

**TOPIC: Experiences of Ghana CSOs in the Social and Environmental impact Assessments, organising community level monitoring and engagements with Tullow Oil Company.**

**At**

**Civil Society Advocacy Workshop on Oil Governance  
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**By**

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# Presentation Outline

- Ghana EIA Process
  - History and background.
  - Issues with the EIA Process.
  - The Legal Environment on natural resources.
  - Oil and *THE* Environmental issues
- Organising community level monitoring and engagements with Oil Company.
- Grassroots Mobilization and groups formation.
  - Networking and information sharing, capacity strengthening and advocacy
- Engagement with oil companies and Achievements

# Ghana EIA Process

- Environmental Assessment in Ghana traced back to 1974 with the establishment of Environmental Protection Council (EPC).
- In June 1989 EPC published a guidelines for EIA (the first official attempt to establish EIA).

The EPA Act 490 (Dec 1994) provided the final formal support for EIA.

- **Section 2 of Act 490** : EPA is *“to ensure compliance with any laid down environmental impact assessment procedures in the planning and execution of developmental projects...”*

# Ghana EIA Process

EPA Act 490 (Dec 1994).

- **Part 11 Enforcement and Control. section 12:** *“the Agency may by noticed in writing require any person responsible for any undertaking which in the opinion of the Agency has or is likely to have adverse effect on the environment to **submit to the agency** in respect of the undertaking an **environmental impact assessment** containing such information within such period as shall be specified in the notice”.*

# Issues with the EIA Process

- Projects Proponents prepare the EIA and submit to EPA for review. So sometimes
  - Baseline is limited and does not capture all the necessary background information –Inadequate social, environmental and livelihoods assessment(no FIA for offshore oil).
  - Impacts of the project is downplayed. (low impacts, medium impacts, etc).
  - Assessment of the Impacts (low rated significance, etc).
  - Inadequate Mitigation options (does not adequately address most socio-economic and environmental issues).
  - Poor consultation (the law does not define consultative process)

# Issues with the EIA Process

- Inadequate Environmental Monitoring
  - The regulatory agencies and other stakeholders do not strictly monitor companies. (lack of logistics, low staff capacity, lack of political will, etc).
- Poor implementation and monitoring of Mitigation Measures. (mitigation measures stated in the EIS are poorly implemented and does not address the basic issues)
- Replacing CSR projects for Mitigation Measures. (when mitigations measure don't work companies Implement CSR as an apology) –employment of fisheries liaison officers..



## Some CSR project of Tullow Oil



# Oil and “*THE*” Environmental Issues

- Ghana (CSOs, government, etc) has done well on the revenue side but is not doing well on **environment and livelihood side**.
- Ghana is yet to pass pollution laws on oil & gas.
- Existing contracts are **very weak** on environmental protection (*certain clauses in oil contract implies if communities are unable to prove that companies spilt oil irresponsibly then they may not pay. Other clauses imply Ghana has to pay for the pollution*)



# Waste oil pollutes Axim coastline

Story: Moses Dotsey Aklorbortu, Axim

A LONG stretch of the coastline at Axim in the Western Region has been inundated with heavy oil spillage, known as tar balls, as a result of the increase in vessel traffic in the country's waters.

The substance is not the country's sweet crude currently being produced offshore at the Jubilee Fields but heavy waste oil from vessels that supposedly visit the country's

ports for commercial or supply services.

At the moment, the Ghana Maritime Authority (GMA) is yet to identify the particular vessels that continuously discharge the waste oil into the country's waters.

The inhabitants of three communities in the Axim municipality — Amanfukumam, Akyinim and Brawire — who are mainly fishermen cannot use their beaches as a result of the situation.

However, the Western Regional Manager of Zoomlion, Mr Gershon Sogbey, and a team from the Eco Brigade have moved in to

clean portions of the beach to enable the fishermen and the community to use it.

Mr Sogbey told the *Daily Graphic* that the team had managed to clean most of the affected areas, especially the place the fisher folk could use for their trade.

He said his outfit was very vigilant and proactive and would ensure that the affected areas were cleared in order not to affect the activities of fishermen.

When contacted, officials of the Environmental Protection Agency said they had visited the area and taken samples of the substance for examination.

# Fishermen urged to stay off Jubilee Field

Story: Moses Dotsey Aklorbortu, Sekondi

CANOE fishermen have been asked to stay off the Jubilee Field, as the deep water gas project to pipe the country's natural gas to the shore begins.

Officials of the Ghana Navy and the Ghana National Petroleum Corporation (GNPC) have warned that canoes that disregard the rules and operate around the Jubilee Field will be dealt with according to law.

