

REPORT

MID-TERM EVALUATION OF NATURVERNFORBUNDET OILWATCH AFRICA PROGRAMME

By

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List of Acronyms

ERA	Environmental Rights Action
ECOWAS	Economic Community of West African States
FGD	Focus Group Discussion
FoE Norway	Friends of the Earth Norway
HoCon	Host Community Network
NAPE	National Association of Professional Environmentalists
NOSDRA	National Oil Spill Detection and Response Agency
OWA	Oilwatch Africa
OW Ghana	Oilwatch Ghana
OW Uganda	Oilwatch Uganda
OW Nigeria	Oilwatch Nigeria
SADC	Southern African Development Community
ToR	Terms of Reference

1. Executive Summary

This is the report of mid-term evaluation of Naturvernforbundet Oilwatch Africa Programme (OWA), conducted between April and June 2014. The report is intended to inform decision or action towards improving the programme in the rest of its five-year (2012-2016) life span, and assist its key sponsor, Norad, do a mid-term review of work with Naturvernforbundet during the second half of 2014. Two objectives underlie the evaluation: identify the main achievements so far in relation to the outcome, outputs and selected indicators in the original five-year plan and non-planned achievements and; identify the most important learning points and give recommendations to improve relevance, efficiency, effectiveness, impact, and sustainability of the programme.

The evaluation involved review of relevant documents (such as annual reports, programme reports and newsletters) supplied by Naturvernforbundet and member organizations of the Oilwatch Africa Programme; interviews with staff members of partner organizations, local community people, representatives of government bodies, oil companies and other important stakeholders such as journalists. As well, it involved field visits to programme areas in Nigeria, Uganda, Tanzania, and Ghana. In order to compensate for the inability of the evaluator to visit South Africa, a skype meeting/interview with groundWork's (South Africa) contact person was done. The evaluators also attended the 2014 Annual General Meeting of Oilwatch Africa, which held from May 14-17 in Aburi, Accra (Ghana). The evaluator attended the meeting as an observer and utilised the opportunity to discuss with some members of the Network from countries not included in the field visits.

Key findings:

- Influencing international processes in order to check harmful practices and policies of corporations and governments is a crucial part of OWA's mandate. So far it has made considerable progress. During the period under review, OWA established contact with the Economic Community of West African States (ECOWAS). Such link was lacking prior. Meanwhile, opportunities for constructive and environmentally useful engagements exist, for example, with the African Union, SADC, ECOWAS and multilateral institutions like the World Bank. Partners are yet to take full advantage of these opportunities.
- Oilwatch Africa member countries recorded varied levels of successes in terms of changes within the period under review.² This was noticed in the intensity of alliances challenging energy extractive companies and governments over oil and mining-related environmental, social, economic, livelihoods and political problems. As well, OWA made impressive progress in ensuring local participation in environmental impact assessment processes and joint investigative visits, which serve the interest of the environment and livelihoods. Now, as a matter of right, community leaders in

² This mainly applies to the four main countries under review—Nigeria, Ghana, South Africa and Uganda.

Calaba and Ikarama can alone demand inclusion or participation in these processes whenever they feel denied. This means that they have been strengthened to challenge oil companies over oil related environmental issues and deprivations. Although this is happening to a limited extent, and with little good results, the improvement is worthy of note.

- Access to information from oil companies and governments improved. Among member organisations, the huge cost of generating information did not hinder access. Instead, information sharing, especially on oil spill matters improved with increased capacity of local communities under the Host Community Network strategy (HoCon). However, this has not happen across the board as the situation in Tanzania and Uganda shows that the rate of access to information from the government and oil companies is much slower.

Recommendations

- Strengthen OWA with more resources and capacity building for better engagement with policy and political decision makers at the regional and global multilateral fronts. At least, two workshops should be organised to address these issues. Existing contacts with regional bodies such as ECOWAS, SADC, African Union and so on should be utilised for a more elaborate policy influence work. Avenues for engagement with multilateral intuitions like the World Bank in pursuit of environmental protection and protection of livelihoods should be creatively sought.
- Innovation or creativity is required to make OWA more responsive to problems associated with the petroleum industry, livelihoods, and environment.
- OWA network members without resources for effective mobilisation of communities affected by fossil fuel energy extraction activities and use should be assisted to reach out better. This could be achieved through regular joint activities at national, regional, and global levels.
- Strengthen collective advocacy at regional and international fronts by encouraging joint campaigns and declarations. National partner organisations with capacity can be encouraged to lead this process by engaging more with energy issues globally.
- OWA needs solidarity from similar groups in their resistance against fossil fuel energy related issues in parts of Africa.
- Support new members like LEAT to be more effective. Tanzania remains a fertile ground for engagements with government and oil and gas companies.
- OWA Secretariat should ensure early completion of annual reports, as well as yearly detailed plans for specific countries. This will be important for Naturvernforbundet to plan its own work.

- OWA Secretariat can publish a quarterly newsletter to highlight activities of members of the network and for sharing relevant information.
- Focus more on policy advocacy at national, regional and international levels. Partner organisations should proceed from the national to the regional before international.

2. Background

There is no question that the world is increasingly depending on fossil fuel as source of energy. This has meant a lot to the global environment and the poor. The last two decades or so have seen an intrepid search for new oil fields across Africa by multinational oil corporations. Perhaps, the best way to understand this phenomenon is the way Douglas Yates³ explains it: “scramble for African oil.” Those involved in it --multinational corporations and governments-- see the fossil fuel extractive industry in positive light, mainly as an indispensable element of their development and business aspirations. As well, they see it as a logical passageway to economic growth. It is therefore no surprise that various national and sub-national governments in Africa lean on it as foremost source of revenue.

Lurked in this scramble, however, are a number of dysfunctions, best described as “oil curse.”⁴ The industry has been associated with destruction of people’s livelihoods, environment, and the like.⁵ The success stories of discovery of new oil fields across the continent and the promise of sustained pumping of the crude means that the industry is not on the threshold of losing ground. In addition, the emerging efforts and successes around *shale oil*-- alternative source of fossil fuel-- are also serious enough to warrant a conclusion that the industry will not go away soon. The implication is, there has to be a way in which destructive activities by corporations and governments in the industry can be curtailed or eliminated. This was the underlying logic with the Naturvernforbundet’s Oilwatch Africa Programme. This project is conceptualised to seek specific activities by member organizations in order to ensure activities of corporations and governments in the industry do not affect negatively on the poor and nature.

As a network, members contribute their individual strength in pursuit of the overall goal of the programme. The programme and the network are two sides of the same coin, driven by shared values of the members. Both the unity and collective voice of members of the network are required for effective pursuit of the programme goals, as well as for its continued relevance and sustainability. ERA serves as the secretariat and coordinating organisation of the network. Working with communities is a key strategy for mobilisation adopted by the network. Currently about 90 of such communities are active in three countries (Ghana, South Africa and Uganda). Nigeria alone has close to 300, involved in environmental monitoring and sharing of information. There are at least 275 new community group members under the Host Community Network, which is a major strategy adopted by the network.

3. Purpose

- To be able to make improvements within the programme for the rest of the five-years’ period of 2012-2016

³ Yates, A. Douglas (2012) *The Scramble for African Oil*, London: Pluto Press, p.1

⁴ Ibid

⁵ Allen, Fidelis (2012-2013) “The Enemy Within: Oil in the Niger Delta” *World Policy Journal* Vol. XXIX, No.4, Winter pp.26-46

- To assist Norad's organizational mid-term review of Naturvenforbundet in the second half of 2014.

4. Objectives

- Identify the achievements so far in relation to the outcome, outputs and select indicators in the original five-year programme plan.
- Identify the most important learning points and give recommendations to improve relevance, efficiency, effectiveness, impact, and sustainability of the programme.

5. Project Logical Framework

In the original goal hierarchy for the Oilwatch Africa Programme plan (2012-2016), is a development goal: ensure extraction and use of energy happen in a way that benefit the poor and within nature's limits. Assessment of achievements of the programme will be done in relation to this goal.

Regarding assessment of outcome, whether an alliance of organizations and affected communities has pushed forward changes to ensure petroleum activities take account of people and nature, the evaluation focused on three main indicators: increased participation of affected communities in environmental impact assessments; civil society access to relevant environmental information from government, oil companies and own sources; and strengthened enforcement and requirements by authorities for oil companies' responsibilities and preparedness to prevent, contain and clean up after spills. Baseline data at the beginning of 2012 were mainly inadequate or negative when it comes to these three outcome indicators. For example, local participation in environmental impact assessment in the four main countries of evaluation –Ghana, Nigeria, Uganda, and South Africa -- happened to a very small extent. Civil society access to environmentally relevant information was limited. Whereas authorities merely performed random monitoring of oil companies.

Below are four major outputs contained in the original five-year plan (goal hierarchy for the OWA programme plan 2012-2016), assessed in the mid-term evaluation:

Outputs	Indicators
Oilwatch Africa has influenced international processes in order to change policies and practices of governments and oil companies.	<p>In each of the main countries at least one oil company is challenged on their environmentally harmful practices and follow-up of best international standards in the country.</p> <p>At least two regional campaigns are carried out, against gas flaring and for "Keep the oil in the soil."</p> <p>Oilwatch Africa has put negative impacts of petroleum activities higher on the agenda in relevant regional forums/ bodies, like the Abidjan Convention and the ministerial meetings under the African Union.</p>

Members of Oilwatch Africa and communities have strengthened efforts to influence decision-makers in their own countries.

Shortcomings in and/or lack of implementation of the legislation are pointed out, like the Petroleum Industry Bill, Gas Flaring Prohibition, Environment Bill and Punishment Bill in Nigeria, and the Petroleum Exploration and Production Bill, Local Content and Local Participation Bill and environmental impact procedures in Ghana.

Oilwatch organizations have in at least two countries been used by government agencies as a technical resource in relevant processes.

All Oilwatch Africa organizations have participated in at least one activity organized by the network per year.

Oilwatch Africa is extended by five new member countries.

Members of Oilwatch Africa have disseminated information about petroleum activities' harm to people and nature, and the reprehensible behavior of governments and oil companies.

Media in the four main countries cover the negative challenges linked to the petroleum industry.

Partner organizations in the four main countries have published reports on oil spills and their consequences.

All member organizations in Oilwatch Africa have through various information measures (such as publications, websites and exhibitions) described the facts and presented solutions that take into account the people and nature.

Affected communities are in a better position to claim their rights.

Local communities in the four main countries have increased knowledge of relevant legislation and how to affect the political system.

There has been an increased exchange within and between the national networks of affected communities in the four main countries.

New Oilwatch Africa organizations have established networks with local communities.

Local communities in the four main countries participate in the reporting and monitoring of petroleum activities and environmental impact.⁶

6.1. Methodology

Four major preliminary activities underlay an initial inception report written by the evaluator: initial clarification of purpose and objectives of the mid-term evaluation of Naturvernforbundet's Oilwatch Africa Programme (2012-2016); reading of relevant documents supplied by the working group at Naturvernforbundet/Friends of the Earth Norway (for example, the Terms of Reference and base-line reports); general exchange of ideas between the evaluator on one hand and the working group and member organisations contact persons on the other. The next activity of importance was an inception meeting which the evaluator had with Environmental Rights Action (ERA) key staff (four altogether) at Landmark Hotel in Port Harcourt, Nigeria, on April 2.

The clarification of purpose and the objectives was particularly crucial, as every other phase in the evaluation process, such as developing the questions, methods of data collection, analysis and management of the evaluation itself will depend on it.

Directly resulting from the inception meeting in Port Harcourt were suggestions regarding planned field visits in Nigeria, which communities and who to meet for data collection. The evaluator was able to make informed judgements about the communities to visit in the case of Nigeria. That meeting also helped the evaluator to understand the nature of the Annual General Meeting of OWA members, which, held in Aburi Ghana, although, was initially scheduled to hold in Tanzania. The evaluator, during the meeting maintained an observer position, and only asked questions intended to generate useful information from participants for the purpose of the evaluation. He used the opportunity provided by the AGM to interview contact persons for Togo, Mali, Cote d'Ivoire and a few non-Oilwatch Africa participants. The AGM was particularly important for the opportunity to discuss with participants from some of the rest of the countries in the OWA programme network who were not part of the main four countries directly involved in the evaluation.

