



ALIPOOTA MUBUFUNZE EFUNDIKIRA OKUTABAGANYA ENJUYI EZAALI ZEMULUGUNYA EZA EBUJAGAALI OWOMULUNDI OGW'OKUTAANO -05 MU-UGANDA

Alipoota elaga mubufunze, ekitongole kikalabalaba, ekiwi ky'amagezi era ekitabaganya (CAO), emitendera mweyiise okumalawo obutakkaanya okw'omulundi ogwokutaano (05)ogukwaata ku pulojekiti ya Bujagali mu Uganda eyayambibwaako ebibiina bimusiga nsimbi IFC ne MIGA.

PULOJEKITI:

Pulojekiti ya Bujagaali eyamasannyalaze ekwasaganya nensonga zokkulakulalanya, okuzimba nokulabirira ebbibiro lyamasannyalaze kumugga Kiyira. Kampuni ya BEL yeyavunanyizibwaako ebyenkulakulana ya Pulojekiti eno awamu ne IFC ekitongole ekisiga nsiimbi bakwatira wamu mukuzimba omukutu (Transmission Line) ezitwaala amasannyalaze mubuwaanvu bwa Kilomita 100 okuyambako ekitongole ekibunyisa amasannyalaze muggwanga lyonna elya Uganda (UETCL).

Bujagali Pulojekiti yamasannyalaze –BEL, nga kampuni eyetengeredde mukukola amasannyalaze, baakola endagaano mu December wa 2007 okutunsaanga ekitongole kya UETCL amasannyalaze okumala emyaaka amakumi asatu (30).

Kampuni ya BEL, banyiniyo beba; *Industrial Promotion Services* (Kenya) ekitundu kukampuni ya *Aga Khan Fund for Economic Development*. Abalala abetaba mumulimo guno ye SG Bujagali Holdings Ltd. ekitundu ku Sithe Global Power LLC (USA); awamu ne Gavumenti ya Uganda. Ebibiina ebisiga nsiimbi IFC ne MIGA byasaamu obukadde bwa dollar lusanzu mwataano (\$750) mupulotekiti eno awamu nebibina bimusiga nsiimbi ebirala nga IDAA (International



The Bujagali power plant

Development Association), ADB (African Development Bank)ne EIB (European Investment Bank)¹.

OKWEMULUGUNYA

Mu mwezi ogwa May mu mwaka 2011, CAO yafuna okwemulugunya okwomulundi ogwokutaano (05) ku Pulojekiti ya Bujagali okuva mukibiina akyakikira abatuuze, abagamba nti baakosebwa nga ebbibiro lyamasannyalaze e Bujagali n'omukutu ogutwaala amasannyalaze bwebyali bizimbibwa.

Abatukirira CAO, baleeta okwemulugunya kwamirundi esatu:

1. Okuliyirirwa kw'ettaka elyazimbwaako ebbibiro

yeb'yeggwanga n'omukungu wa gavumenti akwasaganya nokutunda ebitongole bya gavumenti (the Minister of State for Finance in charge of Privatization). UETCL erungamizibwa ekitongole kya masannyalaze n'obuggaga obwomuttaka.

¹ Ekitongole ekibunyisa amasannyalaze muggwaanga lyonna (UETCL) kyatondwaawo mu mwaka 2001 nga gavumenti ya Uganda yekirinako obuyinza ebwenkomeredde awamu nebitongole ebirala bibiri ebirinamu emigabo egyenkanankana; ekitongole k y'ebysimbi, entekateka nenkulakulana

Iyamasanyalaze nelyayitwamu omukutu ogutwala amasanyalaze;

Abemulugunya baagamba nti engeri pulojekiti gyeyakwatamu ensonga eyokutwala ettaka lyabwe teyali nambulukufu era nembalirira yemiwendo eyakolebwa nga tekwatagana nembalirira yobudde obwo era temwaali bwerufu. Era ensonga endala gyebawaayo yabimera byabwe ebyayononebwa oba ebyatataganyizibwa.

2. Okwasa amayinja;

Abemulugunya baagamba nti, baluti ezakubwanga okwasa amayinja agokuzimba ebbibiro, zayonoona amayumba gaabwe, era zaakosa obulamu bwabantu nebisolo byabwe.