The Ghana Navy said it would not bend the rules for any group of fishermen, considering the danger of intrusion posed to the lives of people working on the FPSO *name Nkrumah*, the *Apache II*, *Errik Raude* and other vessels loading and carrying out other important national assignments

Speaking to the *Daily Graphic*, Commodore Timothy S. Appiah, the Commanding Officer of the Western Naval Command, said the activities of the fishermen constituted one of the biggest problems that security personnel had to deal with at the Jubilee Field, which was about 70 nautical miles away and which, until now, was not a fishing area.

He said after production commenced at the Jubilee Field, some recalcitrant fishermen continued to risk their lives and the multi-billion investment offshore by fishing close to the production platform.

"As we have the much-awaited gas project taking off, I would like to ask my brothers in the fishing industry to stay off. We are now heavily represented in the area and will not tolerate their intrusion but

shore operations must not be taken for granted, saying, "The current at 70 nautical miles is very high and in the process of wrapping their nets around the fish the current may pull the nets to the legs of the rig's propellers."

Commodore Appiah said there had been instances when many canoes and nets had been dragged under and the Navy and other service providers had had to rescue the fishermen.

For his part, Mr Victor Sunu-Atta, who is in charge of the gas project at the GNPC, said the Navy would be at hand to ensure that projections for the gas project were met.

He said the gas industry held huge prospects for the country because "in the gas industry every waste generated is a useful or raw material for another product and, therefore, it is our hope and prayer that we will deliver the gas to the shore with less intrusion from our brothers in the fishing industry".

Mr Sunu-Atta said while the offshore project kicked off, other preparations going on onshore





About **8** Whales have dead in 2year from late 2009 to 2011







Picture: Courtesy TAKORADI POLYTECHNIC

## Humpback whale capsizes canoe

A GROUP of fishermen from Takoradi in the early hours of last Saturday dragged a big fish suspected to be a humpback whale to the Takoradi Fishing Harbour in the Western Region.

According to the fishermen, the size of the humpback whale could not be immediately determined but could be compared to the length of a normal canoe and the width

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## Summary of Oil Impacts on Environment and Livelihoods

Obstruction to fishing.	<p>Two (2) major accidents have been recorded in 2007 and 2008 between oil supply vessel and fishing vessel resulting in the death of about six (6) fishermen and the destruction of their fishing gears. The fishermen and their families were not adequately compensated for the lost and adequate mitigation measures have not been instituted to avoid future occurrence.</p> <p>Each day more fishing gears are being destroyed by oil supply vessels., search vessels and the oil vessels</p>
Lost of fishing grounds	<p>Fishermen are losing fishing grounds due to the presence of the FPSO and several oil rigs in shallow and offshore water; this is expected to worsen with new discoveries of oil.</p>
Militarization of the oil zone.	<p>There has been increasing military actions in the offshore oil zone with serious harassment of fishermen, including physical assaults, seizure of outboard motors and arrest and detention. This has gone on without effective dialogue with the fishermen.</p>
Oil related Land grabbing & high rent in host communities.	<p>There is land grabbing in coastal communities for onshore facilities related to the oil. Affecting fish landing sites and reduced diversification options for fishers as many farm lands have been grabbed.</p> <p>Local Rents and cost of land have gone up to more than 3x since 2008 when activity intensified.</p>

## Summary of Oil Impacts on Environment and Livelihoods

<p>Oil related Marine pollution</p>	<p>There has been several oil related marine pollution affecting the marine biodiversity and hence the fishing livelihoods; such reported pollution include:</p> <ul style="list-style-type: none"><li>• Mud spilling by Kosmos energy resulted in the killing of several fishes.</li><li>• Continues irresponsible ballast water pollution resulting in TAR Balls pollution in host districts.</li><li>• Oil leakage by GOIL at New Takoradi beach in 2010, resulting beach pollution and killing of several fishes.</li><li>• Irresponsible discharge of toxic mud by a Nigerian vessel (spirit) near Ngyeresia in 2011 resulting in the pollution of the shore line area.</li><li>• Pollution of the butuah lagoon in New Takoradi.</li><li>• Dying of whales about (8) dead in two years from late 2009 to 2011.</li><li>• Oil pollution in Ahanta west district (Nov 2011)</li></ul>
<p>Inadequate mitigation measures</p>	<p>Some of the mitigation measures proposed in the EIS for the jubilee fields for the protection of fishers have not been implemented. For instance, the EIS prescribes the employment of fisheries liaison officers among others to communicate and maintain dialogue between oil partners and fishers. This has not been implemented till date, leaving fishermen with limited communication channels with the oil companies.</p>

# What makes Oil News







Picture of Some fishermen fishing close to the offshore oil rigs, Already in Ghana fishermen are fishing around the oil rigs using dynamite and their nets entangling the propellers of the rigs. Attempts to get these fishermen to stop, have not being successful because social mitigations and strategies have not been developed.





