

Making Space for Dialogue on Just Transitions in Africa's Oil and Gas Producing Regions

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About Just Transitions within Sectors and Industries Globally

The programme examines how just transitions whilst tackling climate change and biodiversity is key to supporting inclusive economies and societies in the future. Through the programme, the Academy awarded funding to nine research projects exploring the actions required in sectors and industries globally across supply and value chains, with a focus on key economic emitters or areas of society that will help reduce and/or eliminate greenhouse gas emissions. The programme was funded by the UK's Department for Business, Energy and Industrial Strategy.

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Introduction

The oil and gas sector offers some of the greatest challenges and opportunities for global efforts to secure just transitions to low carbon energy, and perhaps nowhere is this more the case than in sub-Saharan Africa. Africa's experience of oil and gas extraction and the continent's efforts to meet the challenge of climate change while delivering development for its people raise justice issues at every level.

Globally, Sub-Saharan Africa is a key oil and gas producing region which, though highly vulnerable to climate change, has the smallest historically accumulated carbon footprint.¹ Africa's national governments, located as they are in the world's poorest region with the lowest rates of coverage by reliable and affordable energy supplies, have the greatest need for revenue and energy to meet the frustrated aspirations of their citizens.² In the continent's oil and gas producing regions, local experiences of fossil fuel extraction are driving high levels of dissatisfaction with social and environmental damage and with the concentration of economic benefits and political power in the hands of remote national elites – a dissatisfaction that in some cases has led to growing support for violent insurgencies.³

The tensions between efforts to address energy poverty, national energy security, and sustainability (particularly the need to rapidly decarbonise energy systems to address the climate crisis) have been described as the energy trilemma.⁴ These tensions are characterised by competing justice claims that need to be addressed as part of a just energy transition. There are different dimensions to just transitions, from procedural and recognition dimensions to distributive, restorative, and intergenerational aspects.

This practice-led study looks at how citizens in Nigeria, Mozambique, and Kenya are navigating these challenges and how civil society and governments respond to their claims. Our approach was based on work with communities in three areas at the frontline of these debates in the Niger Delta (Nigeria), Turkana (Kenya), and Cabo Delgado (Mozambique). It was combined with online workshops and interviews with local, national, and international civil society and development actors⁵ to explore issues raised by the different conceptions of justice, varying government positions on transition, and a range of often contradictory approaches to citizen engagement that we found. Workshops and webinars drew on participants' insights and experience and allowed us to test some of our initial findings.⁶

This study raises a series of issues about how, when, why, and for whom civic space can be used to address different aspects of just transitions. But it also highlights the limited nature of institutionalised consultation processes and prompts critical reflection about how far civic engagements can be expected to address all the myriad

1 Ayompe, L. M, S. J. Davis, S. J., and B. N. Egoh (2021) 'Trends and drivers of African fossil fuel CO₂ emissions 1990–2017' *Environmental Research Letters*, 15(12). <https://doi.org/10.1088/1748-9326/abc64f>

2 van Veelen, B., and D. van der Horst (2018) 'What Is Energy Democracy? Connecting Social Science Energy Research and Political Theory.' *Energy Research & Social Science* 46: 19–28

3 Abramsky, K. (2010) *Sparkling a Worldwide Energy Revolution: Social Struggles in the Transition to a Post-Petrol World*. Edinburgh: AK Press, Sovacool et al. 2019

4 DNV Group (2019) *Energy Transition Outlook 2019: Oil and Gas* <https://eto.dnv.com/2019/oil-gas/>

5 Natural Resource Governance Institute; Publish What You Pay; International Center for Not-For-Profit Law; Organisation for Economic Co-operation and Development; Oxfam U.S.; Chatham House; United National Research Institute for Social Development; Oxford Policy Management; Federal University Ndufu-Alike Nigeria; CIVICUS; Open Government Partnership; World Bank; Extractive Industries Transparency Initiative.

6 Newell, P., A. Shankland, A. Wemanya, C. Pereira, E. Gonçalves, I. Bashir, J. Gaventa, M. Adow, N. Nampoothiri, P. Scott-Villiers, R. McGee, S. Forquilha and V. Ibezim-Ohaeri. (2022 forthcoming) *Making Space for Dialogue on Just Transitions in Africa's Oil and Gas Producing Regions*. Brighton: IDS

complexities of just transitions within and between societies and across time (from restorative justice to intergenerational justice). We end the report with reflections about how actors within and beyond the region can work across scales to enhance the prospects of just transition. We suggest some ways in which external actors in the region, from donors and multilateral institutions to international civil society organisations, can create, support, and protect key spaces for civic engagement and deliberation about just energy futures.

Africa's oil and gas: Challenges and opportunities for just transitions

In essence, many regions, including SSA, may potentially have a 20 to 30-year window to maximise the value of their hydrocarbon resources. This could have dire implications for governments reliant on these export revenues to deliver public goods such as roads and hospitals but unable to create new industries around the transition. This is highly likely to increase social pressures and challenge ruling governments, democratic or not.⁷

A combination of factors is driving the need for deeper and faster transitions in the energy sector. This has significant implications for African countries, which in recent years have been betting heavily on the potential of oil and gas to finance their national development aspirations and meet the energy needs of their citizens. For most countries, this bet has yet to pay off: although Africa has 7.2% of the world's proven oil reserves and 6.9% of the world's natural gas, many of the African countries that are now investing in opening their fossil fuel reserves are relatively new producers, and some are still at the exploration stage.⁸ Even the longer-established African producers have found themselves grappling with an intensification of elite corruption, regional conflict and popular unrest that has undone many of the development gains that their oil and gas revenues were supposed to deliver.

Now, the growing global pressure to “leave it in the ground” has forced all African producer countries to confront the prospect of having to abandon the dream of fossil-fuelled development without ever having come close to realising it.⁹ The total halt to approval of new oil and gas fields that according to the International Energy Agency is required to keep the global temperature rise to 1.5°C by 2050 would turn 51% of Africa's oil reserves and 49% of its fossil methane gas into ‘stranded assets’.¹⁰

This calls into question not just the future of oil production on the continent but also the viability of African natural gas as a ‘transition fuel’. Natural gas is already the primary fuel of choice in power generation for several countries and regions on the continent, and with an expanded pipeline network in West, East, and Southern Africa, regional gas movements could double by 2030, further displacing coal in some markets.¹¹ The potential of alternative energy pathways is rising with the

7 Acheampong, T., B. Okyerebea Menyeh, K. Darkwa Ampofo ‘Energy transition and industrialisation in Sub-Saharan Africa: Challenges and prospects’, forthcoming in *Global Transitions*

8 BP 2021 Statistical Review of World Energy (2021) London: BP plc.

9 Adow, M. 2020. ‘The Climate Debt’, *Foreign Affairs* May/June 2020: 60–68

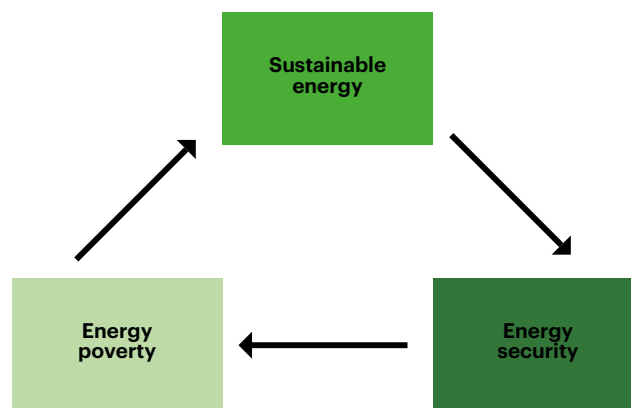
10 Denton, F., T. Arko, G. Forkuor, B. Tekie, S. Anderson, S. Yeboah, Q. Mondo, M. Bombande, G. Ampomah, and S.K. Abebe (2021) *Blind Alleys and Bright Prospects: Africa Navigating Stranded Assets and Just Transitions*. Accra: UNU-INRA. IEA (2021) *Net Zero by 2050*. <https://www.iea.org/reports/net-zero-by-2050>. Welsby, D., J. Price, S. Pye, and P. Ekins (2021) Unextractable fossil fuels in a 1.5° C world. *Nature*, 597(7875), pp.230-234.

11 Acheampong, T., B. Okyerebea Menyeh, K. Darkwa Ampofo ‘Energy transition and industrialisation in Sub-Saharan Africa: Challenges and prospects’, forthcoming in *Global Transitions*

widespread uptake of solar across the region, including grid-connected systems and local mini-grids as well as individual home solar systems, and with the increasing adoption of national policies (including feed-in-tariffs and renewable energy procurement programmes) to support their development.¹² Yet 50% of Africa's population still has no access to electricity and 80% is without access to clean fuels and technologies.¹³ Most rural populations continue to rely on traditional biomass and firewood to meet their domestic needs, and even in the better-connected urban areas the electricity supply is often irregular, unreliable, and expensive. Removing natural gas from Africa's energy supply mix without a dramatic increase in levels of investment in solar and other renewable alternatives risks confronting governments on the continent with angry and frustrated citizens as well as reduced revenues.

The issues faced by African oil and gas producing countries are encapsulated by the 'energy trilemma': the tensions and trade-offs that surround attempts to combine efforts to address energy poverty, energy security and environmental sustainability (particularly the need to rapidly decarbonise energy systems to address the climate crisis).

