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monde  
meilleur

# CEPECO ONGD / asbl

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***"We believe in the Mercy of God"***

## **GENERAL REPORT OF THE WORKSHOP ON DEVELOPMENT OF THE INGA SITE IN BAS-CONGO PROVINCE**

**Matadi, DRC      10 - 12 November 2008**

### **THEME : THE DEVELOPMENT OF THE INGA SITE AS SEEN BY CIVIL SOCIETY FROM BAS-CONGO**

The solemn opening of the workshop took place at 10:33 am, the hour of the arrival of the Adviser of His Excellence the Governor of Bas Congo Province, representing the provincial authority.

The Moderator immediately introduced us the program of the day as follows:

- National anthem
- Welcome from the chair of the Board of Directors of CEPECO
- Presentation of the agenda for the workshop by the Coordinator of CEPECO
- Opening of the Workshop by the Adviser to the Governor

After the national anthem was carried out in all its dignity, the chair of the Board of Directors of CEPECO welcomed everyone and recalled that amongst other objectives, CEPECO is devoted to take care on the good being of the populations. All those invited were requested to take an active part in the proceedings of the workshop.

In his word of opening, the representative of his Excellence the Governor humbly presented himself to the assistance while presenting the reasons of service which retained the provincial authority with other requirements.

He finally declared the provincial workshop on the development of the INGA site open.

A pause to recognize the knowledge of other participants was ordered by the Moderator.

An exercise to apply the pause to recognize the knowledge of others was done by CEPECO, which reawakened our spirits to the resumption of work.

The Coordinator of CEPECO, also Bas-Congo focal point of the Natural Resources Network (RRN), drew the attention of the participants to have an inquisitive glance to the politics of natural resource management instead of us to do our utmost only and simply on the seeds of cuttings of maniocs, the truck farming...! This is why, the politics of work of the workshop consists of talks of the debates, work in crossroads finally the pooling which will be

sanctioned by the development of specifications for a sustainable development with subjects) the Provincial Parliament, with the Provincial Government, to SNEL. A delegation will consist of the 10 territories of the province plus the 6 clans having ancestral land rights to dialogue with the Government.

For this, we will have a series of 3 workshops according to the topics hereafter:

- 10th – 12th: Development of the site of INGA seen by the civil society of Low Congo.
- 13<sup>th</sup> – 15th: Workshop of popularization of the process of conversion of the old forest titles into concession contracts forester, moratorium and zoning.
- 18<sup>th</sup> – 20th: Pollution and Climate changes through Bas Congo and Corporate Social Responsibility.

We have arrived here so that we follow in this workshop.

**1. VISION:** Participation of all stakeholders in the sustainable management of natural resources of the province for its sustainable development.

## **2. OBJECTIVES:**

- The beneficial appropriation of the project INGA III and IV (Grand INGA) for all the community of Bas-Congo.
- To guarantee a good collaboration between SNEL which manages INGA I and INGA II, the ancestral land rights holders, the whole community and the civil society of Bas-Congo.
- To fight for a transparent management of our province's resources.
- To bring the concerted lobbying close to the provincial government, national government, the World Bank, the African Development Bank and all the other financial backers interested in the INGA III and INGA IV projects in order to take the claims and the interests of the communities affected by the dams, which CEPECO introduced to the World Bank at its meeting of validation and acceptance of the project in June 2007.
- Compensation due to the misdeeds caused by INGA I and II.
- To build a modern city with all the socio-economic and cultural conditions in favour of the communities which will be moved before the construction of Inga IV.
- To guarantee the engagement of their children by the company before construction of INGA III and INGA IV.
- To help the national as well as the provincial governments and those authorities in charge of SNEL in order to make it competitive to produce electricity which will be accessible to all levels of the population and to become thus a tool for the sustainable development of the province in subdividing in 3 different, autonomous enterprises which will be charged with the production and operation of the dams, another in charge of the transmission of the electric current and another still in charge of commercialization (distribution) of electricity.
- To lead the government to make INGA a tourist site and not only a strategic site.

- To cement this dialogue with the service of sustainable development of our province between the government, SNEL, civil society and the affected communities.
- To produce a schedule of conditions for the provincial assembly, the provincial government and SNEL.

## **PRESENTATION 1: HISTORY OF THE INGA SITE**

**PRESENTOIR: Mr Simon Malanda Toko**  
**Delegate of the Ancestral Land Rights Holders**

In the preamble to the history of the hydro-electric site of INGA, the delegate of the Ancestral Land Rights Holders pointed out to us, in his quality of the man of the moment, that their ancestors were settled on the site well before 1920, the time when the site was likely given the name of INGA.

