

MOTIVATION FOR THE CALL FOR A MORATORIUM AND PUBLIC INQUIRY ON OIL AND GAS EXPLORATION IN THE KAVANGO REGIONS

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We, Civil Society Organisations in Namibia, together with regional and international organisations, coalitions and technical experts, are deeply concerned about oil and gas exploratory drilling activities in the Kavango Basin. Most of us have not been consulted or given any evidence about how the exploration activities and possible production of oil and gas will affect the lives, livelihoods and human rights of people in Kavango East and West regions, as well as our precious environment and overall water and food security in Namibia.

ReconAfrica holds neither occupational land rights nor leasehold rights for its current drilling operations. Nor has the company consulted in good faith with the communities and landowners of the land where it has set up drilling rigs. It should be evicted from the drilling sites it seized from Kavango farmers without permission. The company also operates without permits for water use and the disposal of wastewater - applications have been lodged but not approved by the Minister for Agriculture, Water and Land Reform.

The drilling and oil/gas extraction plans for at least 25 years violate the rights of indigenous San communities under the United Nations Declaration on the Rights of Indigenous Peoples, signed by Namibia in 2007, which guarantees the right to free, prior and informed consent by indigenous communities for any developments that impact their resources, livelihoods and cultural heritage. No such consent has been granted to ReconAfrica by the San communities in Kavango East and West regions, or by any other communities in the region.

The Environmental Impact Assessments are incomplete, and there is no Strategic Impact Assessment, yet ReconAfrica has bought the rights from Namibia and Botswana to drill for oil and gas in a vast area of land covering more than 35 000 square kilometres in the environmentally sensitive Kavango Basin, which is a protected area under the Kavango Zambezi Transfrontier Park (KAZA) and includes community forests, conservancies, endangered species of wildlife and World Heritage Sites.

Fracking or No Fracking? Fracking is a highly destructive method of oil and gas extraction using toxic chemicals and enormous amounts of water to break open layers of rock underground. Frack development requires thousands of wells to produce, and each well will need 16 – 20 million litres of fresh water. The only source of water will be the Kavango ground and aquifer water. This will deplete the water resources of the local people. The government of Namibia is denying that fracking will be used as a means of extracting oil and gas, yet this is what ReconAfrica has marketed to its shareholders.

Wastewater from oil and gas extraction is toxic. It will need to be pumped back into the ground through wastewater injection wells. This can cause earthquakes and aquifer contamination, which threatens local communities as well as the Okavango Delta in Botswana, a UNESCO World Heritage Site that is also protected under the Convention on Wetlands of International Importance (the Ramsar Convention). ReconAfrica has not even bothered to line the wastewater pits from the current exploration wells to

protect the local rivers and aquifers although this wastewater may contain toxic and radioactive substances. Also worrisome is that only after being confronted by investigative journalists about why the mud pits were not lined did ReconAfrica claim to have applied an unverifiable organic gel to prevent their mud pits from leaking hazardous wastewater into the underlying soils and groundwater. What's more is that ReconAfrica now claims their solid and liquid waste will be used as a fertiliser on the surrounding farmland. The hazardous waste and water will thus be dumped on arable farmland instead of the company engaging in industry-approved disposal.

Oil and gas production will fragment the land. It requires clearing of huge areas of land for drill pads, roads, wells, pipelines, storage facilities and other infrastructure. This will lead to the loss of farmland, habitat fragmentation, and create more access for illegal logging and poaching.

Fossil fuel extraction has negative health impacts. Chemicals used in fossil fuel extraction (including fracking) contaminate the air near gas and oil production sites, and many scientific studies in North America show that this has caused skin rashes, headaches, intestinal illnesses and difficulty with breathing. Babies are born with heart defects. The toxins can also cause cancer, lung diseases and harm the brain. Many countries have already banned fracking, and Namibia should follow suit.

Fossil fuel extraction has negative social impacts. Communities in Kavango East Region were promised jobs, yet local people do not have the skills needed for this highly technical work. During the envisaged production period of at least 25 years there will be an influx of skilled workers, mostly men, living in "man camps" at the drill sites. Evidence from other countries shows that this leads to an increase in alcohol and drug abuse, violence against women and girls, teenage pregnancies and school dropout as well as an increase in HIV and other sexually transmitted diseases. There may also be an influx of people from other areas of Namibia and neighbouring countries seeking work, which will stretch the already poor services available to local residents of Kavango East and West regions with regard to land, housing, water, schools, clinics, hospitals etc. The Kavango regional councils will be burdened with dealing with all these issues. Also worrisome is the movement of people to and from the area whilst Namibia and the rest of the continent are still going through cyclical waves of COVID-19 infections.