3. Okufiirizibwa ebyenfuna;

Abaali bakolera kubiyiriro e Bujagali nga basanyusa abalambuza, beemulugunya nti baafirizibwa mubyenfuna bwebaggyawo ebiyiriro ate nebatabawa walala wakukolera.

Kinajjukirwa nti, pulojekiti ya Bujagali yayambibwaako ebibiina bimusiga nsimbi ebiberako. Nolwensonga eyo, ekibinja eky'abemulugunya abamu kyawaayo obutali bumativu bwakyo mukitongole ekirala ekitali CAO ekya European Investment Bank (EIB-CM).



CAO and the Complainants at a UETCL transmission line

Ebikwaata kunsonga zino mubujjuvu mu Luzungu bisange ku kibanja kya CAO: www.cao-ombudsman.org

OKUNOONYEREZA KWA CAO:

Ensonga abemulugunya zebawaayo, zasangibwamu omulamwa era nezikkirizibwa mu mwezi gwa June 2011 era okuzekenneenya kwatandikirawo.

Okusobola okwetegereza ensonga zino, CAO yasisinkana abemulugunya abaali bamaze okwekolamu ekibiina kyebaatuuma - **“Abatuuze be Bujagali abaakosebwa”** (Bujagali affected Community –**BAFC**), ekitongole kya BEL nabalala abaali bakwatibwako ensonga zino. Wano CAO yannyonyola omulimo gwayo era nemitendera gyeyitamu.

Ebitongole ebirala ebyebuzibwako kunsonga eno bye; Minisitule eya Masnyalaze nenkulakulana yebyo bugagga ebyomuttaka, Ekitongole kya UETCL, abakikirira Gavumenti ezebitundu n'ekibiina ekyobwannakyewa ekigatta abakugu mubyobutonde bwensi mu Uganda -NAPE.

Abemulugunya, awamu ne UETCL baasalawo okugenda nenkola ya CAO oy'okutabagana era, alipoota oyokunoonyereza kunsonga ezaali muddiira, yayanjibwa mumwezi gwa December 2011.



Complainants meeting with their representatives in Wagala

EMITENDERA EGYENTESEGANYA:

Entesaganya zaatandika mu December 2011. CAO yamala emyezi mingi munkungaana ne BAFC oluvannyuma yasisinkana abemulugunya omu kwomu, abantu abasoba mulusaanvu (700) okuzuula abaakosebwa abatuufu awamu nensonga zaabwe.

Ebibiina ebikwatiibwaako byasalawo okwawula ensonga mubitundu bisatu:

1. Okufiirizibwa ebyenfuna olwokuzikiriza ebiryiro bya Bujagali.
2. Obuzibu obwava mukwasa enjazi/amayinja nga ebbibiro lye' Bujagali lizimbibwa.
3. Okuliyirira ettaka eryatwalibwa, ebimera nebizimbe ebyayononebwa ng'ebbibiro lizimbibwa era nemikutu egitwala amasannyalaze.



The Complainants endorsing the Mediation Settlement Framework

ENSONGA ZEZINO WAMMANGA MUBUJJUVU:

1. Okufirizibwa ebyenfuna olwokuqyawa ebiryiro bya Bujagali kumugga Kivira:

Ebiryiro bye Bujagali, byali kyabulambuzi era byettanirwanga nnyo abalambuzi. Mukuzimba ebbibiro lya masannyalaze, ebiryiro bino byasaanyizibwawo. Abafunangamu nga bizinensi, bemulugunya nti tebabaaliyirirwa wadde okubawa awalala awokukolera atenga mumulimu guno mwebajjanga

ebyabayimirizangawo nabantu baabwe bebavunanyiziibwako.

COA yatabaganya BEL nabemulugunya era nebatuuka kunzikirizaganya mubuwandiike oyokuliyirira abantu bano. Enzikiriziganya eno yatukirizibwa, era enjuyi zombi zaamatira wakati wo'mwezi gwa April ne June wa 2012.

2. Obuzibu obwava mukukuba baluti n'okwasa amayinja:

Bamemba kikumi mubasatu (103) ekitundu ku BAFC bebawaayo okwemulugunya eri CAO nti amayumba gaabwe, ebisolo byaabye era nobulamu bwaabwe bwakosebwa okubwatuka kwa baluti ezakubwanga okwasa amayinja ate nga BEL yali tebaliyiridde.