Email exchanges between the evaluator and contact persons in Uganda and Ghana were equally illuminating and helpful in decisions regarding host communities, government agencies, oil companies, their contact persons during the data collection process.

6.2. Data Collection

⁶ Naturvernforbundet 'Goal hierarchy for the Oilwatch Africa Programme plan 2012-2016.' It is noteworthy that not all the indicators in the original five-year plan have been included here. The working group and the evaluator agreed to expunge some of the output indicators for the purpose of this evaluation.

This report is based on data generated from document reviews, focus group discussions and interviews with local communities, oil company representatives, government agencies, and representatives of partner organizations within the Oilwatch Africa Programme in Tanzania, Uganda, Ghana, Nigeria and South Africa.⁷ As earlier stated, the AGM in Aburi Ghana provided opportunity for the evaluator to discuss with representatives of member organisations from Chad, Togo, Burkinafaso and Cote d’ivoire. A total of 13 countries were represented in the AGM. One of the highlight of that meeting was the presentation of country reports, which provided insights into what each member organization was doing within the OWA programme family.

In Uganda, the evaluator had two focus group discussions: With NAPE staff in Kampala, and representatives of eight oil and gas host communities, namely, Kyehoro, Kaiso Tonya, Kyapaloni, Mvule, Butimba, Kaklindo, Kinsansya East and Sebagoro, all in Hoima District of Bunyoro Kingdom. In attendance were also representative of Naturvernforbundet Norway Anders Haug Larsen, who joined the evaluator in visits to Tanzania and Uganda, along two staff members of NAPE. Twenty-two local community representatives attended the meeting. The evaluators visited the oil rich Albertine central part of the Albertine rift in Hoima district. The evaluator also had separate discussions with representatives of the King of the Bunyoro Kingdom and Tullow Uganda Operations Pty Limited.

In Ghana, the evaluator visited the country’s Environmental Protection Agency, National Commission on Fisheries, Ministry of Agriculture, and communities in the Volta region. Two FGDs held with representatives of these communities as participants. Fisherfolks, farmers, chiefs, youth and women leaders participated in those discussions. In addition, key officers in each of the member organizations of the network visited were interviewed.

Females were part of those interviewed in each of the countries in question. This gender component was considered at every stage in the evaluation process.

Documents reviewed include reports and newsletters prepared by the Oilwatch Africa secretariat and the four main member organizations. In addition, the evaluator utilised field notes, which, among others, contained quotations by participants during visits to programme areas.

In Nigeria, the evaluator visited two oil-bearing communities in Rivers State (Goi and Bodo) and two in Bayelsa State (Ikarama and Calaba). Environmental Rights Action staff in charge of Oilwatch Nigeria, Mr Kentebe Ebiator, arranged meetings with representatives of these communities in Rivers State. Among those who participated in the focus group discussions (FGD) in Goi and Bodo, were Chief Eric Doe; Veronica (women leader), Emmanuel Doe (Youth President) and Chief Sylvester.

⁷ It was impossible for the evaluator to visit South Africa due to limited resources on the part of Naturvenforbundet. To fill the gap, he held a skype meeting with groundWork’s founding director, Bobby Peek, on May 28,2014. Reports read on behalf of the organisation by Kentebe Ebiator during the AGM in Aburi Ghana was equally useful for the data collection.

In Bayelsa State, the head of ERA office there, Mr Morris Alagoa, arranged the visits to Ikarama -- a community with track record of regular oil spills. The focus group discussion which held in that community included chiefs, youth leaders, women leaders, community oil spill surveillance officer and members of the Community Development Committee.⁸

In Rivers State, the evaluator visited the National Oil Spill Detection and Response Agency (NOSDRA) but could not discuss with key officers there. The head of the regional office, rather directed the evaluation team to apply for permission from its headquarter office in Abuja in order to obtain information from the Port Harcourt office. This expectedly, denied the team access to information on the questions of the mid-term evaluation. It was then interpreted as a clear indication of the problem of poor access to relevant information when it comes to dealing with government agencies.

This triangulation helped boost validity, credibility and transparency of the data sources and collection processes. As well, it helped tackle the problem of spurious responses common with evaluations like this.

6.3. Data Analysis

Analysis of data, basically, was textual. The approach was interpretive, narrative, and performance-based. The interpretive component entailed systematic interpretation of field notes. Summaries of data obtained at every stage in the data collection process were utilised to make sense of their meanings. Identifying similarities in words spoken by participants in response to questions or stories told by them formed a key element in the application of the narrative and performance component of the approach. This would entail looking for patterns and themes that lead to establishing a link between data collected, findings, conclusions and recommendations. Most of the data would be in the form of words and facts (for example, recorded statements, statistical factual records, photo messages, taken of gas flaring locations or oil spills and their visual impact on the ecosystem).

The evaluator situates the analysis of the data in the evaluation objectives, outcome, and outputs in relation to baseline data of 2012. As earlier mentioned, to aid the process, the evaluator summarised data collected in order to be able to recognise emerging patterns and identified themes.

In all of this, gender was given significant attention -- both in the data collection and analysis of the data.

6.4. Assessment of Methods

The choice of review of relevant documents, observation, focus group discussion and personal structured interviews as methods of data collection have merits (triangulation). It serves the important function of increasing the credibility of both the process and report on

⁸ See list of focus group participants at index.

the evaluation. In addition, it helped deal with the problem of spurious responses or false claims in evaluations like this.

To make the process credible and transparent, proper documentation of participants in the focus group discussions was done. This also helped address the issue of trust on the part of the Working Group. Naturvernforbundet assigned one of its staff to travel with the evaluator to Tanzania and Uganda. The local partner organizations did likewise when it came to visits within these countries. That way, both the working and reference groups were present during the field data collection. This alone gave a good sense of inclusion, necessary for engendering credibility and confidence. A Skype meeting of the evaluator and Naturvernforbundet held before the field visits started, to secure a common understanding of the work.

We used FGDs because of the advantages it offered: for example, it provided us with the opportunity of having many local community representatives and other stakeholders gather at the same time for discussion. This saved time and resources. In addition, it provided opportunities of relaxed atmosphere for participants and the evaluator for discussions.

The evaluator sought the consent or permission of those interviewed in order to be able to mention their names in the report. This further boost the credibility of the narrative qualitative report.

6.5. Scope and Limitation of Evaluation

The Working Group at Naturvernforbundet in Norway has mainly influenced the scope. The Terms of Reference specified the objectives, purpose of evaluation and made suggestions on the methodology. Flexibility with adjustments in the framing of objectives and purpose were impossible and to that extent pre-determined.

Oilwatch Africa is presently active in ten countries of Africa. The choice of four countries was based on limited resources and time constraint. The Mid-Term evaluation frame, as contained in the ToR was developed with a limited time frame of the first quarter of 2014 in mind. This imposed a need to consider only what was possible within available time.

The choice of four main countries in the evaluation was necessary due to lack of funds, but imposed a limitation on findings. The focus, when it comes to data collection and analysis were these countries. The scheduling of OWA AGM in Ghana –May 14-17-- afforded the evaluator an opportunity to reach out to member organizations from the rest of the countries in Africa. It was however not adequate to generalise in many respects, as each of these countries is subject to different local and external forces. In other words, the meeting was inadequate to advance generalisation in many respect. Nonetheless, this has not discounted the value of findings.

7. 1. Key findings

In light of the desired outcome of whether an alliance of organizations and affected communities has pushed forward changes to ensure petroleum activities take account of

people and nature, this section focuses on the findings in relation to three main indicators: increased participation of affected communities in environmental impact assessments; civil society access to relevant environmental information from government, oil companies and own sources; and strengthened enforcement and requirements by authorities for oil companies' responsibilities and preparedness to prevent, contain and clean up after spills. The findings are based on information generated from interviews, focus group discussions, field notes, OWA Annual General Meeting in Accra, and review of reports and newsletters prepared by the organisations concerned. A first cut general situation is taken before a country-by-country detailed analysis.

7.2. OWA Programme and Change

The question of local community involvement in environmental impact assessment remains critical for regulating impact of fossil fuel on the poor, environment, and livelihoods. However, corporations and relevant government agencies or ministries have remained weak when it comes to enforcement. South Africa and Nigeria, for example, have had relatively fairly long history of more than a decade of EIA Acts, but full implementation of these laws has yet to be achieved. Ghana's EPA has received enormous technical support from the World Bank, such that it would not be wrong to believe the agency should by now be strong enough to handle all oil-related environmental challenges easily.

So far, OWA member organisations have focused on developing capacity of locals to be able to participate effectively in EIA processes, but that has yet to lead to substantial progress across the countries concerned. The majority locals in the four core countries suffer exclusion from EIA processes. In many instances, they are not even aware of when such exercises are carried out. However, the increasing awareness that the EIA is a responsibility that must be fully implemented, stands as merit to the OWA programme in countries like Nigeria and South Africa where these laws have long been established as part of a legal framework. EIAs reports, whenever undertaken, remain somewhat difficult to access by groups, especially in Tanzania, Uganda, and Ghana where the oil industry is embryonic. In any case, local participation has improved. As well, participation in joint investigative visits has improved. At least, those in Ikarama and Calaba, where the evaluator held FGDs with locals, now have success stories of their involvement in the process, to some degree. The same goes for the other core countries of the evaluation.

The caveat is, practice of environmental impact assessment remains short of international best practices. In addition, it depends on the shared experience of groups. The shared experience of groups in Tanzania and Uganda and South Africa are limited to the non-oil sector. Tanzania and Uganda are yet to start oil production. Ghana's case is currently offshore.

In terms of response by oil companies and government to EIA procedures and principles, in light of baseline information, it can be argued that positive changes have occurred, especially in the older oil economies like Nigeria. In the case of South Africa, recent anti-civil society

laws are being expected from the ANC led government under President Jacob Zuma. It follows that much touted EIA being a strategy for protection of environment and livelihoods will come under attack. Practices that are more exclusionary are expected. Need for expansion of the Host Community Network was agreed at the AGM in Accra. Increased environmental awareness is also expected. These will lead to communities' demand for more participation in the way the environment is managed in the face of oil pollution and development of the industry.

On whether access to relevant information, OWA members have increased their environmental monitoring and reporting credentials via empowerment of local community leaders and collaboration with journalists. It would appear that oil companies and relevant government agencies have failed to provide up-to-date information on oil spill and other matters of interest in the industry. All too often, they are unwilling to provide such information to civil society groups. That partly explains why the regional head of the National Oil Spill Detection and Inspection Agency, based in Port Harcourt refused to grant interviews to the evaluation team. Instead, he directed the team to apply to the headquarter office of the agency in Abuja for permission to obtain information from the Regional Port Harcourt office.

Access to information from government agencies is still difficult. Within the OWA network, circulation of information on harmful activities of fossil fuel industry operators improved with more newsletters, internet facilities, and special publications by these members. Their capacity to generate information is grossly inadequate but whenever they do, it freely circulates among local partners through the internet, bulletins and special reports. Individual members of the network do have a lot of information on their websites. So do they with newsletters circulating on various issues.

As part of exchange visits to affected communities within and between countries, the Secretariat visited Ghana and South Africa this year. Half Asini and Atuabo in Jumorro District, two important communities affected by oil and gas production activities, were visited by Oilwatch Ghana. Nkrofulin Elembelle District was also visited, in addition. Two issues presented by the leaders of these communities before Oilwatch Ghana were the impact of oil and gas on local agriculture, and destruction of the ecosystem. The visit facilitated solidarity and sharing of useful information for planning advocacy.

In Uganda, Oilwatch organised exchanges between Butimba and Sebagoro communities. It also did so for journalists and lawmakers from communities affected by oil and gas exploration activities. The aim was to document impacts on environment.

Regarding community mobilisation through expansion of HoCon, Oilwatch Ghana adopted a "cell approach." This approach entails empowerment of community leaders through whom others are recruited. This approach enables the expansion of Oilwatch Ghana's cooperation with communities affected by activities of corporations and government in the fossil fuel industry by focusing capacity-building work on selected community activists and leaders.

