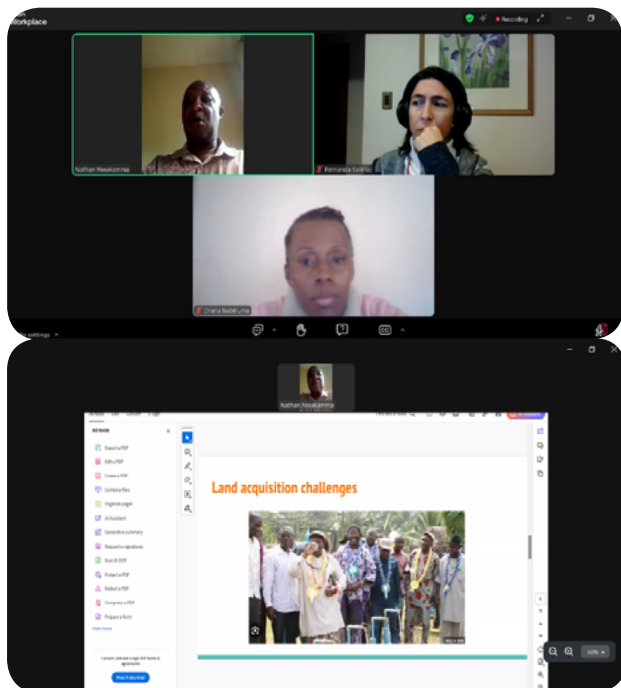
**By CEO**



A car dumping Balikenda's property at his new home (C). On the right, Balikenda, Alinaitwe and other family members in front of their new house made out of papyrus mats and a blue tarpaulin. Finally, Balikenda's friends constructing him a new house (R).

# Pictorial of our activities

## AFIEGO EMPOWERS JOURNALISTS TO STRENGTHEN ENVIRONMENTAL REPORTING



On May 2, 2024, AFIEGO held an online exchange learning between Nigerian and Ugandan journalists. During the exchange learning, Nigerian journalists shared lessons on reporting on the oil and gas sector with their Ugandan peers.

The Ugandan journalists were also empowered with information on the environmental risks posed by the Tilenga and EACOP oil projects by scientists from ELAW-USA.

## AFIEGO AND PARTNERS HOLD CONSULTATIVE MEETING ON SOLAR AFRICA CAMPAIGN



On May 9, 2024, AFIEGO partnered with 350Africa.org to organise an online meeting for community leaders from five districts along the EACOP route in Uganda.

The purpose of the meeting was to ensure that community leaders are introduced to and consulted on the Solar Africa Campaign, which is aimed at enhancing community access to clean energy.

## AFIEGO DISCUSSES ENVIRONMENTAL CONSERVATION WITH KYAMBOGO UNIVERSITY STUDENTS



On May 9, 2024, AFIEGO hosted a group of Kyambogo University students at our head office in Kampala.

During the meeting, the students learnt about AFIEGO's work in relation to climate change mitigation.

AFIEGO requested the students to use their influence to mobilise more youth to campaign for clean energy access.



## AFIEGO SUPPORTS TILenga OIL PROJECT-AFFECTED PERSONS TO CONDEMN EVICTIONS DURING PRESS CONFERENCE



On May 14, 2024, AFIEGO, Tilenga project affected persons and their legal representatives held a press conference in Kampala. During the press conference, the families that are facing eviction from their land without adequate compensation condemned the perpetrators of the evictions.

They called on TotalEnergies, the developer of the Tilenga project, to avoid displacing them without compensation.

## AFIEGO SUPPORTS EXCHANGE LEARNING FOR FOREST HOST COMMUNITIES



On May 25, 2024, AFIEGO supported communities that host Bugoma and Zoka forests to participate in an exchange learning in Kikuube district.

During the exchange learning, the communities shared lessons on the best community forest conservation practices. Before the exchange learning, AFIEGO organised a safety training for the communities between May 23 and 24 in Hoima district.

## AFIEGO SUPPORTS IGEN-EA PARTNERS TO TRAIN COMMUNITIES IN BEEKEEPING



On May 24, 2024, AFIEGO, the host institution of the Inclusive Green Economy Network-East Africa (IGEN-EA), supported IGEN-EA partners under the network's natural resources working group to hold a training for women beekeepers and youth in Hoima district.

During the training, the women and youth were skilled in beehive hanging, value addition and beehive making.

In May 2024, AFIEGO disseminated the lobbying and advocacy materials below.