After the Evaluation report of the Landowners of INGA on the dispute relating to the taking of their ancestral lands, according to the following concerns:

- ❖ Relation between SNEL, the Government and the Ancestral Land Rights Holders
- ❖ The duties and rights of the ones and others
- ❖ The waiting of the Ancestral Land Rights Holders
- ❖ The promise and the recovering of the debt

Some legal observations were considered, debated, and discussed with non-legal apprehension namely:

- Legality of terminology U.D.I.P.I. (interests of the landowners)
- Company in public matter (i.e shared interests with all)
- Legal competence of the recipient (Kinshasa Gombe or Kalina and outwards jurisdiction of supervision)

## **PRESENTATION 2: CURRENT STATUS ON THE MANAGEMENT OF ELECTRICAL ENERGY**

**PRESENTOIR : Pastor Jacques BAKULU**  
**Coordonnateur CEPECO Point Focal RRN/ Bas- Congo**  
**Expert en pétrole et Barrage**

Speaking about the status of the energy Infrastructures in Bas-Congo, the speaker, Pasteur Jacques Bakulu, showed that according to the report/ratio of the National committee of Energy:

- The rate of electrification of the DRC is approximately 6%
- The rate of urban electrification is approximately 6.4%
- The rate of rural electrification is approximately >1%

This is extremely regrettable while under other skies like in Ghana where all the villages are being electrified.

Here since 1960, there does not exist any policy of electrification, the sector functions without a policy framework. In 1970 the creation of SNEL replaced the former companies engaged in electrification, COGELEC, FORCES... (for Bas-Congo, Kinshasa and Katanga)

In our province, we are without sufficient electrification. Where there appears to be, it is virtually a symbolic system, with inopportune **power cuts**.

In the understanding of the civil society of Bas-Congo, it is necessary to divide, burst SNEL into three, namely:

- a) Production enterprise: Charged with managing all the dams of the country
- b) Transmission enterprise : Responsible for the transmission of the electric current
- c) Distribution enterprise: Responsible for the distribution of electricity to domestic consumers throughout the country

Some recommendations were made by the participants how one can help the government and SNEL for a transparent management of this state enterprise and that each one gives a report on place of proximity on the existence of electrical energy.

### **PRESENTATION 3: POLICY OF THE PROVINCIAL GOVERNMENT ON MANAGEMENT OF ENERGY**

**PRESENTER : Mr. Martin NZINUNU MAMPUYA**

**Advisor in charge of Energy at the Provincial Ministry of Hydrocarbon, Energy, Transport and Communication**

After returning from a mission to the interior of the province, the delegate of the Provincial Ministry excused himself from presenting and instead read a statement prepared by His Excellency the Minister for Hydrocarbons, Energie, Transports and Communications which highlighted three principal points:

- General summary
- Description of the energy sub-sector
- Questions and answers

(See the document in appendix)

This document presented us with a detailed status from October 11, 2007 on the energy situation of the province.

Another, complementary document is expected on the planning of the energy sector.

A prayer with the manner of the sailors aboard steamer of Jonas was recommended to begin the second day.

He followed with several announcements and general information...in continuation the talks of the day initially with a on

## **DAY 2**

### **PRESENTATION 4: THE POLICY OF THE NATIONAL GOVERNMENT ON ENERGY IN THE DEMOCRATIC REPUBLIC OF CONGO**

**PRESENTER: Past. Jacques BAKULU**

**Coordonnateur CEPECO Point Focal RRN/ Bas- Congo  
Expert en pétrole et Barrage**

Since 1970, the DRC has been missing a basic legal entity which can enable him to manage electrical energy in our country. This monopoly entrusted to SNEL is only in fact and is no longer adapted to the current realities of the DRC. A reform of this sector is essential.

For a better service of electricity, the Ministry of Energy at the national level has identified its objectives:

- Stabilization of the rural areas and their setting in the center of the interest of the government.
- Promotion of the blossoming of an internal structure able to satisfy the needs.
- Contribution to the balance of payment of exports.

#### **Principal Concepts:**

1. Hydro electricity; principal source of electricity
2. To launch a plan to fund rural electricity (ex micro hydro for a domestic electrification of consumption and SME small and medium-size companies).
3. To make reliable, renovate and increase the national electricity grid.
4. To export electrical energy from the Inga site (true source of the incomes)

The success depends on the following preconditions:

- a) Introduction of the private-public partnership into the energy sector.
- b) Making of a new institutional framework having to guarantee the right of the consumers
- c) To carry out the institutional reform process of the state enterprises.

### **THE IMPACT OF INGA I AND INGA II**

The anticipated contribution to sustainable development from the existence of these two dams is still absent.

Nevertheless, some areas have blossomed to their electrification following the example of Lemba, Kinzao - MVuite, Manterne, Sanda, Patu, Seke-banza and very recently Lukula.