The logic is, getting others from within those communities to join the movement through those already trained or aware of the issues should be less difficult.

Communities received several trainings, including a workshop organised by groundWork in March 2013 on environmental justice in Newcastle KwaZulu-Natal.

During the period under review, OWA partners intensified their challenge of unhealthy laws/policies and demanded compliance with healthy ones. For example, Oilwatch Uganda and Nigeria are challenging proposed new petroleum laws for being blind to communities and their environment. Oilwatch Ghana is doing same for ignoring impact of oil and gas on fisheries. In the same vein, Oilwatch South Africa is challenging the Department of Environmental Affairs for failing to fully implement the Vaal Triangle Airshed Priority Area requirements, as provided in the Air Quality Act of that country. Further, it submitted a policy paper on carbon tax to the Treasury Department in August last year. As well, it commented on the country's Integrated Energy Planning Report of last year and proposed Technical Regulations for Petroleum Exploration and Exploitation.

Outcomes of OWA programme implementation include empowerment of communities to become active within the fossil fuel energy *policy community* through advocacy trainings and a few instances of quick response by oil companies to advocacy. For example, improvement in the compensation value paid to some of those affected by the refinery project in the Albertine Rift Valley communities came sooner than expected. In addition, gender, became a factor of consideration in the implementation of the programme in the areas of environmental monitoring and reporting in Nigeria. Women remain key among population of people most affected by the industry rural Niger Delta.

One unexpected result is conflict management, especially in Nigeria, where ERA has taught local community people non-violent approaches to engaging with oil companies and government. This has been helpful in diverting attention of local youths from violent strategies of pressing for protection of their environment. In the Rift Valley communities of Uganda, potential for trans-border conflict between the Democratic Republic of Congo (DRC) and Uganda remain likely in event of oil pollution in Lake Albert, where several wells are being operated by three major oil companies. Fisher folks from both countries share the Lake and derive services from it.

A potentially oil polluted Lake Albert will however threaten conflict between these fisher folks from the different countries. From the Rift Valley communities to DRC is merely 30 kilometres, suggesting the closeness and implications for running over each other in event of conflict. This conflict prevention aspect is important for understanding the broader role of extraction of fossil fuel and violent conflicts in Africa.

It is worth noting at this point: lack of adequate resources, technology, and general lack of capacity are factors seriously limiting member organizations' access to information. Oilwatch Nigeria and South Africa are however leaders in generating information through research, monitoring, reporting. They easily share such information. This practice has

improved against the 2012 baseline. Based on insights from the fieldwork, discussions with staff members of partner organisations and representatives of local communities, as well as assessment of reports of activities carried out, the argument can be made that there has been real improvement in access to information among these groups.

7.3. International Regional Processes

As of 2012, member organisations had no link with regional intergovernmental organisations. Progress is being made today, as they have established contacts with the Economic Community of West African States (ECOWAS), Southern African Development Community and so on. According to one ERA staff, “We have a robust relationship with ECOWAS. They always attend our programmes.”⁹ This relationship has to be fully utilised in the interest of effective protection of people and nature from harmful practices and policies in the petroleum sector by corporations and governments in West Africa.

Oilwatch Ghana has established contact with the World Bank office in that country. The Ghana office of the bank in charge of environmental issues oversees selected countries in West Africa. That the bank, has already given a total of \$35million to Ghana in technical support to that country’s Environmental Protection Agency,¹⁰ means the bank is tacitly influencing policy in that country. It also means it is a key stakeholder, actively involved in the development of the oil industry in that country. Oilwatch understands this role. The network should be able to go beyond the level of mere contact and participation in seminars with the bank’s officials, to the level of policy lobby, since it is now clear, the bank is a key player in the industry.

A Joint OWA progress in pushing forward official and campaign proposals for policy and behavioural change by corporations and governments, with regard to harmful practices and policies in the industry at regional or international processes is lacking. While the African Union, Economic Community of West African States, Southern African Development Commission (SADC) and so on, have remained key intergovernmental multilateral platforms for exploration and possible avenues for influencing policies, a strategic plan by the leadership of OWA has to take real advantage of these opportunities.

Taking advantage of the disposition of these intergovernmental bodies’ to promote climate and environmentally friendly energy practices will be worthwhile. In addition, to boost the international or foreign policy orientation and outlook of Naturvenforbundet, OWA network has to aspire towards a more international or regional policy work in the remaining part of the five-year life span of the programme. The evaluator’s reaction to this is, the international dimension is key. Programme implementing organisations should therefore pursue it with greater vigour.

⁹ Interview with ERA staff member in Lagos, May 20,2014.

¹⁰ Interview with World Bank Ghana, Environmental Specialist, Moses Duphey in Accra, May 14, 2014.

There has not been any regional or continent-wide campaign that oil is left in the soil, nor that of putting an end to gas flaring. This situation is slightly different from the local or national situation. The idea of leaving the oil in the soil is hardly *marketed* by locals. They, especially those in the newly emerging oil economies of Uganda, Ghana and Tanzania, are confident that the oil might bring them benefits. Yet they have no inclination to directly campaign that government and oil companies leave the oil in the soil. At best, these campaigns --*leave oil in the soil and putting an end to gas flaring*-- have been selectively successful at national front, as in Nigeria and Uganda's case, where Tullow had to abandon Ngala-2 well owing to cost and pressure from community folks. Since the 1990s, after the death of Ogoni environmental rights activist, late Kenule Saro-Wiwa, oil in Ogoniland has remained in the soil. ERA within the period under review, maintained its work with groups in Ogoniland. It helped Ogoni people maintain that position through its Host Community Network, education, and mobilisation. In Ikarama and Calaba, where the evaluator had useful focus group discussions with community leaders as participants, gas flaring has been put off in nearly all the flow stations belonging to Agip and Shell. This was not the case prior. In Uganda and Tanzania, where production is yet to begin, no gas flaring can be noticed now. In Ghana, production is mostly deep offshore and therefore can hardly be noticed by community people.

7.4. Strengthened Efforts to Influence Decision-Makers

Local communities in the majority core mid-term evaluation countries made progress in the area of influencing decision makers in oil companies and government. As will be seen in the individual country cases, partners developed alliances with local communities to challenge harmful practices and laws in the fossil fuel industry, and empowered locals via training programmes, workshops and seminars intended to strengthen them to be able to influence decision-making.

ERA, for example, has during the period under review, been able to provide local communities with capacity to participate in environmental policy making process at the National Assembly. Involvement and efforts made by it in collaboration with the communities towards the formulation of a new petroleum law --Petroleum Industry Bill-- is instructive. As well, it has carried along these communities to public hearings on several bills at the National Assembly. It has also worked with communities for the full enforcement of regulations on clean up of oil spills through campaigns, training, mobilisation and reporting. In Bodo Nigeria, locals have devised a mechanism for making demands on oil companies and government -- lobby committees. They are given issue-based policy influence responsibility with public decision makers. Last year alone, the government of Rivers State provided pipe-born water in the community because of pressure mounted by the lobby group. ERA has continued to empower the leaders of this community with regular training. In a similar vein, locals in the Albertine region of Uganda and groups in South Africa have benefited from NAPE and groundWork training programmes respectively.

Progress is substantial, even in Ghana, where capacity to demand necessary legal framework for tackling impact of oil on fisheries by local fishing populations are improving through trainings and environmental awareness. OW Ghana's active involvement within a broader civil society framework, demanding environmental accountability from corporations, as well as current impressive power of analysis of the local oil economy by locals, point us to capacity and improved efforts that can be linked to the network's activities.

In Uganda, training of host community network members, CSOs and CBOs were organised. Specifically, people from Kyapaloni community were trained on Environmental Impact Assessment on oil pipelines. Those from the Albertine oil Rift villages were trained in ecological, economic, social, and environmental and human rights impact of oil pipelines and oil refining activities in these communities. According to OWA Secretariat, in its 2013 Annual Report, "host community members became more aware of the trainings... Communities are now eager to make demand that oil companies publish what they pay or receive from government and this has recently led Tullow and the government in Uganda, to revise the compensation formula which oil companies are now expected to implement."¹¹ In South Africa, a two-week seminar on *Energy Sovereignty* was organised in Durban in which several people from several communities attended, including: Durban, Ashowe, Newcastle, Highveld and Vaal.

Community folks are beginning to take ownership of a responsibility to engage oil companies and government non-violently. The peace or nonviolent approach to the issues helps deal with a tradition of violent resistance that characterised relationships between these communities and industry operators prior. As earlier noted, OW Nigeria's commitment resulted in better involvement of local communities in Joint Investigating Visits to oil-spilled sites.¹² Oil companies and NOSDRIA in that country have become uneasy about failing to ensure full participation of local communities in JIVs for those with well established capacity to collaborate with groups in OW Nigeria. To be sure, in the last one-year or so, oil companies and NOSDRIA have consistently invited these communities to JIVs.

OW Nigeria improved its partnership with journalists and local communities -- for example, Bodo and Goi (Rivers State). In Bayelsa State, it works with Calaba and Ikarama to challenge Agip and Shell over oil spills, compensation, and pipeline construction issues. It also works with several communities in the Western (Lagos for example) and Northern parts of the country (Kogi State for example). The evaluation focused report and analysis based on communities visited in course of gathering information towards writing up this report.

¹¹ OWA 2013 203 Report

¹² Joint visit of oil company in question, relevant government agencies –Ministry of Environment and environmental protection agency such as NOSDRA and representatives of affected communities after every oil spill incident for a more transparent assessment of the situation is a matter of law. Nevertheless, oil companies and government have regularly ignored the communities during such visits.

That having been said, it is worth noting: prior to 2012, gas flaring by oil companies was routine in Nigeria. Although the practice has not totally stopped, the practice has become unfashionable. Shell, for example put to end gas flaring in JK4 and Ikarama within the period under investigation.

7.5. Media

OWA programme network member organisations, most notably Nigeria and Uganda, increased collaboration with the media. This has remained a strategy for disseminating information on harmful practices of corporations and policies on people and nature. Media outreaches were organised. ERA for instance, between 2012 and 2014 trained 108 journalists in Nigeria on how to report oil and non-oil related environmental problems.¹³ The trainings took place in Lagos, Enugu, Calabar, Port Harcourt, Kano, Illorin, Akure and Abuja at separate times. The Nigerian Journalist Network is a direct result of the training platform.. The network enables journalists in the country to share ideas on the state of the environment. In the 2012 flood in parts of the country, the journalists played a significant role of reporting the impacts in states that OW Nigeria could not easily reach.

The success stories of the initial training led OW Nigeria to introduce an additional training programme for the journalists. This time, in investigative journalism. Three of the programmes events have So far been organised--- in Port Harcourt (2) and Lagos (1). Another one is being planned for Lagos before the end of this year.

OW Nigeria's assessment of the work of the trained journalists showed substantial improvement in the last three years. According to a staff member of ERA, "they have started writing about global warming, desertification, mining, led poison, climate change and so on." The evaluator confirmed this story. He looked through a copy of entries submitted by the journalists. Entries, previously published as news stories, were collected and later published as a book by the Media unit of ERA. The quality of entries in that book, which the evaluator assessed, points us to the effectiveness of the partnership. Copies of the book were distributed to ERA local partner communities. It has served as part of the organisations information dissemination and environmental education material. Chief Emma Pii was correct when he said, "We have also been provided with publications by ERA."¹⁴

In the same vein, NAPE intensified its relationship with the media. Making the media a close ally in an environment where the local communities it partners are hundreds of kilometres away from Kampala, is expected to result in wider reporting of environmental problems associated with new found oil and gas economy. In the Lake Albert area, where these resources are mainly found, Rift Valley communities are hardly accessible. Journalists have become more productive in reporting environmental issues after receiving several trainings and joint field interaction visits organised by NAPE.

¹³ Interview with ERA staff in Lagos, May 20, 2014.

¹⁴ Focus group discussion in Bodo City, Ogoniland, May 22, 2014.