## AFRICA INSTITUTE FOR ENERGY GOVERNANCE

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May 17, 2024

### LAST MAN FIGHTING: STATEMENT ON EVICTION MR. FRED BALIKENDA AND HIS FAMILY FOR TOTAL'S TILenga OIL PROJECT

Following a series of human rights violations perpetrated against Mr. Fred Balikenda and his family on account of TotalEnergies' Tilenga oil project, Mr. Balikenda and his family were forcefully evicted from their home in Kirama village, Buliisa district on May 13, 2024. Mr. Balikenda's house was also demolished amidst a big security presence during an exercise that was watched by several Uganda government officials.

Mr. Balikenda, who led an iconic one-man protest after TotalEnergies fenced his family off when he refused to be relocated before his replacement house was complete, was forcefully shifted from his home after court issued an eviction order against him.

Mr. Balikenda's eviction was enabled by the impunity of big oil corporations that violate the rights of communities, a state that seems to be more interested in exploiting the country's oil reserves at the expense of citizens' rights and failure by Uganda's judicial system to exercise its mandate to protect and defend poor and vulnerable Ugandans.

#### BACKGROUND

Mr. Balikenda, his wife and young children were among the 102 households that were displaced to make way for wellpads, flowlines and access roads among other infrastructure for the Tilenga oil project in Buliisa district. The family was displaced under Resettlement Action Plan 2. Total was supposed to provide a replacement house for Mr. Balikenda and his family but before the house was complete, Total informed Mr. Balikenda that he would be temporarily relocated. This was in February 2022.

Because Mr. Balikenda is a farmer who rears livestock, he was worried that his family's livelihood would be destabilised if he had to live in a rented home with limited access to land. Mr. Balikenda requested that TotalEnergies complete his replacement house before he could be relocated. Instead of engaging in a project-affected person-led relocation process where an affected household's aspirations to retain their livelihood are given priority, chain link fences were constructed around Mr. Balikenda's home.

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May 9, 2024

Rt Hon. Anita Among  
Parliament of the Republic of Uganda  
Kampala-Uganda

Dear Right Honorable Speaker,

**RE: URGENT NEED TO ENACT A CONSUMER PROTECTION AND MANAGEMENT LAW**

First and foremost, we wish to express our heartfelt gratitude for your unwavering commitment and dedicated service to the people of Uganda through your esteemed office. Your leadership and guidance continue to inspire us as we strive to create a better future for all Ugandans.

It is on that note the undersigned Civil Society Organisations (CSOs) in Uganda, are writing to express our deep concern regarding the delay in the enactment of the Consumer Protection and Management law which is a matter of great importance.

In November 2022, the Parliament of Uganda discussed a motion by the Bukoto West MP, Hon. Muhamad Ss:ntayi, on the need to put in place a comprehensive law to protect consumers' rights and interests. However, despite the initial discussions, the bill is yet to be presented to Parliament for debate and enactment.

The lack of a Consumer Protection and Management law has resulted in numerous challenges faced by consumers within the clean energy sector and those engaged in the agricultural sector in Uganda.

Within the clean energy sector, one of the major issues is the unaffordability of grid power and off-grid solar equipment. Good quality solar home systems, solar irrigation equipment, and other off-grid solar options are prohibitively expensive for many consumers. Additionally, high import duties further increase the cost of these products, making them inaccessible to the majority of Ugandans.

Furthermore, consumers of off-grid solar energy often face a challenge of sub-standard products, which do not meet the required quality standards. This not only affects the performance and durability of the products but also poses a risk to the health and safety of consumers.

Similarly, the agricultural sector farmers in Uganda are grappling with several challenges that hinder the sector's potential. Poor quality seeds, estimated at 30-40% counterfeit, and limited

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*Handwritten signature*

Good Governance is Development



## SAVE BUGOMA FOREST CAMPAIGN 2020

PROTECT UGANDAN CHIMPANZEES, FOREST LIFE MATTERS

May 9, 2024

The Executive Director,  
National Environment Management Authority (NEMA),  
Kampala (U).



Dear Sir/Madam,

**RE: FOLLOW-UP LETTER ON SBFC'S REQUEST FOR A COPY OF APPROVED HOIMA SUGAR LTD'S RESTORATION PLAN FOR BUGOMA CENTRAL FOREST RESERVE**

Greetings from the Save Bugoma Forest Campaign (SBFC), a coalition of civil society organisations (CSOs) and tour operators whose main objective is to save Bugoma forest from sugarcane threats and other destructive activities.

First, the SBFC takes this opportunity to thank National Environment Management Authority (NEMA) under your leadership for the commendable work you are doing in protecting and promoting the conservation of Uganda's forests, wetlands and other biodiversity across the country.

Reference is made to a letter dated June 6, 2023 that was delivered to your office. The objective of the letter was to request NEMA to avail us with a copy of the approved restoration plan of Bugoma forest by Hoima Sugar Limited (HSL).