### **INFORMATION ON SOME INSTITUTIONS OF ENERGY MANAGEMENT AND DAMS.**

As information, the participants were informed about the existence of the World Commission on Dams (WCD).

In its mission first of accompanying the populations affected by the presence by the dam. It opposes also where the interests and rights of the communities are not guaranteed.

Automatic partner of all the defenders of the rights of the communities affected by the dam.

In its framework, the WCD requires socio- environmental impact studies.  
One needs as a prerequisite a dialogue between all the stakeholders concerned.  
A schedule of conditions deserves to be first of all signed.

Of its report, it appears that the dams are a tool of development despite so much suffering of the people affected by the dams and that these dams generate does not benefit the local population.

**To all some advice: no construction of dams without dialogue and prior agreement of the populations... for that, it is necessary to lead feasibility studies with evaluation of the existing dams to the case falling due.**

## **PRESENTATION 5: THE INGA III AND INGA IV (GRAND INGA) PROJECTS**

**PRESENTER: Pastor Jacques BAKULU**  
**Coordonnateur CEPECO Point Focal RRN/ Bas- Congo**  
**Expert in oil and dams**

Speaking about Inga III and IV, the speaker pinned the causes of weaknesses in the management of the dams:

- Political lack of will
- Poor governance
- Poor management by SNEL
- Lack of maintenance of the river basin
- Increase in the skin and eye diseases and due to insects at the Site....

The rehabilitation of INGA I and INGA II in very bad condition is the construction of INGAIII and INGAIV of which the feasibility studies were undertaken since February 2008 these studies encouraged by the double advantage which the river abounds which is 2 times crossed by the equator thus ensuring the constancy of its flow from January to December.

**The four high voltage transmission lines** shown by 4 arrows on the chart which will leave INGA IV will bring one or more relief for industrial development of the several recipients of Africa, southern Europe and the middle east. This stage will be carried out thanks to inter-connections.

## **DAY 3**

The morning of the third day commenced with a prayer.

After, the beginning of work in the intersection while waiting for the formation of discussion groups according to the following topics:

#### **GROUP I**

**THEME: HOW TO MAKE THE INGA DAMS AN INSTRUMENT OF DEVELOPMENT IN THE BAS-CONGO?**

#### **GROUP II**

**THEME: HOW TO ESTABLISH THE EXISTING REPORTS BETWEEN THE POLICY OF THE NATIONAL GOVERNMENT AND OF THE PROVINCE ON THE MANAGEMENT OF ENERGY RESOURCES?**

#### **GROUP III**

**THEME: HOW TO ENABLE THE PARTICIPATION OF ALL EXISTING PROVINCIAL STAKEHOLDERS IN THE MANAGEMENT OF THE INGA III AND INGA IV PROJECTS?**

After the formation of discussion groups, came the moment of the closing ceremony respectively the coordinator of CEPECO expressed his joy of having been among the leaders of opinions in the respective mediums of the participants.

In continuation the Chair of the Board of Directors of CEPECO thanked the participants for their courage and the availability on the one hand, other share for the nobility of soul of the coordinator of CEPECO which in these difficult moments had resolved to organize such a workshop of information for a patriotic consensus.

E, declared closed the provincial workshop on D

To finish, the provincial authority after having congratulated such an initiative declared closed the provincial workshop on development of the INGA site. It was 13h42.

#### **REPORTS FROM THE GROUPS**

##### **A) GROUP I**

**QUESTION:** How to make Inga dam an instrument of development to the benefit of the province?

##### **RECOMMENDATIONS :**

1. The revision of the energy policy at the national and provincial levels

2. Restructuring of SNEL into 3 autonomous and distinct enterprises:
  - Production : Management of Inga dam and other small dams
  - Transmission : transmission of electricity
  - Distribution : Distribution of electricity
3. To make Inga a tourist site and not only strategic reserve the really strategic places in the State.
4. To support the dialogue between all the stakeholders.
5. To respect and honor engagements with the affected populations.
6. Development of a provincial policy on the electrification of all the administrative entities and the villages of Bas - Congo
7. To allocate a minimal royalty of 2% with the territorial executive of SEKE-BANZA
8. Audit of the energy policy at the national and provincial level compared to the internal and external receipts
9. To promote the environmental policy
10. To develop local competences during recruitments at all levels
11. Identification of the communities moved and affected since the colonial time whose [originally promised compensation] amount is of 781.600 FB.
12. For Inga I and Inga II, we ask for the compensation for the affected communities which are 6 and the law stipulates that any expropriation requires compensation.

NB: After consultation with the population concerned.

## **B) GROUP II**

**QUESTION:** How to establish the relationship between the policy of the National government and that of the province on the management of energy resources?