It is all very interesting to note how this is manifesting: print media reporting and existing plan by NAPE to introduce a local community green radio station in the Hoima region in August 2014. It would appear that some of the journalist already trained who are now working with OWU would easily render their services. The radio station will serve an important function of disseminating information on environmental issues to Albertine rift communities in their local language.

ERA, during the period under review, produced and distributed hundreds of advocacy T-Shirts and posters which were used during its 20th Anniversary last year. They were also used in Uganda by student environmental activists during a youth policy network programme.¹⁵ In the same vein, groundWork, NAPE and ERA produced and distributed newsletters containing extensive information on oil and environmental issues in these countries.

Drama and music are two creative ways in which NAPE and ERA communicated oil related environmental problems and mobilised community members to demand environmental protection. This effort resulted in the release of a musical album by one ERA staff member in Yenegoa. The debut album, with touching tracks such as *say no gas flare; breath of fresh air* and so on, have been well-received by the Nigerian public, especially by people of the Niger Delta. Women in Ugandan Kaiso Tonya, Sebagoro and Kyapaloni community are equally making progress with a *drama approach* to mobilising locals against oil -and -gas -related environmental and human rights abuse problems.

7.6. South Africa

Oilwatch Africa programme's main partner organisation in South Africa, groundWork worked increasingly well with local identity groups seeking environmental protection and development. Generally, groups, organising mostly around the impact of oil refining, coal mining and shale oil fracking on the environment, climate change and locals' means of livelihood, have been heavily supported by groundWork

Within the Mpumalanga area alone, where there are currently 12 gigantic coal mining facilities, the organisation (groundWork) brought together several communities with parallel concerns--- brunt of coal mining activities on the health, climate and economy of people. The success story of OWA Africa in that country, so far, has been more about movement building around these issues.

It is promoting local community group campaigns against anti-poor, poor public service delivery and environmentally harmful practices from oil refining activities by Shell in South Durban. For example, it provides technical and solidarity support to South Durban Community Environmental Alliance (SDCEA).¹⁶ According to Bobby Peek, "we assist them

¹⁵ Oilwatch Africa 2013 Report.

¹⁶ Skype Interview with Bobby Peek May 28, 2014.

to respond to oil refining issues. We also share solidarity with residents of South Durban.” ‘The success story of our work is seen in the support we give to SDCEA’, remarked Peek.¹⁷

The same goes for the Vaal area, under the platform of Vaal Environmental Justice Alliance (VEJA). Oilwatch South Africa, in alliance with VEJA, challenged energy companies, including Sasol, over negative impact of their activities on environment, climate and society. “In the last couple of years, we have systematically been involved in struggles through *multistakeholder* forums,” notes Peek. Last year alone, Oilwatch South Africa worked with VEJA to successfully challenge Arcelor Mittal and Sasol over environmental master plan of projects in the Vaal region.

Meeting air quality standards, as required by South Africa’s Air Quality Act of 2004, remains a key reference in groundWork’s engagement with ESKOM. The company has been looking for a way to escape from the provisions of this law, by seeking extension of its implementation. groundWork and the local environmental groups, last year, succeeded in getting the country’s parliament to reject the idea of postponement of full implementation as requested by ESKOM.

In the Highveld area, Oilwatch South Africa has so far helped unite groups, ranging from faith to labour, towards securing a common voice against fossil fuel and environmental injustice. By providing a solidarity platform, local community groups’ work improved significantly. Further, it is involved in educating, organising and mobilising of the groups’ members. Research and special reports, as well as rapid response to concerns of grassroots organisations are major areas of engagement for groundWork. It helped initiate the Highveld Environmental Justice Network, which comprises: Association for Environmental Defence; EarthNoGenesis; Ekurhuleni Environmental Organisation; Greater Middleburg Resident Association; Mpumalanga Youth Against Climate Change; Schoogezicht Residents Committee and; Wonderfontein Resettlement Forum.

As can be seen, Oilwatch Africa’s biggest impact in South Africa is in the area of movement building.

There are numerous challenges facing the network. The South Africa case, as with the case of Uganda, faces a threat of weakened civil society through legislation. For example, the Mineral Petroleum Resources Development Act Amendment Bill intended to weaken civil society when it comes to development of petroleum resources in that country. The Bill takes away rights of “interested parties.”¹⁸ Other proposed legislations that will hinder the work of civil society are: the Infrastructure Development Bill – by it, fossil fuel is designated a strategic industry that requires speedy processes. It means, requirements such as

¹⁷ Interview May 28 2014.

¹⁸ groundWork (2014) “Oilwatch South Africa Annual Report” read at *OWA Annual General Meeting* in Accra, Ghana, May 15-18. The evaluator attended all the sessions of the meetings, observing and taking notes.

environmental impact assessment and general environmental standards in development activities will be undermined in the name of development.

Nevertheless, South Africa's proven record in movement building within the OWA programme implementation framework so far, as in the cases of Nigeria, Uganda and Ghana, are geographically issue- based: South Durban (works with SDCEA, tackling issues of oil refinery-related environmental problems and offshore exploration for oil and gas); the Vaal Triangle (working with groups tackling oil refining-related environmental problems; coal to liquid ; coal fired power stations and coal mine); Highveld (involved with issues of coal to liquid, coal mining and coal fired power stations); Leghalele (involved with issues of impact of coal mining and coal fire power stations, working with Earth life Africa (ELA) to tackle fracking in Karoo and Southern Cape Land Communities (SCLC).

7.7. Tanzania

Lawyers Environmental Action Team (LEAT) is Tanzania's member organisation of the network. It joined in 2012. Visit to that country and the focus group discussion held there with key officers of the organisation revealed: it has not been in the mainstream of activities of OWA; it has yet to benefit financially from OWA by way of receiving funds to undertake programmes in a country now moving very fast to becoming an oil producing country; no record of activities linked to OWA and; limited opportunities for exchanges with other partner organisations. The postponement of the AGM meeting in Tanzania was an opportunity missed.

LEAT has made marginal contributions so far towards realising the goals and objectives of OWA. "We have not engaged much," remarked the organisation's Executive Director, Dr Rugemeleza A.K. Nshala.¹⁹ No one from local partner communities where LEAT has work attended the focus group discussion. There was also no communities to visit as part of the evaluation. This means a lot about the position of things when it comes to whether an alliance of OW Tanzania and affected local communities has emerged to challenge harmful practices by oil companies and government. Being fairly new in the network, it has not yet been accommodated in the original OWA budget. It has no resources to carry out programmes in the name of the Network.

As Tanzania moves closer to becoming an oil producing country, it is crucial for those who will see the underside of the industry to be prepared for engagement with both government and oil companies on key issues of land grabbing, pollution and compensation. This requires building of locals.

Below is summary of issues and conclusions from focus group discussion ---- with LEAT staffers at the Giraffe Ocean View in Dar es Salaam on May 9, 2014:

¹⁹ Focus Group Discussion at Giraffe Ocean View, Dar es Salaam, May 9, 2014.

Regarding achievement of the development goal of ensuring extraction and use of energy happen in a way that benefit the poor and within nature's limit, exploration and production of petroleum is yet to start in Tanzania. LEAT currently organises around gas production. It has not received funds from OWA secretariat. LEAT has no resources to pursue this development goal within the OWA framework. Unable to assess its achievement as a member of OWA. Given its current peripheral role in the network, LEAT staff members have no articulate sense of achievement. Local communities and civil society groups generally are yet to strongly connect with oil related issues. There are currently no community resistance against problems resulting from the production of gas.

With oil exploration and production about to start, there is need to intervene to prevent possible oil curse. Political situation in Tanzania is antagonistic to civil society and engagement with government and oil companies on possible impact of the industry. Urban women benefit from gas production through access to cooking gas. LEAT has no strong link with affected local communities when it comes to mobilisation. Many believe the oil industry will make Tanzania look like Dubai. LEAT, founded in 1994, pushed for an EIA Act in Tanzania in 2004. "We have not received assistance from OWA,"²⁰ notes one key LEAT staff member.

LEAT opposes gold mining activities in the country that cannot be linked to OWA mandate. Government fails to provide easy access to information to civil society. It is not involved in regional campaigns for leaving the oil in the soil. Presently this is hardly an acceptable idea. Communities lack capacity to engage. Although more engagement with communities, government, and oil companies is needed, the communities themselves are not in any position to fully do so.

7.8. Uganda

With at least \$2billion expected as income to Uganda from oil and gas production in the next 25 years, the government and many local political and economic elites are in high spirit to see it happen. This alone puts the government in a sort of desperation. The President has consistently admonished citizens not to 'talk about the oil but tomatoes to sell to oil company workers.' The political context in that country, like many others in Africa is deeply predisposed to the industry, which politicians see as a key source of national revenues. However, the long period of instability and rebel activities contributed to the failure of foreign investors to explore for oil and gas. To some extent, those opposing the industry do so because of perceived negative impact on the environment and livelihoods; stand the risk of being perceived by the political class as enemies of the people and economic growth which the Uganda president has occasionally called "Economic Saboteurs."

The network is already making political impact in the areas of mobilisation and empowerment of locals. Communities were assisted to create their own voice within the

²⁰ Focus Group Discussion with LEAT staff, May 9, 2014, at Giraffe Ocean View, Dar es Salaam, Tanzania.

political system. They were helped to define themselves in relation to the impact of oil exploration, production and impacts on locals and the environment. In 2010, 2011 and 2012, they (communities and Oilwatch Uganda groups led by NAPE) challenged corporations and the government to abandon plans to set up a mini oil refinery in the Kabowoya wildlife reserve ecosystem because the practice violates Article 24 of the National Uganda Wildlife Act which prohibits mining in protected areas. . There is a possibility of a wider active community -based environmental social movement emerging to demand responsible behaviour from the key industry actors. According to Journalist Francis Mugerwa

The oil and gas industry is new here. People had a lot of expectations and fears. People did not know whether the industry would be a blessing or a curse. Even the government was not giving information to the public about it. This created opportunities to engage the government and oil companies. The communities are too weak and poor without access to information. NAPE came to fill the gap and started organising meetings in which communities and other stakeholders like us have benefited.²¹

He explained the role of NAPE with respect to the newly emerging oil and gas industry in that country. Mugerwa's narrative of the activities of OWA in Uganda, with National Association of Professional Environmentalist (NAPE) as the main partner organisation, was quite revealing. An alliance with journalists and local communities has developed. The result is seen in quality of media coverage, which was previously lacking. The majority media people lacked capacity to report environmental issues.

Local oil host communities in Uganda's oil rich Bunyoro Kingdom region are hundreds of kilometres apart from one another (60-90 kilometres). They are far away from the city of Kampala (135 miles). The long distance alone poses severe difficulty of access to information. For those in the Rift Valley, access is almost impossible for a first time visitor who wishes to return to the city on the same day. In the Albertine Rift Valley alone, more than 58 communities cannot be easily reached. As Mugerwa notes

even the government now appreciate the need to discuss with local communities. Now local communities are questioning the government regarding compensation. As journalist, whenever NAPE organises programmes at the communities, I have opportunity to go there. NAPE has helped to remove the secrecy that surrounded the oil and gas operations.

One of the most significant achievements or changes resulting from the alliance that has developed and activities organised by NAPE is increased awareness of the risks associated with the extractive energy industry in Uganda.

²¹ Interview with Francis Mugerwa, May 11, 2014 in Hoima, Uganda. He reports for Ugandan Daily Monitor.

In Hoima, representatives of villages in the Rift Valley who participated in the focus group discussion, confessed to having been victims of ignorance. Some villagers are selling off their land cheaply to city dwelling money-men in search of land because of expectations of an oil-driven boom in economic activities in those communities, once the country begins production and export.

“There are success stories. Local communities have raised petitions to parliament and the President. Apart from the communities being able to demand and get fair compensations for land acquired for oil and gas development, women, particularly, are regularly offered skills and capacity to deal more effectively with the issues. NAPE has empowered women to play an important role towards challenging of industry operators by supporting their advocacy through locally available and affordable artistic impressions such as drama plays, poems, and songs and so on.