Figure 1: The Energy Trilemma¹⁴



Any attempts to navigate the energy trilemma and achieve a 'just transition' that meets multiple (often necessarily subjective) justice criteria must confront the key overall question of *'Who wins, who loses, how and why, from competing energy pathways within and beyond fossil fuels?'*

In this study, we focus particularly on procedural and recognitional dimensions of justice. Here, the key questions are *'Who gets consulted?'*, *'Who participates?'*, *'Who represents whom?'*, and *'Who is identified as a legitimate stakeholder?'* Recognising that procedural and distributional elements are closely related, however, we also wished to understand the aspirations of research participants in terms of the distributional and restorative aspects, which involved asking *'Who gains what – and who should gain what – from energy policy decisions?'* as well as *'Who loses, and who or what should be the object of compensation?'*

These aspects are inevitably bound up with intersectionalities of race, ethnicity, class, and gender, as well as with the global interrelationships involved in

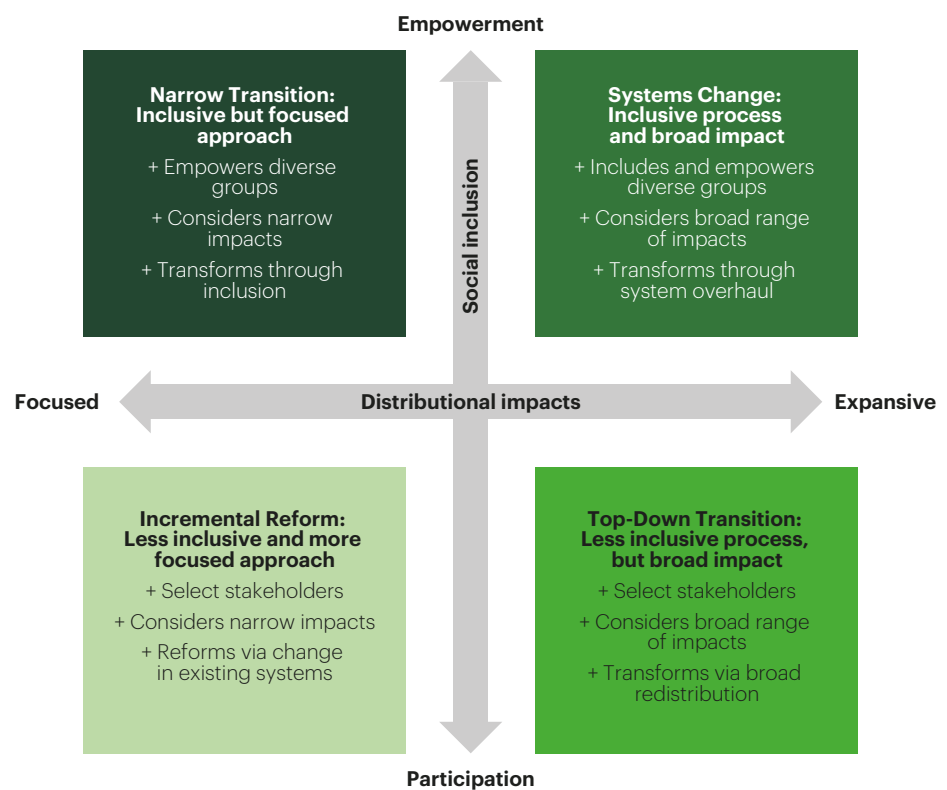
12 Newell, P., and J. Phillips (2016) 'Neoliberal Energy Transitions in the South: Kenyan Experiences'. *Geoforum* 74: 39–48
 13 IEA, IRENA, UNSD, World Bank, WHO (2021) *Tracking SDG 7: The Energy Progress Report*. Washington DC: World Bank
 14 Adapted from the World Energy Council (2021) *World Energy Trilemma Index*

transitions.¹⁵ They involve not only questions about intra- and inter-societal dimensions ('Who captures benefits?' and 'Who pays the costs?') but also issues of intergenerational justice ('What costs are passed onto future generations?').¹⁶

The need to explore all these dimensions arises from the fact that no settled single definition of a 'just transition' exists. The use of the term is still evolving, and it has travelled a long way since it was first used by trade unions in the 1980s. The term became more prevalent in the last ten years or so, after the goal of achieving a just transition was incorporated into the negotiating text of the Copenhagen Summit in 2009 and later into the preamble to the historic Paris Agreement adopted in December 2015. Even so, many key actors have only recently begun to use the term and to engage with its implications. For example, according to a senior official of the Extractive Industries Transparency Initiative (EITI), this major international initiative has only started to engage with the just transitions framing in the last 1-2 years, even if it may become more central to their future work.

A key group of actors, the multilateral development banks, has long been criticised for their lack of attention to issues of justice and sustainability in oil and gas sector investments, but their multilateral Climate Investment Fund instrument has now launched a Just Transition Initiative.¹⁷ This Initiative proposes a framework to help understand the broad range of definitions and perspectives on just transitions at different geographical scales, illustrating the kinds of action that it sees as critical across the key dimensions of procedural and distributional justice.

Figure 2: The Just Transitions Initiative framework¹⁸



15 Newell, P. (2021) 'Race and the politics of energy transitions', *Energy Research & Social Science* 71: 101839
 16 Newell, P., and D. Mulvaney (2013) 'The Political Economy of the Just Transition', *Geographical Journal* 179(2): 132-40
 17 Adapted from: CIF (2021) *Just Transition* <https://www.climateinvestmentfunds.org/topics/just-transition>
 18 Ibid.

In this study we ask *whether* and *how* dominant assumptions and models of just transitions like the one above translate to different contexts. For example, assumptions which circulate in the global debate in relation to procedural justice and inclusion (albeit often not explicitly articulated) include tripartite bargaining between state, private sector, and labour, with a key role for labour; an engaged and responsive private sector; a cohesive and engaged civil society; high levels of democratic space; and state capacity as well as willingness to act.

While this may be an appropriate description of civic spaces for discussions of just transition in wealthy countries with consolidated democracies (though not always in those contexts either), it poorly describes many settings around the world. One of the key contributions of this research is precisely to ask what just transitions look like in contexts where many of the assumed conditions listed above do not prevail. In other words, what strategies do people use where the state may be weak or have limited authority or legitimacy, where trade unions are not the key actors, and where civic space is limited?

In many countries, including those where we conducted primary fieldwork for this study, the appropriate location for decision-making on energy is often contested between central and local states, and access to electricity as well as to oil and gas revenues is often determined by support for ruling parties or ethnic groups.¹⁹ The resulting inequities in the distribution of revenues and impacts from fossil fuel extraction and the exclusion of some perspectives and interests from decision-making in energy and climate policy processes can lead to unruly and even violent forms of contestation.

The alternative of democratic and inclusive public deliberation, as an essential route through which to arrive at socially and politically legitimate decisions in relation to these trade-offs requires the provision of opportunities for different groups – including those directly impacted by oil and gas extraction, as well as poor and marginalised citizens of oil and gas producing countries – to gain a fair hearing before decisions are taken. As we discuss in the next section, despite long histories of citizen mobilisation and increasingly savvy and intense civil society engagement in this field, efforts to promote democratic and inclusive public deliberation on transition face significant obstacles in Africa's oil and gas producing regions.

19 Hossain, N., J. Agbonifo, M. Atela, J. Gaventa, E. Gonçalves, U. Javed, N. McCulloch, D. Natalini, M. Oosterom, A. Ojebode and A. Shankland. (2021) *Demanding Power: Do Protests Empower Citizens to Hold Governments Accountable over Energy?* DOI: 10.19088/IDS.2021.056. Brighton: IDS

Civic space and public deliberation on just transitions

When it comes to governance in the context of the energy transition, restrictions on civic freedoms increase the likelihood that transitions to a low- or zero-carbon future will be elite-dominated, without significant public participation, consideration of impacts on local communities, or efforts to promote equity, justice, and sustainable development.²⁰

If energy transitions are to be just for those most affected by them (as workers, host communities, or consumers reliant on fragile and insecure energy provision) it is critical to ensure the voices of those groups have influence in decisions about how the transition should take place. More instrumentally, social acceptance will be vital to any major reconfigurations of energy systems, without which costs and disruption will increase. A key challenge is that where this is most needed – in poorer fossil fuel dependent economies – is also where access to civic space for citizens to participate in energy decision-making and deliberate on these trade-offs is least accessible to the communities on the ground.

Across the world, a broad and well-evidenced consensus now exists that civic space is under attack and shrinking. This long-running trend over at least the past fifteen years is observed not only in non-OECD settings but also in countries of the global north, as highlighted in stark terms in a series of landmark publications from the major 'civil society watchers' and 'civic space watchers' over the past three years.²¹

As part of this trend, a certain repertoire or playbook of repressive tactics has become familiar to those monitoring civic space and the related freedoms of assembly, expression and association. Central among these are formal and legal restrictions and regulations on organisations, including the legal right of civic organisations to exist independently of government at all, curtailing of their income and activities, and intrusive state supervision. Restrictions on freedom of speech, press freedom, access to information and communication have increased and, simultaneous with the expansion of digital forms of expression, have been supplemented with surveillance of online spaces. The number of activists and civil society organisations targeted with individual harassment, persecution or violence has risen steadily, including malicious prosecution and measures as extreme as physical assaults and even assassination.