- Abantu abamu kukibinja kino ekya 103, baali ate bawaaayo okwemulugunya kwabwe eri ekibiina ekitabaganya ekirala ekya EIB-CM kunsonga yemu eyokukosebwa okuva mukukuba baluti. Oluvannyuma, abemulugunya bakkiriza nti, abo bonna abaalina esonga ezikwatagana nokwasa amayinja basigale ne EIB-CM, abo abensonga ezikwata kukuzimba ebbibiro nemikutu egitambuza amasannyalaze, bo CAO akwasaganye ezaabwe. Mumwezi gwa March wa 2012, EIB-CM yatandika kutesaganya zekibinja kyabo abaakosebwa bbaluti nokwasa amayinja. Mumwezi gwa November mumwaaka gwegumu 2012, EIB-CM baali bamaze okuzuula n'okusalawo abantu

ab'okuddaabiririza amayumba
gaabwe².

- Kyasalwawo nti, **abemulugunya babiri (2)**, mukiti kino ekyabantu 103, tebaajamu era nebazzibwayo eri CAO. Omu kubo, ensongaye yaali ekwata kubulamu era ensonga eno yamalirizibwa bulungi era tabanja.

Ate omulala kyazuulwa nti enyumbaye yakosebwa Kampuni ndala eyali eyasa amayija etali BEL. Naye kinamanyibwa nti BEL newankubadde omusango tegwali kubo bagenda mumaaso nokuddaabiriza enyumba eno. Ensonga zino zombi zagonjoolwa mu April 2014.

- Kubemulugunya kunsonga eno, kubantu 103, abantu asatu mubabiri (32) bokka bebasunsulwamu era nekikkirizibwa nti amayumba gaabwe gaddaabirizibwe. Naye kinaamanyibwa nti, nabano 32 abaali balondebwamu, nabo tebamatira ngiri amayumba gaabwe gyegaddabirizibwamu. So nebegatta kwabo ensaavu (70) abaali bagaaniddwa nebaddayo eri CAO abakwasaganye ne BEL.
- Mu November wa 2014, abamu kuba memba ba BAFC *batwala BEL mu Kkooti* ngabagivunaana obutabaliyirira olwokukosebwa okwaava mukwasa

² Ebyava muntasaganya ezokutabagana: Okwemulugunya kunsonga z'okwonoona ebizimbe olw'okwaasa amayinja nga ebbibiro lya Bujagali eryamasanyalaze lizimbibwa mu May 2013.

Alipoota gisange mubujjuvu mu Luzungu bisange ku kibanja kya CAO: http://www.cao-ombudsman.org/cases/document-links/documents/FINALStatementonMediationconclusion_May2013.pdf (Accessed on June 14, 2018).

³ Okwekenneenya engeri ensiimbi ezasigwa ebitongole: IFC mu pulojekiti ya Bujagali pulojekiti namba IFC #24408, ne MIGA pulojekiti namba #6732), Uganda – CAO okwemulugunya okwomulundi ogw'kutaano (05), March 8, 2017.

amayinja.Olwensonga eno BEL yawabula nti yali tekyayinza nate kutabagana nabantu abaali babatutte mu Kkooti.

- Ensonga eno yayongerwayo kuddaala eddala mukitongole ekirala ekirondoola engoberera nokutuukiriza amateeka nemitindo egisubirwa pulojekiti eziyambwako IFC mubyensimbi. Oluvannyuma lwokunoonyereza, ekitongole kino, kyakola alipoota eyalondoola ensonga zino mu March 2017 era omusango neguggalwawo³.

3. Okuliyirirwa ettaka elyatwalibwa, ebimera nebizimbe abyayononebwa ng'ebbibiro lyamaannyalaze era nemikutu egitwaanla amasannyalaze ngabizimbibwa.

Abemulugunya mukiti kino, baatebereza nti emitendera BEL awamu ne UETCL gyebaakozesa egyo'kuliyirirwa ettaka, embalirira y'ebimera, nenkulakulana kuttaka pulojekiti lyeyatwaala tegyali myerufu, tegyalimu bwenkanya era mwalimu ebitakwatagana bingi⁴.

- Abemulugunya bitaano mwataano mumusanvu (557) batwala UETCL mu Kkooti enkulu eya Uganda (*omusango No. 38 mumwaka 2009*) kulwensonga yokuliyirirwa ettaka, ebizimbe, ebimera ebitasasulwa

Alipoota gisange mubujjuvu mu luzungu kukibanja kya CAO: <http://www.cao-ombudsman.org/cases/document-links/documents/AppraisalBujagali-05March8.pdf> (Accessed on June 14, 2018).