In 2013, NAPE organised a workshop for members of parliament and had a policy- influence opportunity of being invited by President Yoweri Museveni for consultation on environmental issues. It will soon be clear how this turned out, regarding how government has specifically changed its behaviour because of activities of OWA programme in Uganda. The quick change is that the government and the oil companies through the ministry of energy and mineral development, is now more interested in consulting NAPE to participate or make input in a series of oil and gas development policies, guidelines and meetings especially in public hearings, research studies, Strategic Environmental Impact Assessments, Evaluation of oil waste consolidation sites among others.

Positive changes, in relation to outcome of an alliance, prompting industry operators—government to protect the environment and livelihoods, and in terms of oil company behaviour in similar direction, resulting from OWA programme activities are now easily noticeable by affected local community people in Uganda.

One key element in the speeches made by the majority representatives of eight communities in the Rift Valley who participated in interviews and focus group discussions with the evaluator in Hoima is their sense of fear and dashed hopes from the emerging oil economy. They expect jobs, scholarships for their children, business opportunities and investment of oil revenues in agriculture and infrastructure. According to Francis Mugerwa, “I do not see the communities challenging oil companies and government to leave the oil in the soil if they see the benefit from oil.” They are unwilling to concede to the idea of outright rejection of the oil economy, yet they are unsettled about how the economy will favour them in the longer term. Below are some of the comments made by focus groups participants:

- At first we thought it was a good thing. When oil was discovered, we thought we were going to become rich. Now oil is turning to be a bad thing. Our communal land is under threat. We have started eating up ourselves like grass -suppers because of land. People are buying over much of our land cheaply. They buy the land in areas where oil has been discovered. God is great. God brought NAPE to educate us. The

government once arrested me. Through NAPE, women are now involved or participating in the politics of oil.²²

- Rich men are taking over our land. There is struggle for communal land. There are challenges. We need to be properly compensated. Some who received are now enemies to the communities. We are now struggling to treat the wound created. We thank NAPE for helping us with awareness on the problems of oil in our communities.²³
- When we heard that oil has been discovered in our community, we were all impressed and happy because of the promise of employment and other good things. Now, oil is causing problems. Rich people are struggling for our communal land. They buy it cheaply. They are grabbing land. NAPE came along and educated us against land grabbers. At first, we saw oil as a good thing.²⁴
- When oil companies found oil, we thought opportunities such as jobs would come to us. To help mitigate pollution from the planned oil refinery here, we have planted lot of trees. Later, NAPE helped us to understand what we were supposed to demand or struggle for. The Kaiso Tonya road was constructed without adequate compensation to locals. With the help of NAPE, we made noise and petitioned to the President when he visited our area. We know that when the refinery is eventually completed; there will be a lot of pollution. Therefore, with the help of NAPE, we have planted many trees around us. The trees have wide leaves to help mitigate impact. With the help of NAPE, we also went to the Parliament in Kampala to petition against a proposed bill intended to give the Minister in charge of petroleum sovereign powers over oil and gas matters. We petitioned, demanding that the powers be shared with oil-bearing communities. Because of the trainings we have received from NAPE, oil companies now invite us for discussions on a quarterly basis.²⁵
- How will oil companies deal with wastes? We need to prepare for repression by government and to defend human rights when government starts earning billions of dollars annually from oil. The Public Order Management Act will be used to repress civil society groups. There will also be need for security training for locals.²⁶
- We are not in any position to ask that oil be left in the soil because there are countries doing well with oil. So why not Uganda? Oil should not be a problem if they have

²² Alice Musimerita represented Kaiso-Toonya at focus group discussion held in Hoima Uganda on May 12, 2014,.

²³ Agaba Kasim, also represented Kaiso-Toonya at focus group discussion held in Hoima Uganda on May 12, 2014.

²⁴ Lucy Mbuubi, indigene of Butimba Sustainability village, focus group discussion, Hoima, Uganda, May 12, 2014.

²⁵ Beatrice Rukanyaga indigene of Buseruka Kwandoizo, participated in the focus group discussion on May 12, 2014.

²⁶ Focus group discussion with staff members of NAPE in Kampala, May 13, 2014.

good measures. We would want government to come clearly on how for example the problems associated with it could be addressed. And we will support it.²⁷

- In a sense, the oil should remain in the soil because I am going to be landless.²⁸

These comments provide useful insights into the desired outcome and achievements of OWA. They portray improved local capacity for analysis of oil and gas industry and their concerns; a growing interest and understanding of the real and potential negative impact of the industry; and a role in ensuring oil companies and government do not harm but make the industry beneficial to environment and people.

As can be deduced, the local political context remains exclusionary when it comes to proactive measures that put affected local communities at the centre of decisions about the industry.

The focus group discussion revealed oil companies in Uganda are careful to avoid the pitfalls of their peers in countries like Nigeria, when it comes to nature of host-community oil company relationship. Tullow, for example, claims having a policy of regular opportunities for discussion with stakeholders of which affected local communities in the Bunyoro Kingdom are key.²⁹ Tullow is one among the three oil companies in joint venture relationship with the national government of Uganda. There are three active oil drilling blocs in the country's Albertine Rift communities, operated by three companies, namely: Bloc 1 (operated by Total—Murchison falls National Park oil field where we have wells such as as Jobi, Gunya, Rii, Ngiri and Mpyo; Bloc 2 (operated by Tullow—"The Kaiso-Tonya and busiisa discovery oil fields with wells such as Ngasa 1, Ngasa 2, Nizi, Mputa 1,2,3,4 and Mputa 5, Nsonga, Wairindi, Kasemene, Ngege, Kigogole etc); and Bloc 3 (operated by CNOOCC—China National Offshore Oil Company- the Kingfisher oil field).³⁰

National government in Uganda and Tanzania are eager to join the team of oil producing countries in Africa. The oil companies are closely aligned with these government on a determination to realise that dream shortly. They are therefore ready to deal with and by whatever means possible, any opposition to the realisation of that dream.

This context is crucial both for NAPE's work and appreciation of ensuing changes. "Local communities are not able to stop the company. Multinational oil companies are more than Uganda. The communities cannot stop anything," was how Tullow's Stakeholder Engagement Manager Muhumza Didas responded to the question of whether the company complies with environmental impact assessment regulations, and if not whether affected

²⁷ Kwedele Geoffrey, native of Kyapaloni, participated in focus group discussion at Crown Hotel Hoima on May 12, 2014. He responded to a question of whether communities were in any position to ask that oil be left in the soil, given its many negative impacts.

²⁸ Ibid.

²⁹ Interview with Tullow Stakeholder Engagement Manager, Muhumuza Didas in Hoima, Uganda, May 11, 2014.

³⁰ Ibid.

communities can stop their operations. Conduct of EIA in Uganda is site specific. Tullow complied EIA rules for exploration and appraisal of oil. But has yet to conduct the one for the oil refinery project.

By saying that local communities cannot stop Tullow's activities on grounds of failure to fully comply with environmental impact assessment rules, and that oil companies are greater than the whole of Uganda, it means that these oil companies are indeed more powerful than citizens and national governmental institutions of their host countries. In other words, it is an attempt to make the point that oil corporations are too powerful to be influenced by citizens and host government. This, certainly is typical of oil multinational corporations in Africa whose desperation for more fossil fuel and profit have to some degree tended to rule or dominate politics and economy of their host countries.

Youth in the region wrote a letter of protest to the Uganda Parliament against the Ugandan security troops that stand guard over the oil refinery in Hoima's Kabale Parish Buseruka sub-county, for assaulting a youth activist from Nyahaira village –Innocent Tumwebaze. Tumwebaze, who visited the immediate host community to the refinery, like several, was worried about inadequate compensation to land owners and land grab. NAPE did not hesitate to follow up on this harassment to the Parliament.

With regards to compliance with environmental impact assessment rules, Mr Didas simply remarked, "to a good extent."³¹ The company is currently preparing an oil spill contingency plan and plans to ensure pipelines are properly buried underground. It also hopes to utilise efficient combustion technology and tree planting to combat the problem of climate change arising from its activities. This points us to the question of whether oil companies are willing to avoid practices that are harmful to the poor and nature, which was previously extensively negative.

Interview³² with Principal Private Secretary to the King of Bunyoro Kingdom, Mr Yorum Nsamba, in Hoima, was quite revealing. The amount of knowledge on the impact of oil and gas producing activities on nature and the poor, and narrative on the history of the oil companies and perception of local community people, displayed by the Private Secretary of the King, as well as his huge acknowledgement of influence of Oilwatch Uganda in his analysis of the problem means that both the traditional institution and ordinary citizens have equal stake and concern.

The new status of oil-bearing Kaiso-Tonya became visible for the first time in March 2004. It became the first to be affected by Tullow's oil exploratory activities. The people were told oil would bring them jobs and other benefits. Residents accuse the company of entering the community without consulting them. Exploratory work led to destruction of sacred sites.

³¹ Ibid.

³² Interview with Principal Private Secretary to Bunyoro Kingdom, Mr Nyorum Nsamba at Crown Hotel, Hoima, Uganda, May 11, 2014.

Meanwhile, to date, the company remained quiet about the protest of the people. They wrote a letter, demanding adequate compensation of those whose properties have been destroyed. Not even local and national political leaders have bothered to show interest in the complaints. *Ngala-2*, one of the company's oil wells, is a sacred site, now desecrated. Following series of complaint or pressure and rising awareness of oil and gas production problems, few locals may have been cornered. Some have been paid what a number of community people see as peanuts ---ranging from 7,000 to 9,000 Ugandan Shillings each as compensation. *Ngala* is the name of a "fish" specie in Bunyoro native language. With an oil well sited right there, the risk of extinction of that fish is certain. It follows that fishing plays a significant role in the traditional political economy of the people. The people have maintained strong cultural attachment to that occupation as a major source of livelihood. That culture should be preserved for the longer term interest of the people.

The risk posed is crucial in analysis of issues for which reason they have received several trainings during the period under review. It also means, as an oil well, *Ngala-2* can make the fishing occupation completely untenable for fisherfolks within the Rift Valley communities. Tullow has abandoned it recently, perhaps because of the issues of cost and pressure by locals who have series of advocacy songs, poems and plays, talking about the danger of these *Ngasa* wells to their lives, health, lake Albert, the fishing industry and climate change. Fish in the area have either been killed or scared away by intense seismic, exploratory, and related activities in the company's preparation for production. Fishing nets belonging to fisherfolks were destroyed, suggesting an impact on their means of economic survival and loss of livelihoods.³³

Regarding the development goal of ensuring extraction and use of energy happen in a way that benefit the poor and within nature's limit, There has been substantial positive result or progress from community mobilisation, advocacy and capacity building work by NAPE in the Rift Valley communities of Uganda. Communities in the Bunyoro Kingdom area, where there are three active oil blocs being drilled by Tullow, Total and China National Offshore Oil Company (CYNOC), petitioned oil companies to the Parliament and the President over fears of environmental consequences of operations of these companies. When compared with baseline information, awareness of the real implications of the oil industry for the survival of these communities is rising. They are concerned about how the industry will benefit the poor and the environment, especially regarding how it affects Lake Alberta, which they depend on for fish and livelihood.

Host communities to oil refinery—Seek involvement in EIA processes of government and the oil companies. The oil companies started off without EIA amidst lack of awareness and education, on the part of the host communities. Prior, these communities were unable to demand participation in EIA processes. Increasing level of awareness, and as more oil

³³ Asoman K.Musimenta, (community leader--Kaiso-Tonya) participated in focus group discussion May 12,2014, Hoima, Uganda.

development work continues, the communities in the Rift Valley are now in a better position to demand EIA reports by developers. They are also able to follow up such demands.