20 ICNL; NRGi; IDS; Oxfam; and Publish What You Pay (2022) *Outcome Paper: Interactive Discussion Series- Extractive Industries and Civic Space*, Interactive Discussion Series, Washington DC: International Centre for Not-For-Profit Law

21 See, for instance, European Union Agency for Fundamental Rights (2021) *Protecting Civic Space in the EU*. Luxembourg: European Union Agency for Fundamental Rights. CIVICUS (2019) *People Power Under Attack*. Johannesburg: CIVICUS <https://civicus.contentfiles.net/media/assets/file/GlobalReport2019.pdf>. Repucci, S. (2020) *Freedom in the World 2020: A Leaderless Struggle for Democracy*, Freedom House, <https://freedomhouse.org/report/freedom-world/2020/leaderless-struggle-democracy>; Alizada, N., R. Cole, L. Gastaldi, S. Grahn, S. Hellmeier, P. Kolvani, J. Lachapelle, A. Luhrmann, S. Maerz, S. Pillai (2021) *Autocratization Turns Viral*, University of Gothenburg: V-Dem Institute, https://www.v-dem.net/static/website/files/dr/dr_2021.pdf

In numerous settings civil society as a movement has been subject to concerted attempts to divide, fragment and co-opt it, and to stigmatise it through negative labelling, and the crafting and propagation of anti-CSO discourses.²²

Though increasingly widespread across the world, resort to these repressive tactics is particularly common among regimes that are reliant on extractive industries for the revenue needed to keep elites on side and maintain the basic welfare provision that underpins the social contract with citizens – often including provision of fuel for transport, cooking, and small generators at subsidised prices.²³ Political power in these countries tends to be centralised, arbitrary, and discretionary, and marked by corruption, elite capture, and clientelism. Resentment of the centralisation of power and unequal distribution of resource revenues can fuel protests and even armed insurgencies in producer regions, leading in turn to increasingly repressive action by the central government.²⁴ With formal democratic institutions weakened or captured by elite interference, calls for transparency are likely to go unheeded or meet with repression; as a result, the normal routes by which citizens might demand accountability from corporate sector actors or government are often hard to access, dysfunctional or mired in threat and danger.²⁵ Lacking access to dialogue spaces or invitations to contribute to shaping policy related to climate change or energy transition, citizens, and civil society actors are often finding that protests and direct action are their only option, despite the risks that these entail.

This bleak picture has worsened still further during the pandemic. Recent research on the impact of COVID-19 on civic space in three oil- and gas-producing countries in Africa and Asia found that it had not only been affected in all the obvious ways by pandemic-induced restrictions on freedom of assembly, as well as by executive overreach and human rights abuses in the implementation of restrictions, but that in many countries governments had seized the opportunity of the pandemic to take measures that intensified the previous negative trends in civic freedoms in these contexts.²⁶ The suppression and silencing of dissent happened online as well as offline, with governments' curtailment of digital rights and refinement of surveillance techniques keeping pace with the shift of activism into online spaces as public gatherings were prohibited.²⁷

- 22 Anderson, C., R. McGee, N. Nampoothiri, J. Gaventa, S. Forquilha, Z. Ibeh, V. Ibezim-Ohaeri, A. Jawed, A. Khan, C. Pereira and A. Shankland. (2021) *Navigating Civic Space in a Time of Covid*. Brighton: IDS. DOI: 10.19088/A4EA.2021.002. Hacke, C. and A. Busye. (2021) *Research Bibliography Civic Space and Human Rights IO and NGO sources 2015 to 2020*. Utrecht: Utrecht University. Hossain, N., N. Khurana, S. Nazneen, M. Oosterom, P. Schröder, and A. Shankland (2019) *Development Needs Civil Society – The Implications of Civic Space for the Sustainable Development Goals*. Geneva: ACT Alliance; Borgh, C. van der and C. Terwindt, (2012) "Shrinking operational space of NGOs – a framework of analysis," *Development in Practice* 22.8: 1065–1081, <http://doi.org/10.1080/09614524.2012.714745>. ICNL (2019) *Civic Freedom Digest: Trends in the Digital Age*. Washington DC.: International Center for Non-Profit Law, <https://www.icnl.org/wp-content/uploads/10.2019-CFM-Trend-Digital-vf.2.pdf>
- 23 Hossain, N., J. Agbonifo, M. Atela, J. Gaventa, E. Gonçalves; U. Javed, N. McCulloch, D. Natalini, M. Oosterom, A. Ojebode and A. Shankland. (2021) *Demanding Power: Do Protests Empower Citizens to Hold Governments Accountable over Energy?* DOI: 10.19088/IDS.2021.056. Brighton: IDS
- 24 Castel-Branco, C. (2014) 'Growth, capital accumulation and economic porosity in Mozambique: social losses, private gains', *Review of African Political Economy* 41.sup1: S26–S48, DOI: 10.1080/03056244.2014.976363
- 25 ICNL; NRGi; IDS; Oxfam; and Publish What You Pay (2022) *Outcome Paper: Interactive Discussion Series- Extractive Industries and Civic Space*, Interactive Discussion Series, Washington DC: International Centre for Not-For-Profit Law; Kazemi, L. and R. S. de Oliveira (2022) *Supporting Good Governance of Extractive Industries in Politically Hostile Settings: Rethinking Approaches and Strategies*, New York: CCSI and Oxford Martin School
- 26 Anderson, C., R. McGee, N. Nampoothiri, J. Gaventa, S. Forquilha, Z. Ibeh, V. Ibezim-Ohaeri, A. Jawed, A. Khan, C. Pereira and A. Shankland. (2021) *Navigating Civic Space in a Time of Covid*. Brighton: IDS. DOI: 10.19088/A4EA.2021.002; Pereira, C., and S. Forquilha (2021) *Navigating Civic Space in a Time of COVID-19: Mozambique Country Report*. Maputo: IESE; Spaces for Change (2021) #EndSARS: POLICE BRUTALITY, PROTESTS AND SHRINKING CIVIC SPACE IN NIGERIA, Spaces for Change, <https://closingspaces.org/endsars-police-brutality-protests-and-shrinking-civic-space-in-nigeria/>; Khan, A., A. Khwaja and A. Jawed (2020) *Navigating Civic Spaces During a Pandemic: Pakistan Report*, Collective for Social Science Research, <https://opendocs.ids.ac.uk/opendocs/handle/20.500.12413/16543>
- 27 see also Roberts, T., A. Mohamed Ali, G. Karekwaivanane, N. Msonza, S. Phiri, ... and K. Ndongmo, (2021) 'Digital Rights in Closing Civic Space: Lessons from Ten African Countries', <http://doi.org/10.19088/IDS.2021.003>

While the trend towards closing civic space is a general one, it is more severe in policy areas that are known to be especially undemocratic and closed to public engagement or participatory deliberation – chief among which is energy policy.²⁸ Debates on energy policy in resource-rich countries have historically been closed spaces, with little pretence of citizen engagement, compared to policy areas such as poverty reduction or social policy, where at least some attempts have been made in the past to encourage public participation. The political sensitivity of energy policy – heightened by the growth in recent years in the frequency and intensity of fuel price protests, which in some cases have even led to regime change – has made governments especially wary of engaging with citizens and civil society in debates over energy justice. The closure of civic space is an even greater challenge for the field of energy policy, where there was little openness to public deliberation even before the current wave of democratic backsliding began.

Hence, there are both generic challenges to civic participation and engagement in public life and ones that are specific to, or at least intensified in the arena of, energy politics. This is because of the high stakes and sensitivities around any discussion of moving away from or forgoing the possibility of extracting resources of significant value. The argument of oil and gas producing countries in Africa and elsewhere in the Global South that they have the right to harness their fossil fuel resources to support their own development resonates with global justice claims – including many declarations by African civil society groups who are critical of ‘colonial’ and ‘hypocritical’ Western calls for decarbonisation – but it has also been exploited by corporate interests who are lobbying against divestment from oil and gas and for the maintenance of business as usual. One consequence of these North-South tensions has been to expose local activists arguing against the exploitation of natural resources to government accusations of being ‘unpatriotic’ or overly influenced by Western agendas.²⁹

However, there are also growing numbers of environmental, trade union, extractives governance and human rights organisations who are engaging with just transition issues and potentially could help to create or hold open space for more inclusive dialogue. Despite the shrinking of civic space in many regions this is nevertheless an area of intensifying advocacy on the part of a wide and growing range of civil society organisations working on the governance of natural resources, climate activism, monitoring of extractive industries and defence of human rights and environmental defenders at global and country levels. Across sub-Saharan Africa, there is a growing environmental movement, which, along with trade unions, NGOs and others has the potential to play a positive role in amplifying the voices of communities on the front lines of energy transition in local, national and global debates.

Yet, as in many campaigns and social movements, there are often disconnects between local, national, and global groups, raising questions of legitimacy of who speaks for whom in which fora. Within these movements, there may be deep divisions between those organisations who want to ‘leave fossil fuels in the ground’ for environmental reasons, and those who advocate for a slower rate of withdrawal from oil and gas production, emphasising the need to capture benefits especially for developing countries for development gains.

28 McCulloch, N., D. Natalini, N. Hossain and P. Justino. (2021) ‘An exploration of the association between fuel subsidies and fuel riots’. DOI: 10.21203/rs.3.rs-142268/v1

29 ICNL; NRGi; IDS; Oxfam; and Publish What You Pay (2022) *Outcome Paper: Interactive Discussion Series- Extractive Industries and Civic Space*, Interactive Discussion Series, Washington DC: International Centre for Not-For-Profit Law.

In addition to a global evidence review and a series of interviews and dialogue events with some 24 international organisations, we conducted primary local- and national-level research through interviews with around 25 community leaders and CSO activists in each of three countries – Kenya, Mozambique, and Nigeria – to identify the opportunities as well as the barriers that face efforts to promote more inclusive public dialogue and deliberation on just transition for Africa's oil and gas producing regions.

Located respectively in East, Southern, and West Africa and situated at different points in the journey from exploration to consolidated production of fossil fuels, the three countries capture some of the diversity of African experiences with oil and gas production and perspectives on transition. They also have different levels of democratic consolidation or backsliding and different civic space configurations, as the table below illustrates.