Fossil fuel extraction impacts climate change. Evidence of climate change is all around us, and fossil fuel production and consumption are a major driver of global warming. Namibia is a signatory to the Paris Accord on Climate Change and has, in its Updated Nationally Determined Contribution (NDC) to the

upcoming COP 26 Climate Change Conference in Glasgow in November 2021, committed to reduce greenhouse gas emissions by 92% against a "business as usual" baseline by 2030 – in just 8 years. This is entirely inconsistent with oil and gas exploration and Namibia's international commitment to urgently reduce its dependence on the use of fossil fuels. In May 2021, the head of the International Atomic Energy Authority, to which Namibia is a member, called for an immediate worldwide halt to oil and gas drilling to prevent climate catastrophe. Experts predict that as the world shifts towards alternative renewable energy sources, investments made now into fossil fuel production will soon become "stranded assets", where promised oil and gas revenues never materialise and bankrupt oil and gas companies leave taxpayers to pay for the big clean-up.

Namibia has unlimited renewable energy sources. The time is now for our country to partner with investors in solar and wind energy, and position Namibia as an exporter of renewable energy in the near future. Already in April 2021 Namibia, Botswana and the United States concluded an historic memorandum of intent (MOI) to create a 5 Gigawatt Mega Solar project.

The Namibian Government and companies operating in Namibia have a duty to uphold ethical, moral standards. All of the Anglican Bishops of southern Africa, supported as they are by others in Canada, have called for a halt to oil and gas exploration activities in Kavango and have labelled the threat to the Kavango Basin ecosystem and the livelihoods of indigenous people as "a sin". Government and business actors should not make verbal promises of wealth, water and jobs to vulnerable communities without evidence showing that they can realistically meet those promises.

All Namibian authorities must fully respect Namibia's fundamental human rights obligations. The right to life is the most fundamental right and depends on access to clean water and air, and to food and therefore to plant and animal life. Any official policy or action which denies reasonable access to such vital resources is a violation of the Constitution and treaty law. There is a real danger that such fundamental rights would be violated by oil activities in the Kavango regions.

For the sake of our children's future, we call for an immediate stop to all oil and gas exploration in Kavango East Region!

Until all Namibians can see credible evidence of the potential impact on their lives, their livelihoods and their inalienable rights, and consider what are realistic alternative strategies to develop Namibia's energy and the Kavango regions, with particular reference to climate change, the government should impose a Moratorium on those activities!

We call on the government of the Republic of Namibia to establish an independent and impartial Public Commission of Inquiry to critically examine the current and future oil and gas exploration activities in the Kavango East Region.

The Public Commission of Inquiry must:

- Be fully transparent, independent and impartial.
- Be composed of experts covering relevant knowledge drawn equally from both government and civil society/professional associations/academia.
- Assess the risks to the human rights of Namibians, including their right to a safe and sustainable environment.
- Thoroughly examine safe alternative energy strategies for Namibia.
- Secure and guarantee the right to free, prior and informed consent by San communities for any developments that impact their resources, livelihoods and cultural heritage, and extend this right to other communities in Kavango.

- Ensure respect for the rule of law and the international obligations of Namibia.

All concerned Namibians and other Interested Parties must be allowed to:

- Submit information for consideration by the Public Commission.
- Be consulted in their own languages through well-planned and advertised country-wide urban and rural public consultation meetings, in particular accessible to everyone in the Kavango East and West regions including indigenous San communities.
- Be allowed access to information as and when it is submitted to the Commission.
- Comment on the draft findings of the Commission before they are finalised.

Meanwhile all exploration activities must immediately cease, and existing licences be suspended.

This Petition is supported by the following Civil Society Organisations of Namibia:

1. Kavango East and West Regional Conservancy and Community Forestry Association
2. Kavango East Farmers Union
3. Kavango West Farmers Union
4. Kyaramacan Association, Bwabwata National Park
5. Namibian Chamber of Environment representing 70 environmental organisations
6. Namibia San Council
7. Nyae Nyae Development Foundation
8. //Ana-Djeh San Trust
9. Women's Leadership Centre
10. Economic and Social Justice Trust
11. Legal Assistance Centre
12. Institute for Public Policy Research
13. Namibia Institute for Democracy
14. Namibia NGO Forum Trust
15. Namibia Network of AIDS Service Organisations
16. AIDS and Rights Alliance Southern Africa
17. Frack Free Namibia
18. Earthlife Namibia
19. SunCycles Namibia
20. Young Feminists Movement Namibia
21. Positive Vibes
22. Women's Solidarity Namibia
23. ShutItAllDown Movement
24. The Anglican Church in Namibia
25. Nutrition and Food Security Alliance of Namibia
26. Forum For the Future
27. Pots of Hope
28. Sister Namibia
29. Out-Right Namibia
30. Namibia Diverse Women's Association
31. Namibia Equal Rights Movement
32. One Billion Rising Namibia
33. Wings to Transcend Namibia Trust
34. Rights not Rescue Trust Namibia
35. Rainbow Reflections
36. Namibia Women's Association
37. The Children's Movement Namibia
38. Khaibasen Community Trust
39. Comrades Association
40. Powerpad Girls
41. Slutwalk
42. Namibian Sex Workers Alliance
43. Transgender, Intersex And Androgynous Movement of Namibia
44. Trans Masculine Namibia
45. Aio Da Go Community Garden
46. Aitsama Mabasen Community Garden
47. Pomp Stasie Family Garden
48. Greenspace
49. Lifeline/Childline
50. Namibian Environment and Wildlife Society
51. NEWSYouth
52. Labour Resource and Research Institute