⁴ Enkola eokubalirira ettaka n'ebimera UETCL gyeyakozesa awamu ne kitongole ky'ebyettaka naddala yafesi y'omubalirizi wa gavumenti omukulu nakakiiko akatuula kubyettaka mu disitirikiti nga bayambibwaako aba Puunta nababirizi abalondebwamu. Gavumenti eyebitundu yakola omulimo munene okuyamba okwekenneenya n'okuzuula bannanyi bettaka abatuufu n'abebibanja.

nebyali tebisasuddwa okusenziira kungereka nembalirira ya Gavumenti.

- Abemulugunya abalala asatu mubasatu (33), mukusooka baalowooza nti baali kitundu kwabo ebitaano mwataano mumusanvu (557) abaali batwala UETCL mu Kkooti. Naye kyazuulwa oluvanyuma nti amannya gaabwe tegaali mubiwandiiko bya Kkooti.
- N’olwensonga eyo, kyasalwawo ne BEL ekibinja kino ekya 557 kiyawulwemu emirundu esatu (3) wano wammanga:
 - BAFC abawaabira UETCL mu Kkooti enkulu eya Uganda ekyatumwa “the 557”.
 - Abemulugunya asatu mubasatu (33) nokwemulugunya okulala kwamirundi ataano (50) ekyatumwa “the Non-557” era
 - Neyemulugunya omuntu omu ayalina okuliyirirwa ettaka okwazimbwa ebbibiro lyamasanyalaze erye Bujagali.

EBYAVA MUNTESAGANYA ZINO MUBUFUNZE

1. Omusango ogwaggulwaawo “The - 557” bammemba bekiibiina BAFC nebatwaala UETCL mumbuga zamateeka

Mumwaka 2009, ebekibinja kya 557 abatwala UETCL mukooti y’eggwanga enkulu eya Uganda UETCL nga bemulugunya nti tebaali bamativu kungeri gyebaalli baliyiriddwamu ettaka lyabwe awamu n’ebimera ebyakosebwa nga UETCL ezimba omukutu okutwala

amasanyalaze (Transmission line) wakati wa Bujagali ne Kawanda okumpi nejegoyego zekibuga Kampala.

Mumwaka 2012, abakulembeze abalondebwa okukikirira ekibinja kya “557” ngabayambibwako munamateeka (looya) wabwe baasaba CAO ebatabaganye ne UETCL omuwawabirwa ensonga zino bazigonjoole.

CAO yasisinkana ekibiina kino ekya “557” ne BEL, UETCL, Minisitule ya Masanyalaze, NAPE ekibiina ekyobwanakyewa ne Gavumenti eyebitundu eya disitirikiti ye Buikwe okugonjoola ensonga zino ebweeru wa Kkooti.

Enjuyi zombi UETCL ne “557” baasalawo omusango buguggyee mukkooti bagumalire ebweru era Kkooti yakkiriza.

Okusaba kuno okwenjuyi zombi “557” ne UETCL kwaddibwamu Kooti enkulu nebakkiriza ensonga bazimalire wabweru wa Kkooti nga bakozesa CAO nga omutabaganya, era baweebwa akakalu okuddizanga amawulire Kkooti enkulu kungeri empuliziganya bwezitambula. Okuva olwo, ekitongole kya masanyalaze kyatuzaanga enkiko zino era nga ewagira enjuyi zombi okukkaanya.

Wakati muntasaganya zino, CAO yakola kyonna ekisoboka okuyigiriza enjuyi zombi engeri gyebayinza okutegeragana n’okutuuka okukkaanya obulungi.

Ekibinja kya “557” ne UETCL batandika okukolera wamu okukebera enkalala ezamannya gabemulugunya, bajjamu amannya agaali gawandikiddwa enfunda ebbiri n’ensobi endala

ezazuulwa nebakkomekkereza ngabakiriziganyizza kubantu 514.

