



Plate forme African Network of Young Leaders for Peace and Sustainable Development, ANYL4PSD
« Nous construisons et façonnons ensemble le Nouveau Pacte pour la Nature et les Personnes »

Ref N°: 03/ANYL4PSD/RDC/05/2021

Goma, May 5th, /2021

Copies for Information to:

- His Excellency the Prime Minister of DR Congo,**
(Head of Government)
- Honorable President of DR Congo Senate;**
- Honorable President of the National Assembly of DR Congo;**
- Excellency Madam the National Deputy Prime Minister of Environment of DR Congo,**
- Excellency National Minister of Hydrocarbons;**
- Mr. Director General of the National Institute of Nature Conservation (ICCN);**
- Mr. Commandant of CorPPN;**
- The Local Committee of the RAMSAR Convention of DR Congo;**
- Mr. Representative of the European Union in the DR Congo;**
- Mr. Representative of the UNESCO in the DR Congo**
- Mr. Representative of the UICN in DR Congo;**
- Mr. Representative of WWF in DR Congo;**
- Mr Representative of Greenpeace Africa Office**
(ALL) in Kinshasa
- Mr Coordinator of LEAF II Project in Bunia**
- Mr the Head of the LEAF II Project/ Sub Office in Goma**
- Mr. President of CSO of North Kivu Province;**
- Mr. Head of WWF/ Sub Office,**
- Mr. Director of Radio Okapi;**
- Ugandan Minister of Energy and Mineral Development**
- Ugandan National Environment Management Authority (NEMA),**

RE :

World African Heritage Day of May 5th, 2021: The CSOs Request for the cancellation of Oil exploitation Permits in protected areas and the questioning of Uganda following its Oil exploitation in Lake Albert in accordance with the African Convention on the Conservation of Nature and Natural Resources adopted by AU states and which you are leading for sustainable development and peace in the region.

Excellency President of the Democratic Republic of Congo,
(The Head of State)

Excellency,

our letter, the subject of which is highlighted.

We have the honor to convey to you the spirit of

Indeed, we congratulate you on your appointment at the head of the African Union (AU), this is not the result of chance, but on the other hand it is due to your expertise

One of the African Union's (AU) masterpieces is the 1968 Algiers Convention, *which is the African convention on the conservation of nature and natural resources adopted by the conference of heads of state. and the AU government, which the DRC ratified in 1976*, which encourages the establishment of development policies and programs that are environmentally Sound, economically Sound and socially acceptable

Excellency Mr. President, since your accession to the supreme office, you have always advocated the spirit of this Algiers convention. As an illustration, we quote your commendable statements, especially during your inauguration speech, you said that, *«Tourism and environmental protection will be among your priorities»*. Also your determination to protect the environment was noticed in your speech of April 23, 2021 at the virtual summit of the heads of state and government on the climate, speech during which, you had made *«the agreement to contribute to the fight against global warming in the context of sustainable development with the ambitious and intergenerational reforestation program which plans to plant 1 billion trees by 2023 at the national level»*

These commendable commitments are in accordance with Article 14 of the African Convention on the Conservation of Nature and Natural Resources paragraph one which says that *"the Contracting States shall ensure that the conservation and management of natural resources be considered as an integral part of national and / or regional development plans "*

We cannot ignore your determination in your speech of September 23rd, 2019 in New York when, you said, we quote *«I expect to significantly increase the protected areas including certain watercourses, on the whole of the territory. in order to strengthen the preservation of biodiversity»*. This determination aiming to significantly increase the protected areas is reflected in article 10 paragraph 1 of the Algiers convention which says that: *«the contracting States will maintain or, if necessary, will enlarge the natural reserves existing at the time of the entry into force of the this Convention on their territory [...] »*