**REPORT:** Parallelism enters the national policy and that of the Province appears utopian owing to the fact that until then, the province does not have yet A policy on the management of energy resources.

## **RECOMMENDATIONS :**

- 1) To rehabilitate the Inga 1 and 2 sites and to exploit them in their entirety.
- 2) To set up a mechanism of regular follow-up for the maintenance of the site and the transmission network as follows:

- a) INGA ---- KABUBA (Kwango River),
  - b) KABUBA --- Frontière de Kasaï Oriental,
  - c) Kasaï Oriental---Lubumbashi.
- 3) That SNEL is subdivided into three major enterprises to be known as :
- Production
  - Transmission
  - Distribution
- 4) That a policy on management of energy resources is implemented in Bas-Congo province.
- 5) That SNEL puts an end to the problem of power cuts in Bas-Congo Province which continues to be an electricity producer.
- 6) That SNEL electrifies rural areas not yet electrified (all houses).

### **GROUP III**

**QUESTION:** How to ensure participation of all existing, provincial stakeholders in the realization and the management of the INGA III and INGA IV projects?

### **RECOMMENDATIONS :**

- 1) Identification of all stakeholders
  - a. civil society
  - b. local communities (affected communities)
  - c. SNEL
  - d. The Congolese state (the Provincial government)
- 2) To create a framework of dialogue which will join together all stakeholders
- 3) Depoliticize the Inga site to allow the communities which live there of to freely organize themselves for the defense of their rights
- 4) To set up a transparent management style and good governance between SNEL and the population
- 5) Setting-up of a policy of participative management which includes all stakeholders
- 6) To publish and make available the results of all studies undertaken for the realization of Inga III and IV with all stakeholders
- 7) To develop local labour in the realization of Inga III and IV in sight to reduce unemployment;

- 8) To build modern infrastructures (modern city, schools, Universities, Hospital, Track rural, Stages of foot etc,)
- 9) To envisage an annual budget which will be used with the formation and recycling of the local frameworks

## **FINAL DECLARATION**

We, members of the Natural Resources Network of the civil society of Bas-Congo joined together in this workshop organized by the NGO CEPECO in Matadi from 10 to 12 November 2008 in conference room at “Petit Jardin” around the topic, ***Provincial workshop on the development of the Inga Site as seen by the Civil Society of Bas-Congo***, declare the following:

- The Inga dam contributes very little to the socio-economic development of the Bas-Congo province characterized by a very poor electrification coverage involving inter alia the following consequences: rural exodus, deforestation, rate of crime in the region.
- the non popularization of the provincial and national government policies creates difficulties in the evaluation of various achievements of the governments which may ignore the action plan of the aforesaid governments
- Inga I and Inga II have completely ignored the rights of the affected and displaced communities, who were abandoned with their sad fate so far.
- The population wonders when the government and SNEL will provide good electricity coverage?

In light of these proceedings, the Natural Resources Network of the civil society of Bas Congo proposes and recommends to the National and Provincial Government, SNEL, the Civil society of Bas Congo, the World Energy Council, the World Commission on Dams and financial backers such as the World Bank and the International Monetary Fund the following:

### **I. TO THE NATIONAL GOVERNMENT**

- To popularize the policy of energy
- To include all the partners present in the realization of the Inga III and IV projects (civil society of Bas Congo, provincial institutions as well as the backers)
- To divide SNEL (into three various distinct and autonomous companies of which, in charge of the energy production, one of transport and in charge of the distribution or marketing of electrical energy).

### **II. TO THE PROVINCIAL GOVERNMENT**

- To produce and popularize the provincial policy of energy
- To support the SNEL in the research of financing for the cover and the improvement of the quality of electrical energy in province

### **III. TO SNEL**

- To resolve the situation of the affected bordering populations by paying the compensation not honoured since the colonial time.

- To take account of the affected bordering populations during engagements
- To activate the rehabilitation of Inga I and II
- To activate the cover out of electric service road in province
- To contribute to the cleansing of the Site of Inga and the surrounding villages.

**IV. TO BAS-CONGO CIVIL SOCIETY**

- To take care of the realization of various stages and respect of the agreements between the various partners by a constant follow-up
- To create a framework of dialogue implying all the parts concerned including the civil society of Bas Congo.

**V. TO THE WORLD ENERGY COUNCIL (WEC)**

- To take account of the complaints of the affected populations and not only to support the policy of the Government and the SNEL.

**VI. TO FINANCIAL BACKERS**

- To take account of the claims of the Civil society of the Bas-Congo contained in its letter addressed to the World Bank in June 2007
- To help the affected Communities in the protection of their rights
- To condition the starting of work by the implication of all the stakeholders.

**Prepared in Matadi, Wednesday, 12 November 2008.**