CAO yayamba kukukwasaganya empuliziganya zenjuyi zombi n'omubalirizi eyakola kubyettaka n'ebirime eyali apatanye omulimo guno ne UETCL, neyafesi yomubalirizi omukulu owa Gavumenti(GCV)⁵ ne office ya UETCL ekola ku pulojekiti nga eno Bujagali okusobola okutegeera obulungi enkola yemitendera egyembaririra eyali egobereddwa awamu namateeka agaali gagifuga mubudde obwo.

Oluvannyuma lwokusaba kwenjuyi zombi, omubalirizi omukulu owa Gavumenti yakakasa embalirira entufu eyandibadde egobererwa mu disiturikiti ye Mukono omwaka 2006/7. Kino kyayamba enjuyi zombi okutangaaza kunsimbi ezokuliyirirwa nekifaananyi ki abemulugunya kyebaba basuubira.

Mumwezi gwa April 2015, enjuyi zonna zakkiriza okutabagana nga ziyambibwako CAO era nebakkiriziganya nebakola endagaano mubuwandiike okuliyirirwa buli muntu okugatta kussente zebaali basasuddwa mu 2008. Ekitongole ekyamasannyalaze nakyo kyaali kitundu kubassa emikono kundagaano eyo.

Muntabagana zonna, CAO yabangawo okulaba bwezitambuzibwa wakati wabakulembeze abalondebwa abemulugunya nabemulugunya bennyini era okukakasa nti buli luuyi lutuukiriza obuvunaanyizibwa bwabwe.

Mu May wa 2015, endagaano eyokutabagana yakkirizibwa e kkooti enkulu eya Uganda nga ekiragiyo kya Kkooti era kyafuuka ekiwandiiko

ekyolukale ekisobola okusomemwa buli muntu eyagadde. Okuliyirirwa kwonna kwali kwakuggwa nga 31 July 2015 naye okusasula tekwaggwa okutuusa mu May wa 2017.

Bino wammanga, byebyava muntensaganya zino:

- a) Abemulugunya abiri mumwenda (29) baafa wakati muntensaganya zino naye abasika baabwe abakakasibwa abaami bebyalo (LC- Chair persons) era ngabalina obukakafu mubuwandiike baaliyirirwa mubujjuvu.
- b) Abemulugunya kkumi nomu (11) baanonyezebwa nebabula, CAO ne UETCL teyasobola kubazuula okusobola okubaliyirira.
- c) Abebemulugunya musanvu (07) bakakasa mubuwandiike nti tebanjanja sente ndala zonna okwongerera kwezo zebaali basasuddwa mu 2008.
- d) Abemulugunya bataano (05) tebakkiriza mbalirira yasente eyali abawereddwa era bagaana okuliyirirwa naye nebakakasa CAO nti ensonga bazitadde /bazivuddeko tebajja kuzongerayo.

Wano wammanga tulaga mubufunze buli bibinja byabemulugunya ebyayambibwako CAO era ebyakkiriziganyibwako enjuyi zonna:

1	Omuwendo gwaabantu abali bateekwa okuliyirirwa okusenziira kundagaano eyakiriganyizibwaako nekibinja kyabaantu 557	514
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⁵ Ekitongole ekikola kumazzi, ettaka nobutonde bwensi yevunanyizibwako amateeka n'okukwasaganya ensonga ezikwata kuttaka mu Uganda. Mukitongole kyekimu, mwemuli yafesi y'omubalirizi omukulu owa gavumenti avunanyizibwa kukubalirira

ebyomuwendu awamu n'okunoonya ettaka kulwobulungi bweggwanga.

2	Omuwendo gw'enkomo okwawerezebwa ssente UETCL (<i>Electronic Fund Transfers (EFT)</i>)	360
3	Abantu abaasasulwa mukaasi / mubuliwo abakakasibwa CAO	131
4	Omuwendo gwabantu abataasasulwa kantu konna	7
5	Abantu abagaana okuliyirirwa	5
6	Abemulugunya ababula-abataazulibwa	11
	Omugatte	514

Kumuwendo gwenkomo zassente eziweza ebikumi bisatu mwenkaaga (360) ezawerezebwa UETCL (electronic funds transfers (EFT's) eri abemulugunya, CAO yasobola okukakasaako bisatu mwana mwemu (341). Ekkumi nomw'enda (19) tezazoboka kulondoolwa kubanga CAO teyasobola kutuuka kubannannyinizo newankubadde yafuba okubanoonya.



A community member on his land bought with the compensation from BEL.