However, since we delivered the letter to you, we have never received any response from your office.

We are concerned that since the directives were given to HSL on September 27, 2022, the company has not restored the degraded areas of Bugoma forest. The forest is still exposed to massive threats of destruction including charcoal burning, timber logging and others.

We believe that if the information is availed to us, this will help SBFC to mobilise and work with the Bugoma host communities and other relevant stakeholders to monitor the implementation and ensure HSL's compliance with NEMA's directives and the restoration plan.



In May 2024, AFIEGO staff, research associates and youth champions wrote newspaper articles that were published in the leading newspapers. Some of the published articles are captured below.

## LETTER OF THE DAY

### Let's empower our youth to implement sustainable forest management practices

Global deforestation rates with a 2.8 percent annual loss in forest cover and its loss is a significant driver of climate change within the country impacting the livelihoods of millions of people. Local climate, agricultural productivity and general quality of life.

According to Global Forest Watch, in 2023 deforestation alerts were reported in Uganda between April 19 to April 26, covering a total of 135 hectares. The loss of these vast high confidence alerts detected by a single system and more were also detected by multiple systems.

Despite the strategic ecological importance of forests, they continue to face threats mostly from youth such as illegal logging, land use conflicts, charcoal burning and many others. This is because youth have not been empowered enough to lead in policy and development processes because they have the potential to make a huge impact in forest conservation efforts and in Uganda host many refugees. It also challenges forests due to the



world in charcoal burning, deforestation, corruption with conflicting interests and conflicting land use policies which have hindered implementation of forest laws.

Notably the worsening level of deforestation is also attributed to a lack of citizens awareness of the importance of forest covers, and alternative and sustainable sources of income from forests. As a result, laws, policies, and institutional arrangements such as the European Union-Uganda Forest Partnership of 2023 cannot be enforced and deforestation levels continue to spike. For instance, some forests such as Bwindi and Ziba forests have been at the center of land allocation conflicts for sugarcane corporations, the rights of local communities of youth, refugees, and demand for firewood that has led to severe degradation and reduced forest cover.

Therefore, addressing this problem necessitates a transformative approach that empowers the local youth, integrates them into conservation of forests, and harnesses their potential to advocate for and implement sustainable forest management practices. This will not only help in aligning local actions with the broader objectives of the EU-Uganda Forest Partnership and other forest laws and policies but also ensure the long-term preservation and restoration of forests, maximize efforts to combat climate change challenges and improve lives in and outside Uganda.

Other Amulim, Research Associate

### Conserve environment to enhance resilience of communities



Uganda's environment and natural resources play a vital role in the sustainable development of the country. They not only provide water for both domestic use and industrial production, but also energy for the majority of the population, raw materials for the industries and employment opportunities.

The environment and natural resources support food security and are sources of livelihood for many communities. However, the sector is faced with challenges that inhibit it from effectively contributing to this sustainable development and enhance community resilience to climate change shocks.

According to the 2019 Water and Environment Sector Performance Report Uganda lost a large stock of its natural resources. For instance, the forest cover reduced from 24 percent in 1990 to 12.4 percent in 2015, implying an average annual loss of natural forest of 2 percent per annum.

In 1994, wetland coverage on the surface area of Uganda was 15.6 percent. However, over time this has been gradually reducing and now is currently at 8.9 percent.

Climate change shocks are already impacting all parts of the country. For instance the landslides in Bududa and Bundibugyo, floods in Kasese and the rising water levels of Lake Victoria that have left many communities devastated and vulnerable to hunger. Furthermore, these disasters have negatively impacted women and other vulnerable groups. It's noted that the destruction and degradation of the environment and natural resources like forests and wetlands has also greatly contributed to the climate change crisis.

According to the climate change impact assessment report by the Ministry of Water and Environment, it is estimated that damages due to climate change in the agriculture, water infrastructure and energy sectors will collectively amount to 2-4 percent of GDP between 2010 and 2050.

It is noted that women play a critical role in the management of natural resources since they are primary providers of food, water and fuel for their families. Many women are vulnerable to the vagaries of climate change in many parts of Uganda.

Therefore it's important to increase their participation in decision making over management of environment and natural resources by promoting their access, ownership and utilisation of resources.

In conclusion I call on the Ministry of Finance, Planning and Economic Development through the NPA, to ensure that environment and climate change issues are integrated in national and district development plans, national programmes, projects and budgets. It should also expedite the development and operationalisation of the climate change budget Tagging tool to support the mainstreaming of climate change in public financial management.