Table 1: Democracy and civic space indicators for the study countries

	Mozambique	Nigeria	Kenya
Economist Democracy Index (2021)	Authoritarian	Hybrid	Hybrid
Freedom House (2020)	Not free	Partly Free	Partly Free
CIVICUS Monitor (2021)	Repressed	Repressed	Obstructed
OECD Fragility Index (2020)	Fragile	Fragile	Fragile
Fragile States Index rank (2021)	12th	22nd	32nd

Mozambique's ruling party has shifted in a strongly authoritarian direction over the decade since the country was rocked by large-scale fuel price protests, and the intersection of the COVID-19 pandemic and a growing insurgency in Cabo Delgado has seen a further closing of civic space and a rapid increase in human rights violations. Nigeria had appeared to be consolidating the process of democratic opening that had been under way since the end of the military regime, but in recent years this has gone into reverse, with repression of civil society protests against corruption and police violence and targeted attacks on outspoken activists. Kenya enshrined an important range of rights in its new Constitution in 2010 and retains a higher level of protection of civic freedoms than Nigeria and Mozambique, but has recently seen signs of democratic backsliding, including the use of internet safety legislation to restrict activists' ability to mobilise in the country's vibrant online civic spaces.

These general trends mask considerable subnational variation, as conditions for citizen voice and civil society activism in each country's oil and gas producing regions are often very different from elsewhere in the country. Their different levels of political decentralisation – with Nigeria having a fully federal Constitution, Kenya devolving political power to county governments but retaining powers over energy and land in the centre, and Mozambique concentrating ever more power in the hands of the Maputo-based party-state machinery – also afford different opportunities for citizens and civil society groups from oil and gas producing regions who wish to engage with energy policy debates. By asking whose voices are being heard in debates on transition in these three countries at the local as well as the national level, and by exploring barriers and opportunities for local priorities to be reflected in national policy debates, we can gain a clearer picture of how these dynamics unfold.

Oil, gas, and transition in Nigeria

“We are not gaining anything. We are rather losing our lives. Look at my brother, his roof is corroded because of this acidic rain. Oil and gas is not giving us anything.”

Community leader interviewed in Rivers State

Oil, first discovered in Nigeria in 1956, has played a major part in the national economy at least since the oil boom of the 1970s. Before the pandemic, Nigeria's petroleum sector accounted for about nine percent of the country's gross domestic product. Dipping to a low of 5.9 percent of GDP in mid 2020, its contribution climbed back to 7.5 percent in the third quarter of 2021.³⁰ Crude oil and natural gas from the Niger Delta region now account for about 90 percent of total exports and national oil revenues.³¹ Rivers and Bayelsa States are two of the largest oil-producing states in Nigeria. The Assa North and Ohaji South (ANOH) gas development project in Imo State is set to be one of the largest greenfield gas condensate development projects in Nigeria to date, with the expectation that future gas production from the project will supply the domestic market.³²

In the context of this historic dependence on oil, at the COP26 summit in November 2021, Nigeria's President Muhammadu Buhari announced the country's commitment to achieving net-zero by 2060.³³ This commitment is contained in two major frameworks: the **National Energy Transition Plan (NETP)** and the **Climate Change Act (CCA)** signed into law in November 2021. The NETP proposes a gas-based energy transition until 2040 which would enable Nigeria to launch the long-term renewable energy infrastructure procurements and investments needed to have a sustainable energy supply. The CCA, meanwhile, represents the legal framework for facilitating the mobilisation of finance and other resources necessary to ensure effective action on climate change and for mainstreaming climate change actions in line with national development priorities. In an oil-dependent nation ranked as one of the countries most vulnerable to climate change in the world, these legislative trends have been hailed as positive developments that will prepare Nigeria for a low carbon future.

However, there are also recent laws that contradict these carbon reduction ambitions, including the 2021 **Petroleum Industry Act (PIA)**. The Act, which creates a comprehensive oil and gas legal regime, brings into question the government's commitment to a just energy transition. In particular, the PIA provides for a Frontier Exploration Fund (FEF) to be derived from the national oil company's profit from oil and gas and used to fund exploration and development of oil and gas in the country's frontier basins.

30 Statista (2021) Contribution of oil and natural gas sector to GDP in Nigeria from the 4th quarter of 2018 to the 3rd quarter of 2021. <https://www.statista.com/statistics/1165865/contribution-of-oil-sector-to-gdp-in-nigeria/>

31 OPEC (2020) Organization of the Petroleum Exporting Countries: Nigeria Facts and Figures https://www.opec.org/opec_web/en/about_us/167.htm

32 Ibezim-Ohaeri, V. and O. Nosayame (2021) *Natural Resource and Benefit-Sharing Negotiations between Host Communities and Extractive Companies: A Case Study of Assa North and Ohaji South [ANOH] Gas Development Project*. Abuja: Spaces for Change

33 Nigeria Rural electrification Agency (2021) The Unveiling of Nigeria's Energy Transition Plan at COP26. <https://rea.gov.ng/the-unveiling-of-nigerias-energy-transition-plan-at-cop26/>

Following a long history of environmental destruction, violent conflict and human rights abuses linked to fossil fuel extraction in the Niger Delta, the PIA attaches new conditionalities linked to operating licenses for oil and gas production as part of a broader effort to end air and ground pollution and improve community relations linked to fossil fuel extraction and combustion activities. The Act does not, however, alter the fundamental factor underpinning many local grievances: the vesting of control of land in the hands of State Governors and of minerals in the hands of the federal government, which has seen a longstanding pattern of oil and gas concessions being awarded at the discretion of the president not only to foreign corporations but also to Nigerians from other regions, particularly generals from the North of the country.

Interviewees and focus group participants from affected communities across three States of the Niger Delta region (Rivers, Bayelsa, and Imo) expressed a shared yearning for a new dawn marked by new methods, opportunities, and strategies for negotiating the costs and benefits of natural resources.³⁴ Community members agree that the current distribution of benefits from oil and gas production is deeply unjust, with vast revenues flowing away from the Niger Delta and only a trickle of resources returning to the communities most directly affected by fossil fuel extraction. This perception of injustice is exacerbated by the continuing limitations on access to reliable and affordable energy for communities across the oil and gas producing areas. Despite the country's abundant gas reserves, the cost of domestic cooking gas or liquefied petroleum gas (LPG) is unaffordable for many low-income households. Focus group participants expressed derision when discussing government claims of massive investments in the supply of electricity to their communities, with one local leader from an area that had supposedly received these investments claiming that "when you look around, you cannot see even a pole."

Interviewees and focus group participants across the study region emphasised the extent of damage caused by oil and gas production to local livelihoods, societies and ecosystems, including acid rain linked to gas flaring and lost agricultural production due to land expropriation and oil contamination of soil and groundwater. This was linked to calls for restorative justice; according to community leaders in gas-rich Imo State, for example, a just transition means leaving local farmlands in a fertile, farmable state post-oil, so that locals can return to farming to feed their families.

Women, who are responsible for most of the labour that goes into farming as well as bearing primary responsibility for domestic chores such as fetching water and firewood, washing and cleaning, were particularly vocal about the importance of restoring areas damaged by decades of oil and gas extraction to their previous condition of fertile farmland. In a focus group discussion in Ohaji, for example, men described a just transition as one in which the dividends from oil, gas, minerals and renewables are judiciously distributed to the impacted communities, while women insisted that a transition could only be considered just if it gave them back their once-fertile soil.

The promise that the environmental costs of oil and gas extraction would be compensated for by new economic opportunities has not materialised. This is another area where there are marked gender inequalities, as at a local level unequal access to education means that women have minimal access to higher-skilled employment opportunities in the energy industries, and positions for unskilled workers tend to be dominated by men. Local young men who did have access to

34 Newell, P., A. Shankland, A. Wemanya, C. Pereira, E. Gonçalves, I. Bashir, J. Gaventa, M. Adow, N. Nampoothiri, P. Scott-Villiers, R. McGee, S. Forquilha and V. Ibezim-Ohaeri. (2022 forthcoming) *Making Space for Dialogue on Just Transitions in Africa's Oil and Gas Producing Regions*. Brighton: IDS

education also expressed frustration, explaining how they found it almost impossible to get jobs in the nearby refineries because federal authorities conduct recruitment in Abuja, far away from the oil extraction zones. Of the hundreds of graduates recruited by Nigeria's oil and gas industry every year, few ever come from the oil-rich areas that bear the brunt of environmental degradation, water contamination, and acid rain.

This has led to a collective appetite to halt the damage by ending oil and gas production, with one group of women interviewed in Imo State stating that the government's target date of 2060 for completing the phase-out of fossil fuel extraction should be brought forward to 2022. People also expressed interest in biofuels (seen as an opportunity to stimulate local agricultural production) and other alternative energy pathways. However, they were concerned that investments in renewables might follow the same exclusionary patterns that have affected decision-making and benefit distribution with oil and gas, and there was insistence that renewable energy projects must give communities greater power and control over benefits and risks.

The gendered differences in community level perspectives on what would make for a just transition highlighted the importance of women in different positions having the opportunity to shape decisions as well as men, since women are systematically under-represented in deliberative spaces at every level. In addition to gender inequalities, other forms of unequal power relations shape existing spaces for voice and participation in decision-making. Local-level deliberations are perceived by communities in the Niger Delta to be heavily influenced by the power of politicians and corporations. Local interviewees stated that unequal bargaining power between enterprises and negatively impacted groups has often left communities unable to challenge the imposition of unfavourable, non-consensual decisions made on their behalf.

Despite assurances from oil and gas companies, State governments and federal authorities that recent legislation marks a decisive shift towards inclusion and sustainability, there are signs that power asymmetries are as deeply entrenched as ever. For example, under the host community development provisions of the Petroleum Industry Act, corporations will have the power to incorporate host community trusts on behalf of communities, determine the communities to be regarded as host communities, and appoint members of the Board of Trustees of the community trusts. This type of arrangement overlooks existing community structures, including traditional, cultural and statutory organizations that have historically been responsible for undertaking local development.

The PIA provides for general memoranda of understanding (GMOUs) to be 'agreed' with communities by oil and gas companies, but there is a long history of local leaders being either induced or coerced to sign GMOUs despite having taken no part in negotiating their terms and conditions. Recent research on community engagement around the ANOH gas development project has shown that despite the promises of a new beginning, these agreements remain poorly negotiated and largely uncoordinated, with neither state agencies nor independent third parties involved in monitoring and verification of their implementation.