Oilwatch Uganda's Sustainability School,³⁴ tree planting project, campaigns for improvement in compensation, increased community environmental awareness, and interest of community leaders in the sustainability of the network are key areas of achievement in relation to environmental impact assessment, capacity of locals to challenge oil companies and government, access to information and willingness of oil companies and government to protect the environment and livelihoods from oil and gas development. Other achievements include Tullow and Uganda government abandoning the Early Production Scheme between 2010 and 2012 that involved putting up a 30,000 barrels a day mini oil refinery in Kabwoya wildlife reserve and then abandoning further development of Ngasa 2 oil well, sunk around 30kilometres deep into Lake Albert and the National Environment Management Authority commissioning a Strategic Environmental Impact Assessment for the biodiversity rich Albertine oil rift. Finally, before 2012, the government of Uganda was drilling oil using an outdated petroleum legislation of 1985. NAPE contributed to the emergence new petroleum laws in 2013 and 2014. These include:

- Petroleum Exploration, Development, and Production Law, also known as the Upstream law, tabled to Parliament on February 8 2012 and through series of engagements with parliament, passed into law in November 2013.
- Petroleum Refining, Gas Processing, Conversion, Transportation and Storage law, also known as the Middle stream law that was tabled to parliament on Tuesday February 15 2012 and passed into law in December 2013.
- Public Finance Bill in which the Petroleum Revenue Management legislation is embedded. This is awaiting passing by the President. Oilwatch in Uganda, for the most part of 2012 and 2013 engaged and lobbied the Ugandan government to put these laws in place.

7.9. Ghana

Oilwatch Ghana made substantial progress in the area of campaigns against impact of oil and gas-producing activities of companies on fisheries. The fishery subsector retains about 10 percent of that country's employed population. Artisanal fisherfolks alone produce at least 70 percent of fish stock in Ghana. Semi and industrial fishing populations occupy lesser percentages.³⁵ This means that in the event of frequent oil pollution of the water by oil company activities, fisherfolks will suffer severely. The risk of unemployment among local

³⁴ The Sustainability School is targeted at villagers to empower them with knowledge about the environment, impact of fossil fuel and skills for responding to those impacts. It is aimed at providing them with skills and knowledge for effective engagement with oil companies and government on issues of impact on the environment and livelihoods. It is a school without normal or conventional classrooms.

³⁵ Interview with Head of Ghana's National Fisheries Commission, Miss Matilda Quist May 14, 2014.

fishing populations who depend on fishing for livelihoods is high. The bulk of these populations dwell in the coastal communities or shorelines of the Atlantic Ocean, Volta Lake and other rivers. According to the head of Ghana's Marine Fisheries Department of the National Fisheries Ministry, Miss Matilda Quist, "Oilwatch Ghana is working with us to see that oil and gas do not impact negatively on fisheries."

Recently, unconfirmed number of quails died in the Western region, where oil is being developed. "We do not have the capacity to investigate the cause of those deaths, Oilwatch Ghana called on the government to do the investigation in order to identify the cause of the deaths and prevent future occurrence. People attributed the deaths to the activities of oil companies offshore."³⁶ Oilwatch Ghana, in 2013 organised a conference on oil and gas policy in that country. The Minister in charge of fisheries attended. Following that conference a ministerial committee was created to assess possible impact of oil and gas production on fisheries. Oilwatch Ghana is part of this task force.

Following this campaign and those of broader civil society forums, the Ghana Parliament, in 2010, passed a law giving civil society an oversight role to ensure compliance with legal provisions in the petroleum (revenue) management Act. OWG serves in the Steering Committee of this platform. The law identifies as (Committee on Public Interest and Accountability Committee. Serving on this committee provides OWG with an opportunity to engage the national government and oil and gas companies on key issues of protection of environment and livelihoods. The organization will seek to influence development of specific policy framework to ensure protection of fisheries from oil and gas pollution.

There has been visible collaboration between OWG and relevant government agencies in tackling impacts of the industry on local communities and environment. Apart from the National Fisheries Commission, the evaluator visited the national Environmental Protection Agency (EPA) and Ministry of Agriculture. In addition, the World Bank, which plays a very important role in the development of oil and gas in Ghana, acknowledged the cordial relation and collaboration with OWG.

As earlier noted, the World Bank's support for Ghana's EPA is instructive. It is intended to boost EPA's capacity to respond to environmental challenges associated with the development of oil and gas.³⁷ The World Bank is a key stakeholder in the development of oil and gas in Ghana. Staff members of the EPA feel well equipped, having benefited from contributions made by the World Bank. The organisation is expected to play an important role in regulating activities of key actors in the sector. In other words, the active involvement of the World Bank in the development of Ghana's oil economy means that it is an important

³⁶ Ibid.

³⁷ Interview with World Bank Environment Specialist in charge of Liberia, Ghana and Sierre Leone, Moses Duphey on May 14, 2014 in Accra.

stakeholder in the industry. The bank supports civil society platforms, which Oilwatch Ghana is actively associated with.

Oilwatch Ghana, during the period under review, took advantage of this involvement of the World Bank in the development of the oil industry by initiating a process of engaging the bank on key issues of protection of the environment. According to Duphey, “Oilwatch is an active player in the oil industry here.”³⁸ Acknowledging OWG as its partner, means that a multilateral angle to the work of the network can be pursued. It needs to explore the likely environmental policy implication of a fully developed relationship with the bank. Oilwatch Africa can explore the likelihood of influencing national policy through the bank. This will require proper ideologically -driven analysis in order to identify areas of intervention.

Locals in communities affected by oil and gas production are concerned about the sustainability of the network after 2016. This was displayed during the conference on fossil fuel energy and conflict in Africa, which preceded the AGM in Accra. Focus group discussions in the Volta and Aburi reinforced it.

7.10. Nigeria

ERA is the host secretariat of the network. It coordinates its activities and provides leadership in the interest of the network and programme. Focus group discussions with local community leaders in Bodo, Goi (Rivers State), Ikarama and Calaba (Bayelsa State), interviews with staff members of ERA in Lagos, Port Harcourt and Benin, and review of reports written by ERA, revealed interesting developments. An alliance between Oilwatch Nigeria (Environmental Rights Action) and local communities affected by activities of oil and gas producing companies has long developed. During the period under review, apart from the result of increased competence of locals, expansion of alliance of OW Nigeria and local communities to challenge oil companies and government led to more involvement of locals in Joint Investigative Visits, sloping of gas flaring stopcock and increased environmental awareness of locals’ competence for environmental monitoring and reporting.

ERA’s work fits quite well into OWA strategies and goals. The strategy of building alliances with local communities affected by fossil fuel energy production activities which ERA originally developed outside the OWA programme has been reinforced. We can first, see the changes resulting from the implementation the programme in Nigeria in terms of how it is helping ERA achieve its own vision and objectives. In other words, it has helped improved services provided by ERA. Second, value for money is vivid when it comes to looking at whether the alliance built, result and impact has actually served the cause of resisting environmental injustice.

³⁸ Ibid.

According to the organisation's current director, "OWA has actually furthered the work of ERA. This organisation utilised the opportunity provided by OWA to push forward its original vision."³⁹ ERA's vision therefore is easily and closely aligns with the logic of OWA.

The development goal of ensuring energy production and use happen in ways that do not hurt the poor and nature is as much a core value and vision upheld by ERA. One key achievement from the implementation of the programme in Nigeria is capacity for analysis in the context of this vision by locals. Increased analytical power among locals result from trainings and exchanges orchestrated by Oilwatch Nigeria and forms a major component of their resistance against oil and gas related human rights abuses. There are a couple of areas in which local capacity resulting from the alliance has brought changes. Already, some have been mentioned. Nothing is as valuable as the fact that locals have progressively become strengthened to make demands on industry operators and government agencies to protect the environment and livelihoods. This development has improved even further in the last three years. Being able to analyse a problem is important for identifying how to address it.

"Since ERA came here, and started educating us on what we are supposed to do whenever oil is spilled, we have learnt how to respond to these problems on our own,"⁴⁰ was how paramount ruler Chief Roman Joe Oriekali of Calaba explained the role of ERA in his community. Oil spill was a major threat to the people. It occurred nearly every week before Oilwatch Nigeria started working with them.

In a similar vein, Youth President Oburo Samuel of the community, argued, "we did not know how to respond to oil spills. But after attending several seminars organised by ERA, we have come to realise that we have rights. We now participate in Joint Investigative Visits."⁴¹ Nigeria's law establishing the National Oil Spill Detection and Inspection Agency (NOSDRIA) specifies the role affected local communities must play in the event of oil spill and investigation/ Concerned oil companies, continued to undermine this role. They remained indisposed to having communities participate in the process. ERAs work in Calaba through environmental education has empowered the community to put pressure on relevant government agencies and oil companies for inclusion in investigative visits. As a result, both oil companies and government agencies are beginning to change. In short, since 2012, these communities have participated more than ever before.

From the foregoing, local communities now play a crucial role during Joint Investigative Visits (JIV), as clearly specified in the National Oil Detection and Inspection Agency Act. Up till last year, the story was basically the same -- regular exclusion of communities. Government and oil companies rarely invited communities to play their role. However imperfectly done, JIVs can serve a conflict management strategy as well as provide

³⁹ FGD, May 25, 2014 in Benin City, Nigeria, with key ERA staff as participants.

⁴⁰ FGD, May 23, 2014 in Calaba, Yenagoa Local Government Area of Bayelsa State. Ten community leaders participated.

⁴¹ Ibid.

stakeholders with opportunities for direct involvement in the assessment of oil spills and impact.

For example, participation of Calaba community in JIVs has not only improved their sense of aversion to oil spill free production in the sector, they have sort of begun to feel a sense of inclusion that would result in asking further questions about how the companies can permanently prevent pollution. That has not been the case prior.

This year alone, Oilwatch Nigeria has organised four training workshops to empower communities with skills of how to engage oil companies and handle issues of pollution and compensation. Specifically, they were trained in monitoring, reporting and participation in JIVs. It has done so more effectively. Regarding one of the training programmes--- March 2014 in Yenegoa---which Chief Roman attended, he says “the training opened my eyes to know how to calculate and record volume of oil spill whenever it occurs. Now, my reporting will be much better.”⁴²

Based on the skill or knowledge acquired, Roman was able to look at a recent JIV report on a spill that occurred March 5, 2014 in that community. He pointed out lapses in the report and raised questions about spurious claims made by the oil company in question (Agip). For example, the company’s version of the story regarding when the spill actually occurred is April 5, 2014. This was actually the day officials of the company first visited the spill site. The community insisted the spill occurred before the visit. Arguing this out by the community demanded an effort from the vantage point of knowledge, previously lacking.

Signing JIV report, as well as ensuring its integrity and transparency, requires knowledge capacity. Instructively, it took the company 13 days to visit the site after the spill. ERA was there two days after it was reported. According to one community Surveillance contractor to Agip, “I reported the spill to Agip a day after it started, but the company did not come until April 5 for clamping”.⁴³ In other words, the spill was reported officially on March 6. The question of why it took the company 13 days to visit the site for initial assessment of extent of damage remains unanswered.

One participant in the focus group discussion held in the community argued thus, “before now our condition was worst. The oil companies would leave spills unattended for years. Since we identified with ERA, we are able to expose oil spills early to the wider world. No spill has been left unattended permanently. ERA has created awareness in my community. We now know our environmental rights.”⁴⁴ For example, there was an oil spill on June 12, 2013. The community reported to ERA. ERA in turn exposed it to the wider Nigerian society--to the government through massive media reporting. Agip, the company in question,

⁴² Ibid.

⁴³ Joel M. Joel, FGD in Calaba, May 23, 2014.

⁴⁴ Ibid.

responded by visiting the site to clamp the leaking spot of the oil pipeline. It followed this with a clean up.

Courage to challenge Agip and Shell, which own several oil wells in the community, was rare before Oilwatch Nigeria entered this community. The leadership led a protest to the government of Bayelsa State early this year (precisely on February 10) to demand justice for the murder of two youths from the community in a fragmentary conflict with a neighbouring community, Ayamabele. The crisis first broke out in 2008 over oil-related land dispute. A court judgement in 2004 however says the land in question belongs to three communities – Calaba, Ayamabele and Akugboni. Godgift Atama was killed on December 7, 2013. Kandi Okpo was killed on December 17, 2008. These were victims of that dispute. They were murdered coldblooded.

7.11. Nonviolence

As the above discussion indicates, by using the option of protest and advocacy for seeking justice, the community was avoiding the option of violence and *jungle justice*. This too has been attributed to the trainings the community has received on how to engage the government and oil companies when it comes to addressing oil-related issues. The government, through the Speaker of the Bayelsa State House of Assembly, who addressed the protesters promised to look into the matter immediately.

