



## Communiqué of the 1st Uganda-Tanzania Civil Society Convening on the Proposed East African Crude Oil Pipeline “Setting the Agenda for Citizen Participation”

23<sup>rd</sup> – 24<sup>th</sup> August, 2017

LAICO, Lake Victoria Hotel, Entebbe, Uganda

We, representatives of faith-based organizations, civil society organizations, community-based organizations, local government, media and academics from Uganda, Tanzania, and international partners from Nigeria, Chad and the United States of America met on August 23-24, 2017 in Entebbe, Uganda to share information, experiences and lessons, and deliberate on the proposed East African Crude Oil Pipeline (EACOP). The event was attended by over 75 participants who also included government leaders at national and sub-national levels from both countries, representatives of companies on the EACOP project and international experts in areas of petroleum infrastructural developments and their interaction with host communities.

The convening came on the backdrop of Uganda and Tanzania having signed an Inter-governmental Agreement for the construction of the EACOP in May 2017. The 1,445km pipeline will be the longest electrically-heated pipeline<sup>1</sup> in the world and will transport crude oil from Kabaale parish in Hoima district of Uganda to the Chogoleani peninsula near Tanga port in Tanzania. In Uganda, 20% of the pipeline (approximately 296km) will cross 8 districts and 24 sub-counties; while the remaining 80% of the pipeline (1,149km) will cross 8 regions and 24 districts in Tanzania. French company Total E&P, the UK based Tullow Oil Plc and the Chinese National Overseas Oil Corporation (CNOOC) are the project partners for the development of Uganda’s crude oil. The \$3.55 billion EACOP is a massive infrastructure project of great geopolitical and economic importance to both governments and extractive industry companies – as well as the citizens of Tanzania and Uganda.

### PREAMBLE

*Cognizant* of the potential of Uganda and Tanzania’s extractive resources to trigger economic growth, alleviate poverty and address inequality;

*Recognizing* that some existing oil and gas pipeline projects in the region, elsewhere on the African continent, and globally have impoverished local communities, involuntarily displaced families and delivered few benefits in return;

*Concerned* that both the governments of Uganda and Tanzania have made public declarations to fast-track the project at all costs, the timelines of which would be at odds with the time needed for consultation and meaningful participation of project-affected communities;

<sup>1</sup> Excerpted from EACOP Project brief: UNOC, TPDC, CNOOC, Total, Tullow, April 2017.

*Cognizant* that both governments and the private oil companies have, to date, publicly provided very little information on the pipeline;

*Aware* of the rising public expectations for this project and the need for transparent, reliable and factual information to be shared and well understood by potentially affected communities and the broader citizenry;

We make the following recommendations;

**1. Community engagement**

- All information related to the project in terms of timelines, associated assessments, risks and impacts should be publicly available in a timely, accessible and user-friendly manner.
- Both governments and the project companies should obtain the free, prior and informed consent of affected communities prior to land acquisition and pipeline construction.
- There should be deliberate effort to ensure that women, men youth, and marginalized groups along the pipeline route are consulted and given an opportunity to input into decision-making for the project, including the Environmental and Social Impact Assessment and Resettlement Action Plans.

**2. Land acquisition**

- Both governments and the project partners must avoid fast-tracking project development at the expense of citizens' rights to adequate consultation and meaningful participation in project-related decisions that will impact their lives and livelihoods.
- Parliaments and governments in Uganda and Tanzania should make every effort to prioritize informed community consultation *prior* to land acquisition within the countries' Land Acquisition Acts. This will help to ensure that there is less contestation and conflict throughout the pipeline development process.
- Both governments must endeavor to avoid unnecessary land acquisition and minimize involuntary displacement by clarifying, in specific terms, the amount of land needed and for what purpose.

**3. Resettlement and compensation**

- Resettlement Action Plans (RAPs) should be developed in a participatory and transparent manner for each country, with due regard for the heterogeneity of each community along the pipeline route. We propose to include witness civil society organizations in the RAP processes (in both countries) at every step of the process and ensure that communities' rights are not violated.
- RAPs should be developed with the full participation of women and other marginalized groups, as they are often excluded from decision-making processes. Final RAPs should be made public.
- Compensation – based on fair market value and at full cost of replacement – should be paid on time, be transparent and consistent, and should extend beyond monetary compensation.
- Where involuntary displacement occurs, communities should be provided with unbiased information to guide their choices e.g. whether to choose cash or resettlement.
- In the case of land for land compensation, displaced communities should be given land of comparable or better value. Information on the possible resettlement sites should be disclosed early enough before affected communities make their choices. In the case of cash compensations, proper and transparent assessment of values and timely compensation should be adhered to.

- RAPs should also include adequate provisions for the restoration and improvement of livelihoods to ensure affected communities are not worse off as a result of the pipeline development.

#### **4. Social and environmental impacts**

- The EACOP should be subjected to full compliance with national legal and regulatory requirements and approval processes. An effort should be made to exceed national regulatory requirements to reflect international industry best practices.
- Project proponents should establish an accessible and accountable project-level grievance mechanism that enables affected communities to register grievances and receive timely redress.
- There should be regular and on-going monitoring of social and environmental impacts from the pipeline construction and operation in a manner that involves the meaningful participation of affected communities.
- A regional strategic environmental assessment should be conducted to identify and prescribe measures to address cumulative and indirect risks and impacts as well as to ensure the protection of sensitive biodiversity areas.
- A thorough environmental sensitivity mapping should be undertaken and a sensitivity atlas for the entire pipeline route should be developed to provide baseline data necessary for future monitoring and evaluation. The atlas will also help in identifying sensitive areas that need extra protection in case an oil spill occurs.
- An Oil Spill Contingency plan for the entire pipeline project should be developed to ensure safety of the host communities and protection of environment along the pipeline route. The plan should be robust, clearly stating stakeholders' roles in controlling and managing spills including communities, and immediate public communication of spills and leaks and contingency plans.

#### **5. Project financing**

- All contracts between the companies, governments and project financiers should be disclosed to allow for public scrutiny of the pipeline development and avoid both governments incurring unnecessary debts.
- Project financiers should be made aware of the full range of risks and impacts associated with the pipeline and ensure that pipeline development adheres to international standards and safeguards for environmental and social sustainability.

#### **6. Local content**

- Make plans for affected communities to be given preference in terms employment and service contracts wherever they have capacity. These plans should be made in consultation with affected communities and should clearly spell out quotas and targets for local employment and service or enterprise contracts for local citizens in Uganda and Tanzania.
- Realistic and factual information of the available direct and indirect jobs and business opportunities available for local communities, across the project lifecycle, must be publicly available.

#### **7. Civic space**

- Ensure civil society has space to actively and meaningfully participate throughout the project lifespan, including accessing project information and freely accessing affected communities without intimidation or coercion. Doing so will enable civil society to engage meaningfully in the process to ensure the EACOP is developed in a manner that benefits – and avoids harming – local communities, the environment and the broader citizenry of both Uganda and Tanzania.