Nigerian civil society groups are increasingly seeking to carry out this monitoring work and often take sides with communities in conflicts over oil and gas extraction, deploying a variety of approaches. Examples range from the civil society-led protests in the wake of the November 2021 oil spill in Nembe, Bayelsa State, to research investigations into the sharing of costs and benefits between communities and corporations, to litigation challenging corporations over environmental damage from oil and gas extraction.

Within the range of different agendas espoused by civil society groups, calls for a just transition have become intertwined with clamour for environmental, climatic, economic and political justice. However, changes in civic space in the country have brought new challenges to CSOs' ability to pursue these agendas. Since the last change in political leadership in 2015, civic space has shrunk rapidly and drastically, as a vicious crackdown has been unleashed on those challenging impunity, official corruption and human rights abuses. It has targeted bloggers, leaders of religious and indigenous movements, journalists and environmental activists, adding violent coercion to the ongoing effects of restrictive legislation, heavy-handed security measures and non-legislative constraints.

These new challenges for Nigerian civil society are compounded by longstanding problems with fragmentation and disconnects between levels. Local organisations, however dynamic and vocal, have lacked channels and reliable intermediaries capable of connecting them to State and national levels, and as a result are often excluded from policy processes. This exclusion affects other actors beyond communities and local CSOs, with even State government officials complaining that they were not being involved in decisions. One State government interviewee disclosed that the national transition plans announced at COP26 had not yet been communicated to the constituent state authorities, including those in the oil and gas producing regions. Another official pointed out that State governments' exclusion from the process that led to the Nigeria Energy Transition Plan (which was developed by the international consultancy firm McKinsey) increased the risk of politicisation of transition issues, as well as limiting their ability to plan for energy transition.

At the national level, some civil society and academic interviewees as well as government officials emphasised the need for global justice in debates on transition, expressing concern that calls for greater procedural, distributive and restorative justice in the country's internal negotiations around the costs and benefits of fossil fuel extraction should not detract from a focus on the historical climate change responsibilities of other countries, particularly those whose corporations have profited hugely from Nigeria's oil and gas. While recognising the importance of the transition debate for Nigeria, some interviewees suggested that it is ill timed and unfair to ask African countries – who together are responsible for only 2-3 per cent of global greenhouse gas emissions – to decarbonise when the continent is still struggling to leverage its vast oil and gas deposits to unlock manufacturing potential and facilitate industrialisation.

Oil, coal, and transition in Kenya

“They might claim that they compensated those people whose land was taken away, but what does this mean to the people whose entire livelihoods and lives are dependent on land resources such as water and pasture?”

Civil society representative, Turkana

Kenya has one of the lowest electrification rates in Africa with less than 25% of the population having access to the grid, many businesses relying on petrol or diesel generators, and the greater proportion of homes relying on kerosene and fuelwood for light and cooking. Increasing electricity generation has become one of the government's highest priorities.³⁵ In 2020, more than 92% of Kenya's electricity consumption was supplied from renewable sources, primarily hydro power and geothermal, so the increased investment in new energy projects is less about decarbonisation than about expansion of energy potential.³⁶ Kenya is investing in and planning to increase the share of its energy and revenues that come from fossil fuels. The current national budget allocates billions of shillings to oil exploration activities.³⁷

Civil society organisations in Kenya see themselves as playing an important role in representing the local communities that often are left out of just energy transition conversations, drawing on a long history of civil society campaigns in energy policy processes. Civic space has opened since the 1990s when a repressive regime ordered the de-registration of organisations such as Wangari Maathai's Green Belt Movement. The new dispensation that came into force with the 2010 constitution opened space for civil society voice and action. However, as relations between civil society and government moved from conflict to cooperation, and as civil society leaders became government officials, critics claimed that civil society became hard to distinguish from government itself.

The connections between civil society at national and local levels is not strong and competition between organisations is acute. Conflicting community interests and demands seem to be mirrored in the wide variety of civil society demands, supported by dependence on a variety of external donors who themselves do not have a unified approach to participation.³⁸ One civil society representative interviewed in Nairobi pointed out that

“Participation is easier where the communities are organised. Civil society organisations have a role to give local community groups agency to be able to effectively participate. But this is happening in bits, as most civil society organisations are driven by different interests. The Kenyan civic space is very elitist and virtually inclusive of issues, actors and the processes.”

35 EPRA (2019) *Energy and Petroleum Statistics Report*. Nairobi: Kenya Energy and Petroleum Regulatory Authority <https://www.epra.go.ke/wp-content/uploads/2020/09/Energy-and-Petroleum-Statistics-Report-2019.pdf>

36 Kuhudzai, R. J. (2021) 'Renewables Provided 92.3% Of Kenya's Electricity Generation in 2020!', *CleanTechnica*, 4 November, <https://cleantechnica.com/2021/11/04/renewables-provided-92-3-of-kenyas-electricity-generation-in-2020/>

37 Mbabazi, E. (2022) 'Kenya Begins Oil Exploration Activities in Lamu' *Kenyan Wall Street* 24 January, <https://kenyanwallstreet.com/kenya-begins-oil-exploration-in-lamu>

38 Taka, M. and J. A. Northey, (2020) 'Civil society and spaces for natural resource governance in Kenya,' *Third World Quarterly* 41:10: 1740-1757, <http://doi.org/10.1080/01436597.2020.1783996>

On the ground in northern Kenya, focus group participants said that they barely knew of the existence, let alone the procedures, of bodies such as the National Environment Management Agency, and the tribunals that might support representation of citizen concerns. In the oil exploration area of Turkana, local pastoralists told how they began to express concerns to Tullow Oil shortly after the company began oil exploration in 2012. Armed youth set up roadblocks on key routes between oil facilities, demanding jobs and shares of land compensation deals. Elders mobilised to raise awareness across several hundred settlements and mobile encampments and to request audiences with the oil company and government. Tullow Oil provided support to their costs as part of its corporate social responsibility (CSR) effort. However, the company was only able or willing to negotiate on its CSR programme, not on the scale of its operations. The County government was likewise unwilling to countenance out and out rejection of any part of the development of the oilfield, or even of zoning of territories that would be excluded from potential oil extraction to protect the pastoralists' livelihoods.³⁹

Focus group participants further explained that consultations by the company, through a system of Community Liaison Officers, brought another sector of the community into the debate: the inhabitants of small settlements, whose interest in expanding small businesses and gaining compensation shares set them at odds with their rural kin. Women in these settlements talked about their disappointment that schools promised by the company and government administrators were poorly funded, while women living the mobile livestock herding life were concerned about environmental damage.

Political candidates and Members of Parliament appeared and disappeared, often with agendas relating to land enclosure and access to contracts and creating further divides in communities. Civil society organisations operating in the region attempted various approaches to representation, and many fell foul of the same community divisions. A local interviewee gave the example of one CSO which, when attempting to support communities to regain control of land by registering it as community land, was accused by pastoralists of gross ignorance in thinking that any one clan could have exclusive title. Members of the community opined that CSOs are mostly 'outsiders looking to profit from their problems'.

Our conversations in Turkana made clear the diverse opinions and interests and positions of different sections of the local community, and the difficulties faced by county government and CSOs in providing support. Community members were confused and mistrustful and felt they had few allies. Media and government framings of oil development in Turkana portrayed oil as an answer to poverty, debt, and underdevelopment, but as the reality of land enclosure, menial jobs and changing social norms dawned on local people they found their efforts to voice their concerns and solve their internal problems garnered little support.

While communities in Turkana reported little success with engagement over energy issues, the effort by a coalition of local and national CSOs to halt a US\$ 2 billion coal power plant planned for Lamu on the coast achieved greater traction. The project was brought to a halt by the National Environment Tribunal when it revoked the developers' Environmental Impact Assessment licence, issued by the National Environment Management Authority.

39 Scott-Villiers, P., M. Kullu, E. Korkel, (2019) 'Oil, Economic Development and Accountability: The Pastoralist Process in Turkana', Unpublished Research Report, Brighton: Institute of Development Studies

Interviewees who had been involved explained how the coal project was opposed by various sections of the local community, including fishermen, elders, women and religious groups. One CSO respondent attributed its success to the unity they had achieved in their anti-coal stance. The movement was called 'deCOALonize' and managed to combine local, national, and international voices to push back against the EIA licence. She also applauded the movement for its communication which had brought it strong public support. Public pressure influenced the withdrawal, one by one, of bodies financing the project, even before the Tribunal ruled in favour of the community.⁴⁰

The contrast between the outcomes of the engagement by communities in the two cases raises the question of why one was successful in generating a response from authorities while the other was not. In a discussion with civil society organisations in Nairobi, participants postulated that the negative impacts of oil are not as clearly exposed as those of coal. Oil is presented as a useful resource for transition. The discussions around it are therefore on how to use it to develop before slowly tailing off and making a transition to other forms of energy, as opposed to not touching it at all.

Civil society in Kenya is actively engaged on questions around the fair management of energy production, in both the fossil fuel and renewables sectors. Kenya's trajectory towards increased fossil fuel production, has pushed just transitions issues to one side in favour of contention around the immediate benefits and risks of large new fossil fuel projects. With the business community and government in strong agreement on this trajectory, and with fragmented civil society efforts advocating for environmental sustainability, or pastoralist land rights, or fair shares of benefits and risks of energy projects, the success of citizen engagement has been limited. Avenues for justice provided by the law have provided a corrective, but they are not enough to bring procedural, distributional, recognition, or intergenerational justice to communities.

40 UNEP (2019) Lamu coal plant case reveals tips for other community-led campaigns. <https://www.unep.org/news-and-stories/story/lamu-coal-plant-case-reveals-tips-other-community-led-campaigns>

Gas and transition in Mozambique

“They promised us a lot of things. They promised that we were going to have lots and lots of jobs. But now, since this war started, we don’t know what is happening because things have already all been destroyed... Everything is gone.”

