

NEGOTIATING RESOURCE SOVEREIGNTY, FUELING CONFLICTS: THE CASE OF WEST AFRICAN GAS PIPELINE PROJECT

By Mike Karikpo Programme Manager Energy and Climate Change (ERA)

Introduction

The West African gas pipeline project is a 681 kilometre onshore and offshore gas transportation project which will run from Nigeria to Ghana. The onshore component of the project is about 57-km and would commence from a point at Alagbado “T” in Ogun state where it would be linked to the existing Escravos –Lagos pipeline originating in the creeks of the Niger Delta and would transport natural gas to Ghana, Togo and Benin republic. The project is designed to substitute abundant and cheap natural gas from Nigeria for alternate fuels used for power generation, industrial, mining and the commercial sectors of the economies of the receiving West African states. Spurs would be built from Togo and Benin to connect to the West African Gas pipeline which would be laid on the sea bed of the Atlantic Ocean along the coastlines of the all four countries.

According to the Project Appraisal Document (PAD) prepared by the World Bank to make the case for its participation in the project through the provision of loans to Ghana and to the West African Gas Pipeline Company (WAPco) respectively in the form of political risk guarantee loans. Political risk guarantee loans are required by a multinational company against the risk of a breach of contract by a government involved in a contractual agreement with the company. These loans are usually received from the World Bank, the European Investment Bank etc who have the political and economic muscle to insist that countries abide by their contractual obligation even if such countries discover later that such obligations are obnoxious and not in the interest of their countries. Most multinational companies would insist on this loan being taken in countries that are thought to be politically unstable and also facing economic woes.

The project also supports the World Bank West Africa Regional Integration Assistance Strategy (the RIAS). The objective of the RIAS is to help create an open, unified economic space through the integration of markets in West Africa. The RIAS would define and phase integration efforts focused on key sectors such as energy, transportation and telecommunications. West African Gas Pipeline Project is also expected to compliment the West Africa power market development project also known as the West African Power Pool (WAPP).

All of these proposal are beautiful ideas and may assist in the development of the West African sub-region and place the region in a pole position in its engagement with other regions in Africa and even around the world except for the very important missing link that most of these ideas are coming from outside the region and there is little evidence of any serious consultation with the over 174 million people in the four countries which according to the World Bank would benefit from the WAGP project, on the desirability of the concepts/projects, availability of alternative concepts/ideas from within the region and whether they support them. It is also not clear if a significant percentage of the over 240 million population of the West African Sub-region are aware of the RIAS or the WAPP apart from a few in high political circles. These regional integration concepts can only be realistically promoted through the

projects being pushed by World Bank, if the Bank shows real commitment to the aspirations of the ordinary citizens of the sub-region and empathize with communities that have been exploited, degraded and degraded over the last century by the insatiable thirst by corporations and financial institutions from the global north for the rich resources with which nature had endowed these communities.

This top-down-in your face approach can only further the neo-liberal and imperialist foundations of the World Bank and the multinational companies who are not merely content at having succeeded in keeping most countries in the sub region down by a massive odious debt overhang and by utilizing far more than their fair share of the global commons but also seek to concretize a new and invidious partitioning of Africa via the control of its security sensitive energy sector.

It is also very important to note that although this is supposed to be a West African project, meant to address the needs of the people of the region Wapco is not registered in any of the participating West African countries. It is registered in Bermuda notorious for being a tax haven with strict secrecy banking laws often enabling corrupt money from drug cartels, terrorist and treasury looters to be stashed and rerouted into the international financial system as clean money. WAPco would therefore operate as an offshore company with major fiscal, environmental and social exemptions that are allowed under the WAGP treaty and the enabling legislations. Both documents were incidentally drafted by consultants provided by the World Bank.

The project is being implemented by a special purpose vehicle (SPA) called the West African Gas pipeline company (WAPco). The shareholding structure of the West Africa Gas Pipeline Company should give us cause for grave concern. ChevronTexaco the American Oil giant that was recently dragged before an American court by Larry Bowoto and his kith and kin in Ilaje community Ondo state south west Nigeria for the unprovoked attack, destruction of property and murder of community members who were demonstrating peacefully on the oil company's platform. Over one hundred unarmed community people were violently attacked by members of the Nigeria's paramilitary in May 1998 on the specific orders of ChevronTexaco, using equipments supplied by ChevronTexaco for protesting the loss of clean water, fishing areas and other trees. This action was filed with the support of Earth Right International and Environmental Rights Action Nigeria. ChevronTexaco West African gas pipelines Ltd owns 42 percent of WAPco. While Shell petroleum Development Company that has failed, neglected and refused to obey an order of a legally constituted court in Nigeria ordering it to stop flaring of gas in Iwherekan community in Delta State since 2005 owns 17 percent of WAPco. Both multinational oil companies own about 60 percent of the special Purpose Vehicle. Nigeria National Petroleum Corporation owns 25 percent equity stake in the company and the rest is shared among the Takoradi Power Company Limited, Sotogaz of Togo and Bengaz of Benin Republic.

However owing to the inability of both SotoGaz and BenGaz to pay their equity contributions to the project fund their shareholding may have been taken over by the multinationals meaning at present they may have over 67 percent of the share holding of the company.