# The Legal Environment

- Ghana's constitution vest all Natural resource ( oil, gas gold, etc) in the president on behalf of Ghanaians.
  - Only few people in government are taking decisions for all.
- Even though the Ghana's constitution supports POLLUTER PAYS PRINCIPAL there is Inadequate mechanisms to enforce it.
  - *Inadequate laws for environmental protection*
  - *Weak environmental clauses in company Contracts.*
  - *Low value placed on ecological functions and services of ecosystems. (marine biodiversity, fisheries, etc).*
  - *Over emphasis on oil & Gas over other industries.*
    - *-section 11 (2) of the fisheries regulation 2010 (LI1968) -fisheries 4.5% of GDP, livelihoods for 2.3million Ghanaians, fiscal terms about \$1billion dollars annually*

## Dismissed grant students

...dismissed because they  
were found to be ineligible  
for the grant. The students  
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eligible for the grant.



MAIN PICTURE: The Nigerian vessel Spirit River, which dumped the toxic waste (inset) at Esigbo, near Sekondi.

# TOXIC CARGO CAPTURED

• Nigerian vessel involved

Story & Picture:  
Moses Dotsey  
Aklorborta, Sekondi.

A SUPPLY vessel from Nigeria, Spirit River, has been impounded in Takoradi for allegedly dumping toxic oil base mud (OBM) at Esigbo, a community near a landfill site in

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26, 2011.

NO. 18648.

PRICE: GH¢1.50



• The dead fishes at the bank of Butuah Lagoon in New Takoradi. INSET: The dead fishes in close-up.

## Toxic pollution at New Takoradi



# Organising Community level Monitoring Groups for Engagements



# **Grassroots Mobilization and Group Formation**

- Community level Groups (CEMAGs, -identifiable groups and individuals in the communities).
- Traditional level groups (PCC -11 traditional councils in the oil host districts.)
- District level groups (District Communication Forum –the six coastal district WR)
- Regional level group (Fisheries Working Group – departments/ agencies and fishing groups)

# Group Strengthening

- Vision building and engagement planning.
  - Land use planning, community development needs assessment and prioritization, (you must have the patience, time and energy –*drums instead of hospital*)
  - Interest management, trust and relationship building.
- Grooming the group leaders and structure building (leadership is key for a strong group –training, study tour, etc).
- Seeking the voice and confidence development.



# FOR ENGAGEMENTS



Clean-Up Exercises



Community Land Use Mapping



Community Participatory Forum



District CEMAGs Meetings



Engagement With Duty Bearers



Gender and Decision Making



Participatory Land Use Planning



Participatory Mapping



Participatory Needs Assessment



Transplanting of Mangroves



Participatory Learning



CEMAGs in Bonyere



Public Voting



Youth in Advocacy Clubs



Womens Groups Formation



Community Presentation



Local Drama Communication

# Information is Key

- Information is critical for effective engagement.
- Even though the EIA process creates space for engagement the lack of information on the socio-environmental impacts of projects hinder the communities' participation.
- We facilitate information sharing/provision to communities to enhance their engagements-
  - Community durbars, local radios, drama, simple presentations, etc.



# Engagements

- Dialogue meetings (local government, regulatory agencies, oil companies, etc.)
- Orientation engagements with duty bearers.
- Community -companies interaction assessment.
  - (what companies say they have done and what communities say is the impact).
- Networking with other partners.
- **Building Informed Constituencies.**

# Achievements

- Improve relation between oil companies and communities.
- CSR projects are now been discussed and alternatives been identified.
- Oil worker have now set-up a fund from their bonuses for direct development projects.
- Tullow oil is reaching out to communities and claiming responsibilities for some of the impacts of their projects.
- Discussing local employment scenarios.
- Tullow now recognizes CSOs and consult with them ( what they say matter -Request for capacity building)

# CSOs in UGANDA must be Prepared

- The industry is already ahead.
- Government may not be up to the task.
- The laws may not be adequate.
- Networking, Coalition building and engaging together.  
(share information, talk and agree, united front)
- **Building Informed Constituencies.**
  - Revenue issues ( how the money is taken, how it is managed, where it goes, how it is accounted for.)
  - Environment (conservation and protection)
  - Livelihoods (protection and enhancement)



• The oil spill at Asamkow coastline

# More oil spills to come

*Continued from Page 1*

in the vessel traffic at the coun-

source said tour operators and members of the communities provided very important information by collecting samples and

# THANK YOU



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