Displaced person from Palma, interviewed in Metuge IDP camp

For the past 20 years, the Government of Mozambique has been actively courting foreign investment as an essential ingredient for efforts to turn the country’s vast fossil fuel reserves into a revenue stream capable of funding the development needs of one of Africa’s poorest populations.⁴¹ One government interviewee explained that the government has received consistent encouragement as well as promises of finance for extractive sector investments from the World Bank and IMF, as well as from bilateral donor agencies – particularly those whose oil, gas and coal companies have acquired exploration and extraction licenses in the Tete coalfields and the gas fields of Cabo Delgado. These gas fields are the focus of Africa’s largest current energy investment, the Total Energies liquefied natural gas facility on the Afungi Peninsula. Cabo Delgado is also the focus of one of Africa’s most violent conflicts, a confrontation between jihadi rebels and Mozambican, Rwandan, and Southern African military forces that has so far driven over 700,000 people from their homes, as well as leading Total to suspend work on its Mozambique LNG project.⁴²

The discovery of the Cabo Delgado gas fields had transformed expectations among local elite groups and foreign companies as well as citizens. Citizen expectations included energy access, as well as employment opportunities and improved social infrastructure. Fewer than 30% of Mozambicans currently have access to electricity, despite the country being a major exporter of hydroelectric power. Those urban neighbourhoods that are connected to the grid frequently witness street protests against rising costs and constant service interruptions – mobilisations that in the past have spiralled into episodes of mass protest after converging with expressions of popular discontent over rising fuel and food prices, corruption, and police brutality. The memory of these major protest episodes, which forced the government to abandon several proposed fuel and electricity price hikes between 2008 and 2012, means that possible sites of mobilisation around the capital, Maputo, are anxiously watched by an increasingly repressive Mozambican state.⁴³ At the same time, recent government campaigns have promised ‘energy for all’ to bolster the flagging popularity of the ruling Frelimo party.⁴⁴

41 Sambo, M. (2020) ‘Investimento Directo Estrangeiro e o Desenvolvimento Socioeconómico Em Moçambique: Dinâmicas, Tensões e Desafios’. In *Desafios Para Moçambique 2020*, edited by Salvador Forquilha. Maputo: IESE. pp. 281-309

42 DeLay, J. February (2022) ‘AfrOil: TotalEnergies CEO qualifies statements on Mozambique LNG restart’, Newsbase.com. <https://newsbase.com/story/afrOil-totalenergies-ceo-qualifies-statements-on-mozambique-lng-restart-235000>

43 Brito, L., E. Chaimite, C. Pereira, L. Posse, M. Sambo, and A. Shankland (2014) *Hunger Revolts and Citizen Strikes: Popular Protests in Mozambique, 2008-2012*. Brighton/Maputo: IDS/IESE. <http://www.ids.ac.uk/publication/hunger-revolts-and-citizen-strikes-popular-protests-in-mozambique-2008-2012>

44 Gonçalves, E., A. Shankland, E. Tembe, K. Taela, J. Gaventa, J. Chambisso and A. Matabele. (2021) *Demanding Power in Mozambique: Protests over Electricity and Fuel in Peri-Urban Greater Maputo*. Brighton/Maputo: IDS/Kaleidoscópio

Mozambique's existing natural gas production, from the smaller fields in Inhambane in the south of the country, has not contributed to affordable and accessible domestic energy supplies, since most of these fields' output is exported via a pipeline to neighbouring South Africa.⁴⁵ There appears to be little prospect of the Cabo Delgado gas fuelling domestic development either, since initial plans to establish fertiliser plants and other industries around the gas field were rejected by the government.⁴⁶ Instead, Mozambique and its international corporate partners have been pursuing an entirely export-oriented strategy that runs counter to the country's own Natural Gas Master Plan, adopted in 2014 as a strategic and multisectoral approach to leveraging gas to generate socioeconomically and environmentally sustainable development at the national and local levels.⁴⁷

Instead of encouraging long-term planning for industrial development and domestic energy access, the scale of the Cabo Delgado gas finds has fuelled an 'economy of anticipation' at both the national and local levels.⁴⁸ In Cabo Delgado this has been experienced more as a process that has inflated prices and encouraged land-grabbing than as one that has generated sustainable local employment opportunities. Communities reported that expropriations have taken place with the collusion of local governments, and that when they sought to claim their rights, the reaction on the part of the state was one of intolerance and repression.⁴⁹ In a country where the land remains state property, protests against extractive industry projects are often presented as an unpatriotic refusal to give due priority to national development needs. Local-level opportunities for citizen participation in public deliberation over development decisions were already few and far between before the recent closure of civic space in Mozambique.⁵⁰ Particularly in the rural areas where most Mozambicans live, there is a longstanding tradition of state authorities passing down information to communities in 'participatory' exercises in which local people have little say.⁵¹ In the more urbanised context of Southern Mozambique, closing of the civic space in contexts where energy related resources produce visible signs of wealth has the potential to lead to protests. However, these protests tend not to attract solidarity from local people in a remote Northern region like Cabo Delgado, where the perception is that people in Southern Mozambique already enjoy better state support than the neglected communities of the North.

This perception is compounded by resentment that many of the jobs created by gas development in Cabo Delgado have gone to 'foreigners' brought in from the South by the Frelimo elite, as well as to foreign nationals hired directly by the corporations in the countries in which they are based. As several studies have documented, in addition to resentment of repression by religious and state authorities, frustration at perceived exclusion from employment opportunities has been a major factor

45 Gonçalves, E., A. Shankland, E. Tembe, K. Taela, J. Gaventa, J. Chambisso and A. Matabele. (2021) *Demanding Power in Mozambique: Protests over Electricity and Fuel in Peri-Urban Greater Maputo*. Brighton/Maputo: IDS/Kaleidoscópio

46 Hanlon, J. (2020) 'Mozambique: Gas bubble deflates again; no fertiliser and no development'. *Club of Mozambique* 9 November <https://clubofmozambique.com/news/mozambique-gas-bubble-deflates-again-no-fertiliser-and-no-development-by-joseph-hanlon-176735/>

47 Government of Mozambique (2014) *Plano Director do Gás Natural*. Maputo: Conselho de Ministros da República de Moçambique

48 Salomão, A. (2020) 'Land-Based Investments in Mozambique: Challenges in Community Rights Protection, Participation and Benefit Sharing'. PhD Dissertation, Utrecht: Utrecht University

49 Trindade, J. C., L. Cruz, and A. C. José (2015) *Avaliação Jurídica Independente aos Processos de Licenciamento dos Projectos Minerais e de Hidrocarbonetos*. Maputo: Centro Terra Viva

Salimo, P. (2018) 'The Politics of LNG: Local State Power and Contested Demands for Land Acquisitions in Palma, Mozambique'. In *Extractive Industries and Changing State Dynamics in Africa*, edited by Jon Schubert, Ulf Engel, and Elisio Macamo. London & New York: Routledge Macuane, J.J. and Muianga, C. (2020) *Natural resources, institutions, and economic transformation in Mozambique*, wp-2020-136, World Institute for Development Economic Research (UNU-WIDER), <https://econpapers.repec.org/paper/unuwpaper/wp-2020-136.htm>

50 Pereira, C., and S. Forquilha (2021) *Navigating Civic Space in a Time of COVID-19: Mozambique Country Report*. Maputo: IESE

51 Chaimite, E., S. Forquilha and A. Shankland (2021) 'Who Can We Count On? Authority, Empowerment and Accountability in Mozambique' *IDS Working Paper 546*. Brighton: IDS. DOI: 10.19088/IDS.2021.019

in making local youth more receptive to the recruitment messages of the jihadi insurgents in Cabo Delgado and its neighbouring provinces of Niassa and Nampula.⁵²

People from the gas-producing district of Palma who we interviewed in the camps to which they had been forced to flee by the conflict insisted that they were still hopeful that the gas companies would offer them technical training and other opportunities to benefit from the work that is expected to be available once construction resumes. Recent statements by the CEO of Total Energies seem to indicate a willingness to make this a priority, alongside his insistence on the return of a level of 'normality' that will allow people displaced by the fighting to return to their villages as a precondition for reactivating the suspended Mozambique LNG project.⁵³

Other priorities mentioned by local interviewees included the improvement of roads, hospitals, and schools in Cabo Delgado, which after decades of neglect has some of the worst indicators of access to public services of any province in Mozambique. Energy access was a key priority, but interviewees tended to see this in terms of connection to the electricity grid; they were sceptical about off-grid solar as an alternative, since it is perceived as expensive, unreliable and low-output.

Civil society engagement with local debates on strategies and priorities for a just transition in Cabo Delgado has been limited. CSOs initially focused on raising awareness of community land rights in the face of the wave of expropriation that preceded the establishment of the Afungi project, before shifting their efforts to humanitarian work and denunciation of human rights abuses in the face of the rapidly worsening conflict. Now that the military situation has stabilised (though the insurgency is far from over, and attacks on villages and road users continue in many areas) several CSOs are conducting research and convening public debates, following the pioneering studies of the roots of the insurgency led by MASC, a national development NGO, and IESE, an independent research centre.⁵⁴ One recent example is an online "consultation with citizens and dialogue for promoting the inclusive energy transition" funded by the UK government and organised in January 2022 by the Maputo-based advocacy group CDD in partnership with the Municipality of Pemba, Cabo Delgado's provincial capital.

Following a wave of threats made against activists by military commanders and the disappearance of several local journalists, Cabo Delgado based CSOs have been much less visible in these debates than large national research and advocacy organisations. In this sense, the situation in Cabo Delgado reflects both the country's wider pattern of centralisation (with the predominance of national over local organisations in civil society as well as in government and the private sector) and the general character of Mozambican civic space, which is characterised by fear of government sanctions (particularly intense in resource extraction areas such as Cabo Delgado and Tete) on the one hand and by a high level of dependence on donor funding on the other.