### Provide cheap, reliable and affordable clean cooking sources

Recently the media reported about the government of Uganda collaborating with Private Sector Foundation Uganda, GIZ Uganda and Energising Development Uganda, launching the Demand Side Result Based Financing Project in Uganda to expand clean energy access. This project is aiming at enhancing access to clean cooking products, including off-grid solar products, improved cooking stoves, and clean cooking stoves.

This project targets only 13 refugee host districts of Yumbe, Zombo, Koboka, Terego among others, and host communities in Bunyoro sub-region, northern Uganda specifically the West Nile and Acholi sub-region

The initiative by the Government of Uganda and private sector companies to these communities is a very good idea for a country like Uganda because it reduces the pressure imposed on many forests and wetlands across the country and it will help to mitigate the impacts of climate change in the country.

The use of clean energy sources should be extended to all Ugandans, especially those living in rural areas because more than 90 percent of Uganda's population still depends on charcoal and firewood for energy needs, and about 85 percent of Uganda's population living in the remote areas turn to their kerosene lamps and candles for lighting. This is because of the failure by the government and private sectors to extend, engage, and invest much in clean, cheap, reliable and affordable energy sources such as solar, energy-saving stoves, and others.

Available data from the National Forestry Authority (NFA) indicates that a total of 100,000 hectares of forest is destroyed every year and 7,000 per month, while the rate at which wetlands and swamps are being degraded is equally worrying. This is because of the increased demand for firewood and charcoal for cooking including timber.

The government and the private sectors must extend clean, cheap, reliable, and affordable sources of clean energy sources to all Ugandans because they cannot afford the high tariffs of hydroelectricity and the power in Uganda is always unreliable and in some places the wires just by-pass some villages.

Additionally extension of clean energy sources to all Ugandans will protect thousands of hectares of forests from destruction. It will also help to mitigate the drastic climate change the country is grappling with today.

Therefore, I call on the Government of Uganda and the private sector to extend investment and engage all Ugandans in the use of reliable and affordable clean energy sources of solar, improved energy stoves, biogas and energy-saving stoves that requires less capital to maintain.

Paul Kato,  
Research Associate and Environmental Activist.  
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## LETTERS

### Let us empower all the local leaders to conserve the environment



There have been reports of local leaders being accused of promoting environmental degradation in various parts of the country through cultivating tobacco and rice and conniving with other encroachers to destroy fragile ecosystems such as wetlands and forests.

It is noted that most local leaders are engaged in environmental degradation because of ignorance, corruption compounded with poverty and lack of enough knowledge on the importance of environmental conservation.

This was observed through the various community sensitization meetings against environmental degradation. The bad practices of the local leaders engaging themselves in the promotion of environmental degradation are not only in Hoima district but it is in all districts across the country.

The local leaders are the first people who give the go-ahead to encroachers by signing their agreements and even letting them stay in their area of operation destroying the fragile ecosystems such as forest and wetlands.

Today 41 percent of Uganda's total area is experiencing degradation, and 12 percent is in a severe state of degradation just because of the local leader's failure to perform their work in regards to the promotion of environmental conservation.

Therefore, laxity of the local leaders has contributed to the massive destruction of the environment which has resulted in changes of seasons, floods, drought, and other impacts. This has led to the suffering of the poor people in the country because of the drastic climate change which has affected the economic activities and the livelihoods of the poor people.

The government and other stakeholders need to empower all the local leaders from the grassroots level to national on the importance of promoting environmental conservation. For instance, local leaders need to be trained to advocate for environmental policies, engage in public forums, and influence decision-making processes that affect their local environment. This will help to reduce the levels of environmental degradation in the country.

In addition to that, local leaders including the community need to be sensitized to love nature which plays a lot



## Upcoming events

June 3-8, 2024; Hoima: Cross-border exchange learning for Ugandan and Congolese civil society organisations

June 14, 2024; Kampala: Dissemination of joint communique by Ugandan and Congolese civil society on human rights and biodiversity concerns

June 17-20, 2024; Kampala: Engagement of religious and cultural leaders on human rights and biodiversity conservation concerns in Uganda's oil sector

June 24, 2024; Kampala: Engagement of Ugandan parliament on Bugoma forest restoration

### About Africa Institute for Energy Governance (AFIEGO)

AFIEGO is a non-profit company limited by guarantee that was incorporated under Uganda's Companies Act. AFIEGO undertakes public policy research and advocacy to influence energy policies to benefit the poor and vulnerable. Based in Kampala-Uganda, the non-profit company was born out of the need to contribute to efforts to turn Africa's clean 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 clean 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 clean energy resources for socio-economic development

#### Our Mission

To promote energy policies that benefit poor and vulnerable communities