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KAMPALA

CSOS CALL ON NEMA TO HOLD PUBLIC HEARINGS FOR TILENGA OIL PROJECT

The National Environment Management Authority (NEMA) must hold public hearings to enable effective public participation in and consensus on the Tilenga oil project, civil society organisations (CSOs) working to prevent the impacts of oil on biodiversity in the Albertine Graben have said.

The Tilenga oil project is being developed by Total E&P Uganda B.V. in one of the most biodiverse areas in Africa in Nwoya and Buliisa districts.

River Nile, Lake Albert, Murchison Falls National Park and Budongo in addition to Bugoma forests are key national and transboundary ecosystems that are going to be affected and are within the Tilenga project area of influence.

Bungugu and Karuma wildlife reserves in addition to the Murchison Falls-Albert Delta Wetland System which is a Ramsar Site are also within the project's area of influence.

On Tuesday October 16, 2018, NEMA published a public notice in the media calling for public comments on the Environmental and Social Impact Assessment (ESIA) study undertaken for the Tilenga project.

“In the public notice, NEMA did not indicate that it has an obligation to call for a public hearing on the Tilenga ESIA.

Under the Environmental Impact Assessment [EIA] regulations of 1998, the Executive Director of NEMA is mandated to call for a public hearing where there is controversy or where the project may have transboundary impacts as the Tilenga project will.

The fact that NEMA did not indicate the date for the public hearing which the law says must be held for projects such as the Tilenga one is a fundamental gap and it concerns us as much as it should concern all Ugandans and our partners,” Mr Dickens Kamugisha, the CEO of AFIEGO, says.

He adds, “The Tilenga project is located in one of the most biodiverse areas in Africa and is going to affect key forests, rivers and conservation areas which support the most pre-dominant economic

activity in the country, agriculture, and on which Ugandans rely to make an income from tourism, fishing, transport and other economic uses.

The fate of the above ecosystems, which serve millions of Ugandan, DRC, South Sudanese, Sudanese and Egyptian citizens to mention but a few, cannot be decided by NEMA without a public hearing as is mandated under Regulation 21(2) of the 1998 EIA regulations,” Mr Kamugisha, who is also a lawyer, says.

TRANSBOUNDARY IMPACTS OF TILENGA PROJECT

Moreover, Mr Yoram Banyezanki, whose organisation Guild Presidents’ Forum on Oil Governance (GPFOG) works with partner CSOs from Uganda and the Democratic Republic of Congo (DRC) for the sustainable use of transboundary resources, says that oil activities on Lake Albert have already caused conflicts.

“Oil activities on Lake Albert and use of resources such as fisheries from the same lake have caused conflict between Uganda and the DRC. Just this July [2018], the Ugandan and Congolese navies were involved in fighting on the lake and several lives were lost.

The Tilenga oil project, whose activities will include drawing of water from Lake Albert, is bound to increase pressures between the two countries over use of the lake.

If the Tilenga project is not well handled, it may worsen conflicts and loss of lives as well as environmental destruction in Uganda and the DRC.

Mr Banyenzaki notes that the boundaries which define the Ugandan and DRC sides on Lake Albert remain a challenge. Efforts such as signing of agreements including the Uganda-Zaire 1990 Agreement, the 2007 Uganda-DRC Ngurdoto Agreement and others have failed to achieve lasting results.

“Ugandan citizens including those in the Uganda-DRC border areas must therefore participate in the decision on whether to issue an environmental certificate for the Tilenga project through public hearings because the decision made on the project will affect them. Stakeholders across the borders who are likely to be affected by the Tilenga project must also be consulted,” Mr Banyenzaki says.

On his part, Mr Christopher Opio of the Oil Refinery Residents Association (ORRA) underscores the need for public hearings for local communities and other citizens when he says, “Public hearings are important to enable poor, local, illiterate, isolated and other vulnerable host communities to participate in decisions that affect their wellbeing.”

FUND NEMA, COMPLETE ENVIRONMENTAL LAWS

The CSOs, whose details are captured at this end of this press statement, also want government to adequately fund NEMA so that it can carry out its mandate including supervising ESIA and facilitating processes of organising public hearings.

“It is no secret that NEMA is under-funded. An under-funded NEMA cannot effectively play its role and can be ignored or bullied as happened with the *kaveera* [plastic bags] ban so that it fails to implement efforts aimed at ensuring environmental conservation.

Every Ugandan must therefore demand that NEMA’s independence is protected through providing it with adequate funding among other measures,” Mr Kamugisha says.

The CSOs are also calling on parliament and government to complete and enact the National Environment Bill of 2017, the draft EIA and Strategic Environment Assessment (SEA) regulations of 2017, the Uganda Wildlife Bill and others.

“The process of developing and enacting the National Environment Bill has taken over four years yet oil activities are ongoing based on old laws that government recognises cannot protect the environment from oil threats.

Without relevant laws to improve NEMA’s independence, funding, penalties for environmental offenders and others, the ongoing oil production activities and other threats will worsen environmental degradation in Uganda,” Mr Kamugisha says.

The CSOs reiterate their calls to NEMA to **organise public hearings at national and local level** with hearings being held in all the Tilenga project host sub-counties of Buliisa and Nwoya and others in Hoima, Masindi and Kampala because the Tilenga project has national, transboundary and international impacts.

The CSOs are also committed to continue engaging with oil companies such as Total E&P and others in Uganda to avoid oil activities in critical biodiversity areas.

Note: Infrastructure including 34 well pads with ten in Murchison Falls National Park, pipelines approximately 180km in length (with three pipelines under River Nile) and a central processing facility (CPF) will be developed under the Tilenga project. An airstrip, a ferry crossing on River Nile, a water abstraction system on Lake Albert and others will also be developed.

The 14 CSOs that are party to this press statement are:

- Africa Institute for Energy Governance (AFIEGO)
- National Association of Professional Environmentalist (NAPE)
- Environmental Conservation Trust of Uganda (ECOTRUST)
- Guild Presidents Forum on Oil Governance (GPFOG)
- Center for Constitutional Governance (CCG)
- South Western Center for Policy and Advocacy (SOWIPA)
- World Voices Uganda (WVU)
- Citizens Concern Africa (CICOA)
- Community Transformation Foundation Network (COTFONE) –Greater Masaka
- Green Organisation Africa (GOA)-Masindi
- Oil Refinery Residents Association (ORRA)-Hoima
- Kakindo Orphans Care-Buliisa

- Girl Power foundation-Kasese
- Friends of Nature-Kasese

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