At the national policy level, research and advocacy organisations like IESE and the Centre for Public Integrity (CIP) have played an important role in bringing issues of energy resources and justice into the public domain, as well as encouraging

52 Forquilha, S., J. Pereira and S. Habibe (2019) 'Islamic Radicalization in Northern Mozambique: the Case of Mocimboa da Praia' *Cadernos IESE 17E*. Maputo: IESE
Chichava, S. (2022) 'Maulana Ali Cassimo: insurgência no norte de Moçambique vista do Niassa' *IDEIAS 147P*. Maputo: IESE

53 DeLay, J. February (2022) 'AfrOil: TotalEnergies CEO qualifies statements on Mozambique LNG restart', *Newsbase.com*. <https://newsbase.com/story/afroil-totalenergies-ceo-qualifies-statements-on-mozambique-lng-restart-235000>

54 Forquilha, S., J. Pereira and S. Habibe (2019) 'Islamic Radicalization in Northern Mozambique: the Case of Mocimboa da Praia' *Cadernos IESE 17E*. Maputo: IESE

discussion of the impact of extractive policies on the broader economy.⁵⁵ Research and activism focused on transparency and corruption issues has scored some notable successes, through a combination of courageous investigative reporting, savvy campaigning and strategic use of internationally connected policy spaces such as those opened up by Mozambique's accession to the EITI in 2002.

However, CSOs' calls for a more strategic and developmental approach have had little impact in other areas of energy policy. The key formal policy spaces are convened by ENH, the national oil and gas company, and include the flagship Mozambique Gas Summit. Since its first edition in 2013, debates in this space have overwhelmingly focused on investment volumes rather than on the social, economic, and environmental impacts of investments or their implications for Mozambique's ability to move towards a low-carbon future.

Although they are rapidly developing new skills, building on their own experience, and borrowing from the experiences of other developing and developed countries, Mozambican CSOs still lack the capacity to engage on an equal footing with the government and corporate actors around the multiple and complex issues related to energy policy and its implementation. As a result, civil society participation in spaces of engagement is fragmented and irregular, with little or no connection between the various levels of civic engagement. While CSOs struggle to develop these connections, local communities remain largely unsupported and primarily concerned with immediate opportunities to improve their livelihoods, resorting to sporadic protests when they feel that to their needs have been ignored while foreigners come and prosper from gas extraction in their traditional lands.

55 Mosca, J., and T. Selemene (2012) 'Mega-Projectos No Meio Rural, Desenvolvimento Do Território e Pobreza: O Caso de Tete'. In *Desafios Para Moçambique 2012*, edited by Luis de Brito, Carlos Nuno Castel-Branco, Sérgio Chichava, and António Francisco. Maputo: IESE, pp. 231–55
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Challenges for deliberation at the national level

“Fossil fuel industries in their current shape face an existential threat. The natural reaction is to resist and dig in, to the extent that in individual countries they can do so. Trying to shut down further the ability of civic participation, stakeholder engagement and groups with more of an interest in a positive transition, would be a logical assumption. From a political economy analysis perspective, that’s what you’d expect.”

Intergovernmental organisation representative interviewed online

The challenges for inclusive deliberation are different in each African oil and gas producing country. In some cases, exemplified by Nigeria, it is about addressing historical injustices, in terms of failure to access the wealth generated by previous energy exploitation and to secure redress for the social and environmental impacts of earlier extraction. In other contexts, such as Mozambique and Kenya, it is anticipation of new energy wealth that is fuelling just transition debates, with the key question being who will get what and on whose terms.

For Nigeria, where oil has been extracted for some 70 years, any sense of the possibilities of a transition to a low-carbon future faces critical questions of overcoming economic dependence on fossil fuels, as well as the sense of historically rooted and yet unaddressed injustice found in many communities. Participants in the research evoked principles of restorative justice in talking about the importance of the state and corporations accepting responsibility for flaring, land contamination and previous failures to share the wealth generated from oil exploitation. In Nigeria communities’ search for justice has led both to legal conflicts and to violence, often as a last resort in the face of failings in procedural and distributive justice.

For Kenya, by contrast, 92% of the nation’s energy already comes from renewables, mainly hydroelectric power. However, a very low percentage of the population has access to electricity, and while the government is encouraging both coal-fired and renewables-based expansion of supply, local communities feel that they are the last to see the benefits. Communities’ ability to articulate justice claims has been affected by internal conflicts between different factions and interest groups, while the business lobby is powerful and well-organised. Meanwhile, despite successful civil society campaigns to halt some major coal-fired power projects, the government continues to invest in oil exploration and development of coal reserves for economic growth, backed by a strongly unified business community.

In Mozambique, which also faces extremely low levels of access to energy while being a major exporter of hydroelectric power, the unrealised promises of the gas fields in the North have become deeply intertwined with hopes for the country’s future development. The frustration of these hopes has intersected with currents of ethnic and religious discontent to fuel violent conflict in the region where these resources have been found. A real concern raised in our discussions with key actors was that the scramble for control of energy sources among national elites and international interests was exacerbating and magnifying existing conflicts in Mozambique, and that this could make the prospect of a just transition even more unlikely.

Despite these differences, we also identify many commonalities in terms of procedural justice deficits, lack of recognition, and distributional inequities within and between societies, some of which are associated with problems left for future generations to inherit. Our research found very few spaces for engagement and dialogue on matters related to energy transition. To some degree this is to be expected. As outlined above, each of these countries has a history of weak democratic institutions and limited civic space, albeit with significant differences in historical patterns and current trends.

A phenomenon common to all three countries is the contrast between national and local-level civic space. Although civil society organisations might be vibrant and strong in the national capital (and in State capitals, in the case of federal Nigeria), they become less dense, vibrant and well-resourced the further one goes from the centres of economic and political power. The case studies evidence the relatively thin fabric of civil society and the questionable existence of free, dynamic, and empowered civic space at the most local levels.

In summary, we see a somewhat contradictory picture when it comes to assessing the potential of dialogue and civic engagement on issues of just transition in Africa. On the one hand, the continent, like many places in the world, is facing trends of increasing authoritarianism and closing civic space, particularly in resource-rich areas, with deeply entrenched and powerful interests resisting attempts to democratise decision-making. There is concern that the move towards energy transition could worsen these trends even more, leading to an intensification of the reprisals faced by those who speak out against continued extraction of fossil fuel resources, while new corporate actors who have little concern for civic dialogue and human rights take the place of existing operators.

On the other hand, energy policy and the urgency of moves towards a just transition are mobilising a growing level of public debate within African oil and gas producing countries. African citizens are increasingly mobilised – around energy rights where access remains precarious, around claims for a rightful share of resources and opportunities where oil and gas revenues have yet to flow and around demands for environmental restoration where fossil fuel extraction has already damaged lands and livelihoods. African civil society is increasingly engaged and informed, despite the exclusionary and technical nature of most existing energy policy debates, and CSOs and activists are developing stronger mutual support networks and more effective strategies for circumventing the repressive measures that have accompanied closing civic space across the continent.

These local and national initiatives are attracting growing interest from international NGOs working on the governance of extractive industries who are increasingly taking up just transition issues, including the Natural Resource Governance Institute (NRGI), Oxfam America, the Business and Human Rights Resource Centre, and many more. There are also at least two significant global multi-stakeholder initiatives with either majority (Extractive Industries Transparency Initiative) or significant (Open Government Partnership) African membership and considerable stakes in these issues. These initiatives offer opportunities for international NGOs to help to open space for African voices to be heard in global policy processes, while also offering the domestic visibility that engagement with global spaces often brings in African countries. Yet while there are growing numbers of environmental, trade union, extractives governance and human rights organisations which potentially could help to create or hold open space for more inclusive dialogue on just transition issues, there are significant disconnects between the levels and across the spectrum of issues.

Building coalitions: the role of global actors

It is asking a great deal for just transitions to create a pathway to sustainability, economic equality, and justice and to resolve many complex societal failures. But applying just transitions principles can help to alleviate legitimate concerns and potential resistance to effective climate policy by addressing risks to affected communities and opening opportunities for them while protecting their rights. Delivering on the key principles of just transitions—inclusive decision-making and the fair distribution of the benefits and burdens produced through climate action—is imperative to achieving climate goals.⁵⁶

Energy is not just an issue of national and local importance. Its high politics mean it is an issue of concern in regional and global political arenas where questions of energy security and the geopolitics of energy predominate. The multiscale nature of energy politics, as well as the barriers that often exist to engagement in closed or repressive local and national settings, mean that civil society is challenged to build coalitions and alliances across levels and spaces of engagement.⁵⁷ This is where resource inequities and differences of political perspective between and within civil society organisations are significant. NGOs working largely in national capitals or in regional and international alliances are better able to participate in elite conversations at national level or in regional and international arenas, whereas lack of resources and technical capacity mean grassroots organisations often have a strong preference for more local spaces of engagement and deliberation.