Your Excellency the President of the Republic, despite your determination to protect the environment and protected areas in accordance not only with the constitution of the DRC (article 53), the laws of the republics (article 33 of law N ° 11 / 009 of 09 July 2011 on fundamental principles relating to the protection of the environment) and also in accordance with the African Convention on the Conservation of Nature and Natural Resources adopted by the Conference of Heads of State of the AU and which you are at the head, oil exploitation threatens these protected areas and in Lake Albert that the DRC shares with Uganda, risks compromising your resolve. Thus, within the framework of the implementation of the New Pact for Nature and People led by the platform *«African Network of Young Leaders for Peace and Sustainable Development»* (ANYL4PSD / ND4NP, site www.anyl4psd.org) the organizations in charge of leading the process of implementing this new Pact for Nature and the people in the Democratic Republic of Congo (DR Congo) and Uganda have looked into this question in order to give proposals to help you play well your role as President of the African Union within the framework of the application of the Algiers Convention.

It should be recalled that, UNESCO had recommended the cancellation of all the oil exploitation permits that were delivered in the Virunga and which unfortunately never was done. Unusual thing is that, article 155 of Law n ° 15/012 of August 1, 2015 on the general regime of hydrocarbons gives the possibility of oil exploitation in protected areas in violation of national and international provisions, authorizes pollution of the Lake Edward and the destruction of these areas instead of protecting and conserving them. Once the oil is depleted,

governments will pass on well ruins to future generations instead of a rich heritage of incomparable flora and fauna ecosystems of outstanding universal value.

In addition, Excellency the President of the Republic, we are informed like everyone else that the Republic of Uganda has already started oil exploitation in Lake Albert which it shares with the DR Congo (57% for Uganda and 43 % for the DR Congo) and even if this would have a negative impact on several national parks and in particular that of Murchison Falls, the largest in Uganda.

As Lake Albert is shared with Uganda, we believe that the exploitation in this lake should appeal to your great attention, not only as President of the DR Congo, but also as President of the African Union (AU), because zero pollution does not exist on the one hand and as water quickly spreads pollution on the other hand, so certain pollution of Lake Albert in Uganda can quickly spread to the side of the DR Congo. This is why we believe that you have the prerogatives to call upon the Ugandan Government about this concern, because the African convention on the conservation of Nature and natural resources adopted by the conference of heads of state gives you this prerogative and that in accordance with article 14 paragraph three which says that *«when one of these plans [of a State] is likely to affect the natural resources of a State, the latter will be consulted»* and point b of the first paragraph of article 16 adds that *«the Contracting States shall cooperate whenever a measure is likely to affect the natural resources of another State»*.

Also, we believe that the question of Oil exploitation in Lake Albert is not to be taken lightly, because it has an impact on the security of the region, because the pollution of Lake Albert following the exploitation of Oil in the Lake Albert would pollute the waters of the White Nile thus creating a conflict in the countries which are crossed by the Nile. It may be like the conflict you are mediating between Ethiopia on one side and Egypt and Sudan on the other side following the construction of the Ethiopian mega-dam on the Blue Nile.

In view of the above concerns we recommend the following:

- ✓ *The cancellation of all petroleum exploitation permits in protected areas according to the recommendations of UNESCO in accordance with article 215 of the constitution which shows the supralegislative value of the protection of heritage sites, of the application of the African Convention on the Conservation of Nature and Natural Resources adopted by the Conference of Heads of State and the AU government which the DRC ratified in 1976*
- ✓ *To Revise article 155 of Law No. 15/012 of August 1, 2015 on the general regime for hydrocarbons*
- ✓ *The Ugandan Government's questioning of threats to peace in the region following the exploitation of Oil in Lake Albert*

Excellency Mr. President, we believe that this is how you will contribute to the protection of African heritage during your mandate, to protect human lives and finally to contribute to the restoration of peace in the region.

Please accept our feelings of frank cooperation and high considerations.

Members of ANYL4PSD /RDCongo and partners

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Pour la plateforme ANYL4PSD/RDC

Le Président National

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