2. Ekibinja kyabemulugunya “The Non-557”

Abantu asatu mubasatu (33) abaatumimwa “Non-557” baatukirira CAO wakati mutensaganya ne ‘557’ nabo basobole okwegatta kwaabo abali

mutesaganya kuba baalina okwemulugunya kwekumu.

- CAO yatuula nabo emirundi egyawera okwetegereza ensonga zabwe. Era CAO awamu ne UETCL babannyonnyola embalirira omubaliririzi omukulu owa Gavumenti gyeyali amaze okuyisa egendana ne disitulikiti ye Mukono ezomwaka 2006/7. Eno yemalirira eyali ekkanyiddwako ne “The 557”. Okunnyonnyola bino kwavaamu abantu kumi namusanvu (17) okusazamu okwemulugunya kwamirundi abiri (20). Kino kitegeeza abemulugunya baasigala kumi namukaaga (16).
- UETCL yagaana okugatta “The Non-557” kutesaganya za “The 557” okutuusa nga ensonga zabano ziwedde era ne “Non-557” ebakkiriza.
- Mu April wa 2017, entesaganya ne “557” ngaziwedde, CAO yasisinkana ne UECTL ne Kitongole kyamasanyalaze ne “The Non-557”. Enjuyi zonna zakkiriza nti abemulugunya abatuufu bakuliyirirwa okusizira kumbalirira ya Mukono disitulikiti eya 2006/7. Mu April wa 2017 endagaano yassibwaako emikono UETCL nabuli sekinnoomu wekibinja kya “The Non-557” era okutuuka mu June wa 2017 bonna bali bamaze okuliyirirwa.

Ekibinja ekirala ekyabantu bibiri mwabiri (220)

- Wakati nga entesaganya n’ekibinja kya 557, abemulugunya abalala bibiri mwabiri (220)aba BAFC baasaba begatte ku “Non 557” olwokuba baalina okwemulugunya kwekumu. Naye UETCL kino yakigaana. Ekyaddirira abantu 220 bawayo okwemulugunya kwaabwe eri CAO okwawafu era kuno CAO okusaba kwaabwe yakusanga

kutuufu mu February 2015⁶ naye BEL ne UETCL bagaana okukkiriza okwemulugunya okulala okukwata kubikondo oba omukutu ogutambuza amasannyalaze.

- Okwemulugunya kuno kwayongerwayo kuddaala eddala mutabi lya CAO erirondoola engoberera nokutuukiriza amateeka nemitindo egisubiiirwa pulojekiti eziyambwaako IFC mubyensimbi.
- Okunonyereza⁷ okwakolebwa kwateekwa mubuwandiike nga 15 December 2017 era kwazuula nti IFC yali tekirizaganya naddala kunsonga nga (a) obutakolagana nabantu babuliggyoo mukubuliriza kwokusengula abantu n'okubaddiza ettaka eddala (b) okwesigama enyo kubakulembezi abalala mukukubiriza pulojekiti.
- Okuva olwo, ekibinja kino ekya abantu ebibiri mwabiri (220) nabalala kyaggulawo omusango ku UETCL mu Kkooti enkulu eya Uganda.



CAO and the Complainants' representatives showing the final signed agreement

⁶ Okwemulugunya eri CAO Bujagali owomulundi ogwomusanvu (Bujagali-07).

Alipoota gisange mubujjuvu mu Luzungu bisange ku kibanja kya CAO: http://www.cao-ombudsman.org/cases/case_detail.aspx?id=230 (Accessed on June 14, 2018).

⁷ Okunonyereza kwa CAO kungeri IFC/MIGA gyeyakwasaganyamu ebyobulungi n'obutonde bwensi eri BEL, WPH, Uganda (Bujagali-07), December 15, 2017. The report is

3. Okwemulugunya okwamulundi ogumu : (Single Land Compensation case).

Okwemulugunya okwomulundi ogumu okukwatagana nobutaliyirirwa kulwe ttaka alyatwalibwa okuzimba ebbibiro lyamasannyalaze mumwaka gwe 2000 era nga nyini ttaka yali taliyirirwanga. Tewali mulundi nagumu UETCL lweyegaana okwemulugunya kw'omuntu eno. Oluvannyuma lwengungaana enyingi nenjuyi zino mubwawufu, CAO yabaleeta kummeeza emu mu September 2016.