7.12. Changes in Bayelsa State

Agip and Shell, two oil companies operating in Calaba, view the community as a mere pipeline community with marginal stake. The community, however, is more informed about the wicked nature of oil pollution and consequences of land grab in a swampy environment like theirs. The risk of violent conflict among the surrounding villages over land on which pipelines pass is most notably crucial. Four major oil spills have occurred this year alone. The result includes widespread damage to the ecosystem. Community members understand the pervasive and extensive nature of oil pollution despite not being an immediate host to the companies. Their good analyses of oil and pollution follow scientific logic difficult for the oil companies to undermine or ignore.

Changes from alliances between Oilwatch Nigeria, local communities, and journalist are extensive. They have challenged both oil companies and government agencies in the Niger Delta and Northern Nigeria. This alliance is seen in the scope of work undertaken and local partnership secured in the last three years: Capacity building workshops and training, Host Community Network, Monitoring, and annual National Environmental Conference. Local communities and journalists constitute the pillar of ERA's work on whether such alliance has developed. Most important, is the question of whether this alliance is growing or has expanded in the last three years in the case of Nigeria. At the AGM of the network, decision on expanding HoCon was taken. With expected additional communities in the couple of years remaining in the original five-year plan, partners will have to; at once look for more funds to take care of the additional work, which the expansion implies.

7.13. Local Communities

The situation at the beginning of 2012 (Baseline) was negative regarding key indicators of whether communities and ERA have successfully challenged oil companies and government over gas flaring, environmental impact assessment, and capacity for enforcement of relevant rules, baseline is mainly negative. Gas flaring has significantly reduced in some oil producing communities.

The 2013 annual report by ERA suggests that all the communities involved in the OWA programme in the continent participate in EIA. This claim is not true in most of the communities visited by the evaluators. In short, when it comes to EIAs, only little can be said as success. Access to reports by communities is often complex and flawed.

Overall, gas flaring in Nigeria has reduced from 30 to 10 percent in the last three years.⁴⁵ It might as well be very easy to say that Oilwatch Nigeria made extensive contribution towards this reduction through campaigns and resistance with local communities.

7.14. Community power

Community-based-groups are reliable for resisting change. Once secured through productive partnership, training, education and mobilisation of local communities OWA can make it a cornerstone of advocacy work. There are prospects of raising a non-violent environmental army of locals with capacity to challenge the rising influence of fossil fuel if ERA and the Steering Committee develop a common curriculum for training of locals.⁴⁶ An Africa wide coalition movement against fossil fuel, which has been scientifically proven to be a major contributor to climate change, is possible. This unexpected achievement makes a lot of sense when situated within the common notion that civil society coalitions or movements do not endure long enough. Many believe current environmentally insensitive labour movement across Africa is incapable of driving change in society. This frustration has compelled an argument that sees environmental groups as having the capability to fill that gap.⁴⁷

7.15. Alternative Energy Movement

Naturvernforbundet's OWA programme might, among others, serve an important environmental and alternative energy movement- building function in Africa. From this comes a lesson in relevance and strengthening the work of OWA programme in an age of deepening fossil fuel energy consumption across the world.

7.16. Environmental Democracy

⁴⁵ Channels Television (2014) "Oil and Gas" 14:46pm June 16, 2014.

⁴⁶ The Steering Committee performs oversight and advisory functions in the network. It lacks executive powers and is yet to fully assume these roles. Meanwhile the key decision-making organ of the network is the AGM. Routine decisions about the network are however taken by ERA as the host secretariat.

⁴⁷ Fidelis Allen (2014) "Climate-Justice-Driven Social Movements: Alternative Development Forces or Agents of Change in Africa" Dingo Samba Sylla (ed.) *Rethinking Development*, Dakar: Rosa Luxemburg Foundation

Focus on alliance of OWA programme with affected local communities has implications for democratising management of the energy sector. The Nigeria's model, of which the strength and success of Environmental Rights Action (ERA) in the challenge of destructive activities of corporations and government in the energy sector through monitoring, reporting and empowerment of communities in EIAs serves the interest of the environment and protection of livelihoods in the rest of Africa. Making the energy sector more responsive to the needs of the environment and the poor is a task being promoted by OWA. There is need to develop the Nigerian model to serve the interest of growth of environmental democracy in the entire continent of Africa.

There are challenges that need democratic solutions within the network. While the original goals in the five-year plan articulated by Naturvernforbundet/FoE Norway remain valuable, some of them need revision. For example, the variable or output indicator of advocacy campaign on *leave the oil in the soil* has yet to be fully accepted by some locals in oil and gas producing communities. This is not linked to any failure by OWA partner activities. Rather, more time is needed for learning and *unlearning* of the myths about oil. The broader implication is far from any conclusion that the campaign is unrealistic. It only needs to align with the current reality. Despite clear signs of replication of the Nigerian experience with oil exploration and production, some of the locals in the countries where oil production is yet to fully begin are presently enmeshed in the illusion of expecting benefits from the oil economy. Although the majority OWA member organisations are of the opinion that some form of joint campaign that oil be left in the soil has taken place, in reality, this is not the case as such a campaign would have required a coordinated approach for specific activities.

7.17. Policy Advocacy

Policy work at local, national, and international level remains crucial for the realisation of the vision of Naturvernforbundet. Utilise local strength for policy work at regional and international level. For example, there is need to link local climate change policy issues with those at the regional and global level such as with ECOWAS, African Union, and the United Nations. However, not paying adequate attention to the international or regional aspect by OWA implementing partners can undermine a need to utilise their local strength for the pursuit of Naturvernforbundet's international policy aim. This is crucial for defining Naturvernforbundet's longer term profiling as an organisation with deep quest for the transformation of a world dependent on fossil fuel to one mostly dependent on alternative energy. Further, failure to give the necessary adequate attention can undermine a need for improvement in the collective voice of the network against negative impacts of fossil fuel at regional and continental levels.

7.18. Sustainability Capacity

The issue of sustainability is crucial. Now, the majority OWA programme partners lack adequate sustainability capacity. With slim prospects of security of funding beyond 2016, the programme's vulnerability imposes threats, including likely loss of some of the progress

recorded since 2012. Sustainability therefore, is crucial for a long-term positive result of saving the planet from the destructive activities of actors in the fossil fuel energy sector. It means that partners and Naturvernbundet can begin to work more intensely toward ensuring sustainability of the programme and network by looking for alternative sources of funding.

7.19. Environmental Impact Assessment

Involvement of local communities affected by oil and gas exploration and production activities of corporations in environmental impact assessment processes and joint investigative visits to oil spill sites have improved but remain mainly sluggish as both corporations and government remain key power centres, being in charge.

7.20. Environmental Monitoring and Reporting

Improvement in environmental monitoring and reporting by locals and the positive results emanating from it means these communities can be the real drivers of progressive change, when it comes to popular demand for protection of the environment from activities of corporations and government in the fossil fuel industry. This is functional to capacity development.

7.21. Alignment of Goal Hierarchy with Work of OWA Members

Goal, output, and indicators in the hierarchy of goals developed by Naturvernforbundet align with the work of the majority OWA members.

7.22. Rate of Expansion of OWA

Rate of expansion of OWA programme is satisfactory, given available resources. This expansion does not however have to depend on the Steering Committee but to some degree, on individual country partners programmes and resources. It means expansion can happen through collaboration with more communities within countries under the HoCon strategy. ERA, as the coordinating organisation needs cooperation of partners. Finally, further expansion is welcome so long as it is within the carrying capacity of network members.

7.23. Influencing International Processes

Influencing international processes in order to check harmful practices and policies of corporations and governments is a crucial part of OWA's mandate. So far, it has made considerable progress. During the period under review, OWA established contact with the Economic Community of West African States (ECOWAS). Such link was lacking prior. Meanwhile, opportunities for constructive and environmentally useful engagements exist, for example, with the African Union, SADC, ECOWAS, and multilateral institutions like the World Bank.

7.24. Varied Level of Successes

The four main countries under review recorded varied levels of successes in terms of change. For the majority key countries within the network, this was noticeable in the intensity of alliances challenging energy extractive companies and governments over oil and mining-related environmental, social, economic, livelihoods and political problems. As well, OWA made impressive progress in ensuring local participation in environmental impact assessment processes and joint investigative visits, which serve the interest of the environment and livelihoods. Now, as a matter of right, community leaders in Calaba and Ikarama can alone demand inclusion or participation in these processes whenever they feel denied. This means that they have been strengthened to challenge oil companies over oil related environmental issues and deprivations. Although this is happening to a limited extent, and with little good results, the improvement is worthy of note.

Access to information from oil companies and governments improved, though marginally. Among member organisations, the huge cost of generating information did not hinder access. Instead, sharing of information, especially on oil spill matters improved further with increased capacity of local communities under the Host Community Network strategy. For Tanzania and Uganda however, the rate of access to information from the government and oil companies seems much slower.

“Leave the oil in the soil” campaign – one of the expected output indicators in the original five-year plan-- has yet to receive wholesale acceptance as worthwhile vision and goal by locals within the network. Tough times await partner groups in the four main countries of evaluation, especially Uganda, Ghana, and Tanzania, where majority locals feel rather powerless to prefer oil remaining in the soil. The context is that of an indomitable class of politicians expecting the extractive industry, most notably, in the new or about to be oil-producing countries, to drive economic growth and lubricate the wheel of governance. Politicians and some well-placed locals, linked to oil corporations and government, especially in Uganda and Ghana, talk protection of the environment. At once, they dream of entering a new economic class of the few to benefit from the oil economy through financial compensation for land acquired or pollution caused. An all-out campaign that oil be left in the soil therefore seems not to have aligned properly with the vision of some of the partner organisations who for now see such campaigns being fruitful only if ---acceptance or endorsement by affected locals-- in cases where oil exploration and production affect reserved areas such as national parks. Changes from such campaigns are limited for now, but are expected to rise with oil corporations finding more reasons to leave certain wells unexplored on grounds of cost and pressure. Nevertheless, Oilwatch Nigeria continued to support the people of Ogoni to maintain their nearly two- decade position that the oil there remain in the soil. In Uganda, Tullow⁴⁸ recently abandoned the idea of developing three of its oil wells, including Ngala-2 in Lake Albert Rift Valley due to pressure by locals for the danger it poses to fishing and people and consideration of cost.

⁴⁸ Irish oil company Tullow Uganda Operations Pty Limited is simply referred to as Tullow in this report.

7.25. Change in Behaviour

Change in behaviour of oil companies and government has occurred, though marginally. Clean up and remediation of some oil spill damaged places ---previously left unattended for years--have taken place. More of these changes in behaviour or response to oil pollution are expected as locals in partnership with OWA apply more pressure. In the same vein, gas flaring has significantly slowed. Shell, for example, which conducted remediation in Goi River (Rivers State) this year in Nigeria, has also put out some of its previously gas flare facilities. The Goi River had been in a sorry state of severe oil pollution for close to a decade and the half. The pollution killed aquatic life and destroyed livelihoods. An alliance of locals and ERA, which intensified within the period under review contributed pressure on the company. In Calaba and Ikarama in Bayelsa State of Nigeria, Agip and Shell cleaned up and remediated some polluted sites. The companies have utilised improved technology both for clean up and remediation. Prior, the companies' contractors simply buried the sticky oil particles underground long after a spill had occurred. As of today, response by these companies to oil spill seem better than before, although remediation remains a key problem of neglect in the majority communities suffering pollution.

7.26. Expansion of HoCon

Within the period under review, the number of OWA's active and registered communities, under its Host Community Network (HoCon) strategy, involved in environmental monitoring and reporting, increased. ERA alone saw an increase from 188 (as of 2012) to 275. In the same vein, the number of OWA members increased to 18, with Togo, at the last Annual General Meeting in Aburi Ghana, officially admitted into the Steering Committee. Nigeria, Uganda and South Africa, have all along constituted the committee. The expansion is crucial for a more inclusive decision-making.