A key challenge for civil society, therefore, is building more effective alliances and coalitions that operate simultaneously across scales so that local actors bearing witness to what is happening on the ground, able to articulate historical experiences and concerns, and having capabilities to contribute to energy planning, can have influence in higher level spaces where key conversations are taking place. This can lend legitimacy to national and global actors wanting to stake a claim to represent a wide range of actors and interests, while providing some solidarity and political cover for actors involved in local struggles. In other words, these forms of activism can change the balance of power because state and corporate actors know that they may not be able to dismiss local concerns as easily if they are plugged into global activist networks.⁵⁸

Despite the obstacles to engagement and challenges to working across scales we do see several examples emerging of promising alliances that have the potential to strengthen and amplify local and national voices in global energy debates. One way in which these alliances are being built is through networks, such as the Global Gas and Oil Network of civil society organisations working in the sector, or specific campaigns with global representation, such as the Fossil Fuel Non-Proliferation Treaty campaign. The former involves many African CSOs,

56 Center for Strategic and International Studies and Climate Investment Funds (2021) *A Framework for Just Transitions*. Washington: CSIS and CIF

57 Gaventa, J. and R. Tandon (2010) 'Citizen engagements in a globalizing world', *Globalizing Citizens: New Dynamics of Inclusion and Exclusion* 7: 3

58 Edwards, M. and J. Gaventa (2001) (eds), *Global Citizen Action*. Boulder, Colorado: Lynne Rienner

such as the Kenya-based Power Shift Africa, working alongside Northern-based NGOs such as Global Witness, Greenpeace, Oil Change International and Friends of the Earth.

The most effective strategies are those that acknowledge the need for government development planning, civil society transparency and accountability work and corporate social responsibility programmes to include engagement with local communities on their own terms, moving beyond 'consultation as usual' in a way that respects very different local logics of rights and representation.⁵⁹ These are often brokered at an international level. Innovative strategies for brokering inclusive dialogue around energy policy and transition have begun to emerge at different levels.⁶⁰ For instance, in 2017 CIVICUS together with Publish What You Pay facilitated engagements between activists working on environmental, land and indigenous rights around the world, including in Africa, with the relevant UN Mechanisms and governments.⁶¹ Previous research has indicated that the success of such strategies depends on effective mediation and inclusive representation – whether by community leaders or civil society groups – across a series of spaces at different levels – local, national, regional, and global – that are shaped by different kinds of power relations.⁶²

A second area of coalition-building is more politically focused work to disrupt industrial incumbents' influence over the political system. This aims to challenge the political power of the polluter elite, and not just their investment power or direct emissions associated with high carbon living,⁶³ through exposure work and lobbying for greater regulation and transparency around lobbying, representation, party donations, and the like. It focuses on cleaning up governance of party donations, revolving doors, internships, and access to key decision-making bodies.⁶⁴

Local-to-global coalitions have also played a role in a third area that has emerged in recent years: litigation against individual fossil-fuel projects (e.g., coal mines in Australia and the UK, and oil and gas pipelines in the US), against individual fossil-fuel companies (Shell in the Netherlands, Total in France, ExxonMobil in the US), and against carbon majors as a group (in the Philippines). The recent case against Shell is perhaps one of the most telling examples: the Dutch court ordered Shell to achieve a specific emission reduction target along its entire supply chain, effectively suggesting that the company had to cut back production.⁶⁵

Bilateral donor agencies and multilateral actors have a key potential role to play in supporting coalitions to strengthen the voices of people from Africa's oil and gas producing regions in global transition debates and energy policy processes. There are several regional, bilateral and multilateral funding organisations active in the region that could help to enable the creation and protection of civic spaces by defining them as a requirement or precondition for the funds they provide for energy projects and related infrastructure. There are, nevertheless, differences of opinion about the

59 Shankland, A. (2014) 'Mediation as Diplomacy: Dynamics of Governance and Representation in Brazilian Indigenous Societies', in B. von Lieres and L. Piper (eds), *Mediated Citizenship: The Informal Politics of Speaking for Citizens in the Global South* (pp. 183–202), Basingstoke: Palgrave Macmillan

60 ICNL; NRGi; IDS; Oxfam; and Publish What You Pay (2022) *Outcome Paper: Interactive Discussion Series- Extractive Industries and Civic Space*, Interactive Discussion Series, Washington DC: International Centre for Not-For-Profit Law

61 PWYP (2017) Protection Training Workshop For Environmental And Land Rights Defenders <https://express.adobe.com/page/3c6LT8eYh0fKU/>

62 Gaventa, J. (2006) 'Finding the spaces for change: a power analysis', *IDS Bulletin* 37(6): 23–33

Chaimite, E., S. Forquilha and A. Shankland (2021) 'Who Can We Count On? Authority, Empowerment and Accountability in Mozambique' *IDS Working Paper* 546. Brighton: IDS. DOI: 10.19088/IDS.2021.019

63 Kenner, D. (2019) *Carbon Inequality: The Role of the Richest in Climate Change*. Abingdon: Routledge

64 Newell, P. and Martin, A. (2020) *The Role of the State in the Politics of Disruption and Acceleration*, Working Paper, London: Climate KIC

65 van Asselt, H., K. Kulovesi, M. Rajavuori, and A. Savaresi (2021) 'Shell-Shocked: A Watershed Moment for Climate Litigation against Fossil Fuel Companies', The Center for Climate Change, *Energy and Environmental Law* blog

weight that should be given to just transition issues and the extent to which 'process conditionalities' around transparency, participation and accountability are either appropriate (when they can be construed as being a form of western interference in a country's internal affairs) or effective. Given the number of alternative investors (from China or the Middle East, for example) that do not insist on meeting these process-related criteria and place a greater emphasis on the sovereignty of African governments, some argue that imposing conditionalities of this kind could simply drive disengagement with the funding agencies that applied them.

Differences in the relative importance attributed to sovereignty and procedural justice can be important even among Western-dominated multilateral agencies. One informant gave the example of the Just Transitions Initiative of the Climate Investment Funds (CIF) wanting to work with the African Development Bank (AfDB) on just transitions in Mozambique with a focus on gas. It became clear that the two institutions were engaging with just transitions in different ways, with the AfDB thinking in terms of global transition and the importance of accessing resources to advance gas development in Mozambique, whereas the CIF were using the just transition discourse to emphasise the need to look at who is involved and how the benefits are distributed through a more processual lens. In the end they could not agree, and the work did not proceed.

Even where institutions do take a procedural approach, in many cases there is a shallow engagement with issues of citizen participation, where the focus is on seeing public opposition to projects as a risk to be managed through environmental, social and governance (ESG) safeguards. Hence, rather than bringing communities in and providing space for their voice and aspirations, the focus is on managing and reducing their ability to disrupt projects and investments.

If citizen engagement in the effort to secure just transitions is to be deepened and extended, a shift in approach is required, with greater attention to building civil society capacity to work in multi-level coalitions and engage strategically for the long term, going beyond more shallow and delimited engagements around specific projects.

Recommendations

From our interviews with various actors across countries and levels, as well as from a webinar presenting and discussing our findings with a broad range of participants from some 25 African and international civil society groups in February 2022, a variety of themes and recommendations emerged for building more inclusion in just transition debates.⁶⁶

1. Creating and strengthening spaces for deeper engagement, from local to global

In some countries and settings, the local level may provide important spaces for engagement, either working through local government structures or through creating new spaces where people can engage. New fora are also needed for engagement in national policy dialogues, public participation in just transition needs to be part of the electoral agenda, and support for it must be pushed through appropriate legislative bodies.

2. Collectively developing frameworks and visions for the future

For communities who have long lived in carbon rich extractive economies, developing visions for alternative futures is a complex and challenging task. Several commentators pointed to the need for frameworks which could help serve as a basis for more comprehensive planning and imagining including citizen-led scenario building. Such a framework will need to respect the multiple meanings of what constitutes justice and fairness, which themselves arise from differing historical experiences and from the specific needs of different stakeholders.

3. Building a new narrative of participation and inclusion

There is a need to develop and promote new narratives about the importance of participation and inclusion in just transition debates. A well-developed communication strategy, from local to global, is needed to change the conversation, putting forth shared visions of what a future without dependency on fossil fuels would look like.

4. Moving beyond silos

New alliances and coalitions are needed which go beyond existing issue-based silos. Civil society groups working on climate issues need to join forces with those developing alternative economies and sources of revenues; donors need to support coalitions, for instance, between those fighting to stop expansion of extractives, and those working to create alternative energy sources, between those pushing for transparency, accountability and participation in extractives, and those focusing on climate change issues. Those working outside government need to find allies within government.

66 ICNL; NRGi; IDS; Oxfam; and Publish What You Pay (2022) *Outcome Paper: Interactive Discussion Series on Extractive Industries and Civic Space*, Interactive Discussion Series, Washington DC: International Centre for Not-For-Profit Law

5. Laying the groundwork for a more community-controlled energy future

A just transition needs to involve a shift in power, not only through the process of engaging in the debate, but also through developing ownership and equity in such areas as small-scale renewable energy provision. There is a need for developing and sharing these models, and for linking those who work on developing different forms of energy and land ownership, with those fighting to redress the inequalities in the dominant existing model.

6. Ensuring the protection of civic space

For any of this to happen there is an urgent need to ensure the opening and protection of civic space in which people can participate safely and freely in determining their just transition futures.

7. Developing multiple forms and levels of capacity building

Those who have worked on participation for many decades know well that simply opening spaces for engagement does not mean that they will be filled with new or alternative voices. Communities and relatively powerless groups within them need to be supported to build their own awareness, skills and knowledge to use these spaces effectively, as well as to mobilise to create their own.

A final word

Energy systems are under stress, subject to geopolitical conflict and competition, struggling to meet the energy demands of citizens and for the most part unsustainable in their current pathways. Both near-term transitions and longer-term transformations are required. If those transitions and wider transformations are to be socially just, they need to be inclusive. This is a challenge facing all societies, but it is particularly acute in poorer regions and countries that are heavily dependent on fossil fuels, such as the ones we have studied here: Nigeria, Mozambique, and Kenya. These are also countries where mobilising in and expanding civic space to discuss and deliberate on competing energy pathways is difficult. There is no single theory of change or model of just transition that applies across these or other countries. Just transitions need to reflect and emerge from the unique contexts where the histories of extraction, and the roles of the state, business, external actors, and civil society, are configured in different ways. Understanding, engaging with, and supporting these processes of change across all levels of political action is a vital endeavour if transitions to a lower carbon economy are to be just as well as sustainable.

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