Mu June 2016 bombi batuuka kukukkaanya nakakiko akakulu (Board) aka UETCL era endagaano yasibwako omukono mu June 2017 ngabwebalinda akakiiko akakulu aka UETCL okukiriza, era kyasubirwa nti okusasula omuntu ono kuliba kuwedde nga 31 August 2017. Omukungu (minister of State for Energy) wekitongole kya Masannyalaze olubereberye yali awadde olukusa kuntasaganya⁸ ezokuliyirira era oluvannyuma yafeesi ye yakakasa nti ssente zijja kubaawo okusasula omuntu ono.

Endagaano eyokusasula yaweebwa akakiko ekakulu eka (board) UETCLmu November wa 2018 kasobole okukkiriza okusasula.

Akakiiko olwamala okusaako omukono, UETCL yasasula mubujjuvu eyemulugunya ono mu April 2018 era kino kyekyafundikira entesaganya nobuwanguzi.

available on the CAO website: <http://www.cao-ombudsman.org/cases/document-links/documents/CAOInvestigationReportBujagaliEnergyLimited-Bujagali07.pdf> (Accessed on June 14, 2018).

⁸ CAO yasisinkana omukungu minisita Omukungu (minister of State for Energy) wekitongole kya Masannyalaze ne UETCL mu February 2017

EBILOWOOZO OBA EBYOKUYIGA **EBIVUDE MUNTABAGANA ZINO**

Oluvanyama lwemyaaka musaanvu (07) muntabaganya zino ne BAFC, abemulugunya abasiinga obungi bamativu nebyava mu kutabagana. Naye waliwo abatono, ebigendererwa byabwe nga tebyatuukirizibwa naddala abo abakosebwa okubwatuka kwamayinja (okuba baluti).

Mukwemulugunya kwonna, CAO yakuuma empuliziganya nekitongole kyamasannyalaze (UETCL), Gavumenti eyobitundu mu Disitulikiti ye Buikwe, NAPE , IFC, nebakulu bobukiiko obwebyaalo (LC- Chair Persons).

CAO esiimye enkologana ennungi namaanyi agateredwaamu muntasaganya zino.



CAO team with the Chairman of the Bujagali Affected Community (left) and local government leaders from four of the affected villages.

Okwefumitiriza kuwenjuyi zonna kutabagana zino

CAO yakwasaganya enjuyi zonna azali zikwatibwako enteseganya zino okuvira ddala mumatandika okutuuka kunkomerero okwekenneenya engeri CAO gyeyatambuzaamu enteesaganya zino.

Wammanga kwekuddamu kwabetaba mutabagana zino:

1. Obutebuuza kubonna bekikwatako kimalawo obwesige era kivaamu okusubiira ebitaliyo.

- Abemulugunya bagaamba nti, obutebuuza kubekikwatako bonna era nobutabawa mawulire gamala, kimalawo obwesige mubitongole ne Gavumenti era kireeta okubusabusa nokwesiga omukutu ogutabaganya.
- BEL awamu nabemulugunya bagamba nti, CAO ng'omutabaganya bweyali tennajja, empuliziganya yali nzibu ddala wakati wabwe era buli luyi lwalabanga olulala ng'omulabe. Bo abemulugunya baali balowooza nti BEL yali tessaayo mwoyo kunsoga zaabwe. Munkomero BEL nabemulugunya basiima CAO okutabaganya enjuyi zombi.

2. Entabaganya zino zisobola okwanguya n'okunyweza emirimo gya kampani egyomumaaso

Yo kampuni ya BEL yanyonyola nti enkola ya CAO eyokutabaganya enjuyi ezemulugunya, yabayamba okumanya nokunyonyoka omugaso ogwokussa munkola obukuumi bwabatuuze wakati mubyebakola. N'olwensoga eyo, beyama okuteeka essira kubukuumi bwabantu bwebanaba basaba ensimbi eza pulojekiti eddako.

Era BEL yagamba nti, enkola eno eyokutabaganya, bo nga kamapani basobolera ddala okukola nokusinga omutindo ogubasubirwaamu ogwokukuma obulungi bwensi nembeera zabantu nebanyweereza ddala enkolagana ennungi nabatuuze.