Oilwatch member organisations visited HoCon member communities within countries. ERA for example made several visits to Ogoniland. In Ghana, at least three such visits were carried out by OWG. Specifically, as earlier mentioned, OWG visited Half Asini and Atuabo in Jumorro District. It also visited Nkrofulin Elembelle District. Those visits served the purpose of strengthening communication, solidarity, and support for local struggles against the impact of fossil fuel industry.

In the same vein, in Uganda, NAPE organised exchange visits between the Albertine Rift communities. Specifically, exchange visits between Butimba and Sebagoro oil host communities resulted in the sharing of experiences between these communities. NAPE also organised visits for media journalists and legislators from the affected communities in order to document and highlight issues of environmental injustice in the Albertine Rift Valley. As part of this exchange visit, OWA secretariat visited Ghana and South Africa in 2013. HoCon member communities were invited to meetings within countries organised to build their capacity and provide opportunities for them to share experiences and ideas. NAPE's HoCon framework serves an important platform for promotion local community participation in

public decision-making in the oil and gas industry. NAPE has built a network with the following as members: Educate Uganda Hoima; Hoima Environment; Kidoma Conservation Development Association; Community Level Environmental Awareness Network; Buliisa Catholic Women Association; Sebigoro Conservation Group; Buliisa Initiative for Rural Development; Lake Albert Children and Women Development Organisation and Human Rights Voice. Others are Buliisa Youths Environmental Group; Voice of Elderly People; Kaiso Tonya Environmental Group, to mention but a few.

In South Africa, an exchange visit of national and international groups to Karoo is being planned for this year by groundWork after facilitating a fact-finding mission to South Africa on the issue of oil fracking in which environmental groups from Europe participated last year. Further, groundWork organised a field trip to Witbank. It used the opportunity to hold a townhall meeting, with groups including HoCon communities as participants to share experiences and ideas on the impact of fossil fuel energy development on locals. Specifically, this visit afforded OWA an opportunity to strengthen its understanding of the nature of peoples' struggle against the impact of coal mining on livelihoods and environment. Within the period under review, groundWork also organised and participated in a Peoples' Climate Camp and Global Climate Day of Action in Durban with groups in that city, Eshowe, Vaal and Highveld as participants. These meetings were particularly significant, especially for the Durban HoCon communities who are currently under threat of eviction due to a port expansion project by the government.

For the expansion of HoCon, groundWork organised a workshop in Newcastle, KwaZulu-Natal on environmental justice and BRICS just before the March BRICS Summit of last year. This was beside the teleconference in August and December of that year in which members of the coalition against fracking participated to discuss policies such as the Mineral Resources Petroleum Development.

In the same vein, trainings in environmental monitoring held for HoCon members in Ghana and Nigeria last year. In Ghana held in April with participants drawn from four HoCon communities. The training focused on land grabs by oil and mining companies and impact on livelihoods, fisheries in host communities

HoCon member community leaders were equally trained in EIA processes or procedures in Uganda, particular in the development of oil refineries, coal mining, and oil pipeline. NAPE has trained oil and gas exploration host communities on their land rights and their impacts on livelihoods and environment. In addition training in EIAs on oil pipelines has been a crucial component.

The formulation and implementation of new laws intended to further regulate activities of civil society groups by the national governments in Uganda and South Africa means these governments are determined to intensify their resistance against environmental groups in the years ahead when it comes to fossil fuel energy development and economic growth. It also means their unwillingness to respond accordingly to demands for environmental

accountability by these groups. This is a challenge that OWA member organizations will have to face squarely.

7.28. *Future of OWA*

- OWA member organisation's limited sustainability capacity put seriously at risk sustainability of the network in a post-2016 era if Naturvernforbundet and partner organisations do not devise an approach to start looking for more funding opportunities to deal with the threat. Inadequate funding is a limiting factor for member organisations. The idea of funding projects without making provision for implementing officers slows progress and result in narrow achievements, especially for countries with vast amount of work.
- Mobilising and supporting communities to effectively challenge Africa's fossil -fuel-related environmental, social, economic, climate and political problems is a long process if it has to be done democratically. It therefore requires the presence of dedicated staff to work with communities.
- Extraction of fossil fuel from Africa will be more intense in the years ahead. This will further jeopardise the climate. Local resistance should therefore not be viewed from a local perspective alone. The global perspective is needed. OWA network can play more ideological role within a well-articulated global perspective.
- Governments across Africa will find more ways of restricting opposition to fossil fuel development as the world deepens its reliance on it for energy. So far, response to the grievances by governments and big industry have only been marginal and merely to manage resistance. It is not based on any comprehensive plan to look elsewhere for alternative energy sources.
- Resisting fossil fuel by local communities is challenging and difficult in an atmosphere of poverty. It needs professional and technical competence. As well, it is a long term process. OWA needs a professional legal team for an improved response culture to environmental impact assessment issues.
- Transition from a completely fossil-fuel-driven energy world to one characterised by alternative energy is possible, provided the idea or its discourse is sustained with enough material and human resources.
- OWA needs solidarity from the rest of the global civil society in resistance against destructive fossil fuel. At one level, it needs to support communities in the whole of Africa.
- It is possible for civil society organisations to initiate and maintain regional or continental joint campaigns against destructive extractive industry policies and practices.

- Monitoring of achievements through documentation is not directly covered in the project budget. It can however be covered with the budget line for “Project Administration.”
- There are implementation and administrative gaps that need to be fixed. For example, some members within the four core countries of evaluation complained of over-centralisation of powers of the Steering Committee. It is however very important to avoid splitting the network into regions on mere perception of over-centralisation. It can only be counterproductive in the sense that it will defeat the aspiration of having a united OWA network needed for resistance against fossil fuel in Africa. It will work against the principle of unity, intensely revered by members. Besides, the bond of trust, which needs to be strengthened through the unified approach, is a resource for success in checking the excesses of the fossil fuel industry, which should not be lost. ERA, instead, has to strengthen its coordination influence to reduce complaints and increase satisfaction of member organisations. One area of gap, which needs to be addressed, is regular visit by ERA to member country organisations; regular update on the state of the network and joint campaign programmes beyond the annual general meeting of partners.
- Conflict management is not one of the indicators of the variables or goals in the original five-year plan by Naturvernforbundet. The programme is however inherently conflictive. Operation of the industry and challenging it and government is conflictive. The Lake Albert Rift Valley communities share the lake with other countries including the Democratic Republic of Congo (DRC). DRC is just 30 kilometres away. The risk of oil induced conflict is high in the Rift Valley. The Lake, where some oil fields are being drilled remains a fishing zone shared between Ugandan and DRC fishing populations. In the event of oil pollution, those from DRC might view it as an infringement on their rights to livelihood. It follows that oil and gas related environmental problems in Uganda are capable of igniting violent international conflict. A conflict prevention component of OWA programme can be promoted.
- Within the network, conflict between partner organisations can be resolved in AGMs and consultation, as observed in the last AGM in Ghana.

7.29. Implications for the OWA Network and Programme

Both stand in a position of influence over policy and behaviour of actors in the fossil fuel industry from an African perspective. Given extant weakness slowness of multilateral institutions to tackle problems that the industry creates in light of a threatening climate change, the network and programme have potential to grow into a stronger civil society platform, needed as alternative platform in the quest for workable solutions to problems associated with the development energy that relies on fossil fuel.

The network provides the social capital needed for continuous improvement in the achievement of the goals in the five-year plan of the programme. Social capital endowed local communities which network member organisations closely work with as a matter of strategy, remains crucial, in the final analysis, for continent-wide collective action against negative impact of the industry.

Notwithstanding the challenges, one advantage of the programme is, it is helping to build up awareness on ecological, social, and economic programmes associated with the industry to the grassroots through sharing of information and mobilisation of rural folks.

On the other hand, the network, which serves as the implementation organ, has potential to become truly Pan-African coordinated response to challenges posed by the industry.

Regarding the relationship between Oilwatch Africa and Friends of the Earth, memberships of both organisations mostly coincide. As they derive several mutual benefits, this relationship is a resource and not liability. Therefore, the relationship should be strengthened for improved mutual support in the struggle for a safer earth.

One important advantage of the network is the fact that the communities it collaborates with have used the platform to resist destructive extractive activities. It is also serving as an additional platform for mobilisation and strengthening of local capacities. Local communities now have competence to monitor and report environmental issues. The network helps provide insight into the challenges faced by member organisations.

Regarding the value of the programme itself, policy inputs are now being better articulated at local and national fronts. In addition, fossil fuel related environmental problems are helping feed discourse on climate change. At least fifteen communities and community-based organizations in three countries have articulated policy demands to local or national authorities.

Most of the members of the network are also members of Friends of the Earth. This is not a disadvantage. Rather both have stood with each other on common issues of mutual interests.

7.30. Analyses

The growing alliance of OWA partner organisations and local communities is not only increasing environmental consciousness and awareness among locals; it is helping them take ownership of responsibility to maintain an attitude of regular check and challenging of practices and policies that put at risk nature and livelihoods. This is as crucial as the results, for assessing possible changes from the implementation of the programme, in relation to outcome, outputs, and indicators in the original five-year plan.

Within the core four countries under review, the changes taking place vary and in some cases minimal and unexpected. So far, the programme can be said to have made steady progress since 2012 in specific areas, which the discussion on country-by-country-basis has further unfolded.

There has been significant improvement in the area of putting an end to gas flaring. The government in Nigeria, for example, has amplified its gas reinjection or utilisation for the provision of electricity. This has meant less gas flaring through gas utilisation projects. Oil companies responded better to oil spills. Improvement in the involvement of affected local communities in Joint Inspection Visits and environmental impact assessment were considerable but show marked differences from the situation prior. The alliance' most visible success is seen, not necessarily in the willingness or commitment of industry actors--corporations and governmental leaders-- to protect the environment and livelihoods. It is seen in the expansion of the alliance in the majority OWA partner countries and upgrade in capacity of communities to demand rights.

8.1. Conclusion: Recommendations

The report concludes with recommendations for the improvement relevance, efficiency, effectiveness, impact, and sustainability of the programme.

- Increased funding is needed to strengthen existing work.
- Promote exchanges among member organisations as a way to improve learning and growth within the OWA programme.
- OWA network members without resources for effective mobilisation of communities affected by fossil fuel energy extraction activities and use should be assisted to reach out better. This could be achieved through regular joint activities at national, regional, and global levels.
- Strengthen collective advocacy at regional and international fronts by encouraging joint campaigns and declarations. National partner organisations with capacity can be encouraged to lead this process by engaging more with energy issues globally.
- OWA needs solidarity from similar groups in their resistance against fossil fuel energy related issues in parts of Africa.
- Support new members like LEAT to be more effective. Tanzania remains a fertile ground for engagements with government and oil and gas companies.
- OWA Secretariat should ensure early completion of annual reports, as well as yearly detailed plans for specific countries. This will be important for Naturvernforbundet to plan its own work.
- OWA Secretariat can publish a quarterly newsletter to highlight activities of member organisations of the network and for sharing relevant information.
- Focus more on policy advocacy at national, regional and international levels. Partner organisations should proceed from the national to the regional before international.

- Naturvernforbundet needs to understand that the goal of *leave the oil in the soil campaign* is well-received by partners. But it is not so with some of the locals and political leaders who see the oil industry as goldmine and driver of economic growth, especially for countries like Tanzania, Uganda and Ghana hoping to become big-time exporters of the product. However, there is no reason for despair. The development of the oil economy in these countries finally will mean increased environmental, social, political and climate problems, which will in turn lead to greater predisposition of the majority affected communities to the logic of that campaign. Patience is therefore needed for this transition.
- Provide grants for human capacity building of journalists in order to further boost professional reporting of oil related environmental problems. The success of partnership with media in Nigeria suggests a need to strengthen the strategy.
- Provide incentives by way of award to outstanding women working to oppose fossil fuel related environmental problems. ERA's success story with a yearly award to environmental activists during its annual Nigerian Environmental Council is worth imitating. The high motivation among women in local communities, which this award engenders, remains hugely inspiring.
- Encourage country partners to work towards creating advocacy committees in communities affected by oil and gas production to boost faster migration into policy *community*.