Mumutima gwegumu, wakati munkola ya CAO eyokutabaganya, BEL, ngateyambiddwaako CAO nakatono, yekolamu omulimo nga eyita muyafesi ekwasaganya ensonga zebyaalo ezomunda (Internal Community Affairs Office) nesobola okutegeragana awamu n'okuliyirira abantu abakosebwa abaali baddukanya bizinensi y'ebyobulambuzi e Bujagali.

3. Okukikirira ebiwayi era nabakwatibwaako ebenjawulo:

CAO munkola yayo, yafuba okulaba nga etuukirira abantu bonna obutaawula mumyaka, musajja oba mukazi munkungaana zonna zeyakubanga. Ekyagendererwa, kwekuwa omukisa buli munti yeyogerere mukifo kyokuyisa amaloboozi mubakulembeze abana (04) bebaalonda.



BEL General Manager in front of the Bujagali dam wall with a CAO team member.

Ebyokuyiga CAO byafunyemu

Omugaso gwokukwasaganya bonna bekikwatako mutensaganya zino kyali kyankizo nnyo.

Kyali kyetagisa okutabagananga nenjuyi zonna ezaali zikwatibwako ensonga zino obutasulirira nemu okusobola okumalawo okwemulugunya kuno obulungi.

Olwokuba okwemulugunya kuno kwakwata kunsonga nyingi, ate ngazivunaanyizibwako ebitongole ebyenjwulo kyali kyetagisa okwebuza (nga ojjeeko BEL-kontulakita eyavunanyizibwako pulojekiti eno) kubakontulakita abatono abayamba ku BEL, Gavumenti eyawakati, Ekitongole Ky'amasannyalaze (JETCL) nakakiiko akatuula kubyettaka (Land Board) Ekitongole (Land Board) Gavumenti ezebitundu nebibina ebyobwanakyewa nga NAPE.

Okugeza, enkungaana ne Gavumenti ezebitundu zayamba nyo CAO okugenda ebuziba mukutegeera ensoga zettaka nebizibu byabantu. Era, abantu basobola okutekamu CAO obwesinge kubanga Gavumenti yeyasoka okubakiririzaamu.

Enkolagana ennungi ne NAPE yayongera abantu okwesiga CAO era yayamba okuggulawo emikutu gy'empuliziganya nabakulu ba Gavumenti eyawakati Gavumenti ezebitundu abaakola omulimu omunene muntabagana zino. Singa si NAPE, omugaso guno CAO yandigufiiriddwa.

COA okussa ekimu nebibina nga EIB-CM abaafuna okwemulugunya kwekumu nga CAO, kyayamba obutamala budde ku kukola kubantu bebamu. Kino kyawa omukisa abemulugunya okulokola ebiseera. Ebibinja byagabanwa wakati wa EIB-CM eyakkiriza okutabaganya abakosebwa okukuba baluti oba amayinja nga ebbibiro lizimbibwa, ate yo CAO nekwasaganya abemulugunya kuttaka, n'ebimera ;(T-Line).

Mubutuufu, enkolagana ennungi nebonna abaali bakwatibwako ensonga zino okuyita mu CAO kivuddemu emigaso mingi kulwa Gavumenti, ebyalo nabatuuze nebitongole ebilala.

Ebyokuyiga IFC byefunyemu

IFC yasiima amaanyi CAO geyateka muntabaganya zino eza Bujagali-05. Baategenza nti, newankubadde abemulugunya abamu abakosebwa okukuba baluti nga ebbibiro lizimbibwa bazzaayo okwemulugunya kwabwe eri CAO, kyamala nekikakasibwa nti ensonga zabwe zaali zagonjoolwa nezigwa nga tezetaaga kuddibwamu nate.

IFC nayo ekakasa ebyokuyiga ebyava muntabaganya zino. Kyali kyetagisa okukolera awamu abemulugunya bonna okusobola okusasulwa mubujjuvu.

Era, IFC eggumizza kumigaso egyokubulira bonna abandyagadde okumanya emitendera, obudde namaanyi agateekwamu muntensaganya okusobola okuziyiza abemulugunya abapya okusaba.

OKUFUNDIKIRA:

Tewali kwemuluganya kusigaridde kunsonga ezaweewayo eri CAO era alipota eraga emitendera nebyava muntensaganya zino eraga okuggalawo omusango guno.

Obiwandiiko byonna Ebikwata kunsonga zino mubujjuvu mu Luzungu bisange ku kibanja kya CAO:
www.cao-ombudsman.org