FUNDING FOR THE PROJECT

At the commencement of the project the estimated cost of the project was put at \$510 million but owing to construction delays the project cost has increased to about \$600 million and may have exceeded this amount as a new pipeline was recently constructed to by-pass the compressor station which is expected to be completed at the end of this year. Additional compressor related cost would range between \$100-110 million over the lifespan of the project's initial phase which is expected to last 20 years. The gas flowing to the Takoradi terminal in Ghana at the moment is basically from this new pipeline. It is not certain whether an Environmental Impact assessment was carried out on this new pipeline or whether it was built on the basis of the Environmental Impact Assessment carried out on the original WAGP pipeline inclusive of the compressor station. At present gas is transported through the new pipeline using the pressure of the gas itself.

It is imperative to mention here that although the Special Purpose Vehicle (WAPco) is far behind schedule in the delivery of gas to Ghana and to other receiving countries there are no penalties imposed on it for this failure, owing to the fact that there were so many exceptions in the treaty and enabling legislations that makes it almost impossible to hold the company to account for any of its failings. But in the same documents the three receiving West African countries are liable to pay fines and penalties either for not taking the agreed amount of gas evacuated to them, or for failure to pay as at when due for gas supplied. The odds are clearly stacked against us.

The Shareholders in this project made equity contributions to raise some of the funds for the project while loans were taken to bridge the funding gaps. Nigeria provided Ghana a loan facility of about \$40million to enable it make its equity contribution to the project. The equity contributions of the other stakeholders in the project were not disclosed.

The World Bank through the International Development Association (IDA) provided a loan guarantee in the sum of \$50million for certain obligation of Ghana relating to the purchase of natural gas from the West African Gas pipeline company. The Multilateral Investment Guarantee Agency (MIGA) another arm of the World Bank also provided \$75million in political risk guarantee to WAPco in relation to the construction of the pipeline and associated facilities such as compressor station and metering equipment and also to ensure that Ghana does not breach its payment obligations under the project. The Overseas Private Investment Corporation (OPIC) also chipped in \$45million in reinsurance to one of the private banks financing WAGP. Other multilateral financial institutions also queuing up to have a slice of the West African energy market are the European Investment Bank (EIB) the counter weight of the European Union to the stranglehold the United States has on the World Bank. The U.K Export Credit Guarantee Department and the U.S Export Import Bank are also exploring opportunities to become involved in the project. It is curious that all the heavy weights in the international financial circle are lining up to partition the West African energy pie and you can bet that their least concern would be how to provide a true and committed helping hand to impoverished West Africans. There

appears to be a turf war between the Europeans and Americans. A new scramble for Africa is underway and projects like WAGP with the kind of treaties and enabling legislations that were entered into by our governments with the support of ECOWAS has merely given the multinational financial institutions and multinational companies license to plunder. Having learned their lessons from the costly mistakes they made in their colonizing campaigns, the World Bank which strongly represents American interest is willing to give the European Investment Bank an opportunity even at this late stage of project development to get involved.

As it is now common all over Africa where there is a resource to be extracted whether in the mining sector, the Oil and Gas sector or in the energy sector, the standard prescription has been for the countries to deregulate these sectors to allow for foreign investment inflow. All over Africa the World Bank and ubiquitous consultants like Nextant are helping to draft laws and treaties to deregulate the extractive sector, reminiscent of the one size fits all Structural Adjustment Programme (SAP) prescriptions in the late 80s which was only discontinued after it had done incalculable damage to the social and economic sectors of African countries and other countries of the global south.

For the West African Gas Pipeline project to become financially viable for the international oil companies (IOC) involved there was the need to deregulate the energy sector in the participating West African states. The process of preparing enabling legislations to achieve this and at the same time remove state control over the energy sector was not transparent and did not follow due process.

In Ghana the enabling legislations and other agreements were passed by the parliament in a few hours. The entire legislative process of law making that makes for careful consideration of bills before passage into law were jettisoned and in one day the first reading, second reading, consideration of the bill by a committee of the parliament were dispensed with and the bill was assented to by the executive arm of government also in record time. The fact that civil society groups in Ghana and even the Ghana energy commission were calling for a public hearing and a more careful consideration of the impacts of the treaties and the enabling legislations that were to be passed into law did not stop the Ghanaian government from going ahead with the business at hand.

The Ghana Energy Commission was particularly concerned that the laws and the agreements would transfer the security sensitive energy sector into the hands of International Oil Companies and would lock Ghana into an energy purchase agreement for 25 years and would disallow them from exploring or utilizing a new energy source within the initial 25 years that the agreements would last.

Civil society groups in Ghana also expressed concerned about the increasing debt burden on Ghana as a result of the constant changes their power generation facilities have undergone in the last ten years with the support of the World Bank experts. The World Bank had given Ghana a loan in 2000 to build a power plant that would utilize gas oil to generate electricity. This was in addition to the Akasombo Hydro power generating facilities but by 2005 the Bank was offering yet another loan to retrofit the plant to utilize natural gas from the WAGP pipeline.

Communities and groups in the other countries were also concerned about affordability of the energy that would be supplied and whether they would have access to the energy going by comments from the WAPco that the energy supplied would service mining, industrial and other extractive activities in the receiving countries.

Communities and groups from the three receiving countries were deeply concerned about the issue of the violence and instability in the Niger Delta from where gas for the pipeline would be sourced as a result of the unconscionable resource extraction that had been going on in the region. Apart from the fact that they were unsure about the stability of supply from the region, given the level of disaffection in the region, they also showed solidarity with communities and peoples in the Niger Delta by requesting that the WAGP should be a platform through which some of issues that gave birth to the Niger Delta agitations could be resolved to the satisfaction of all the parties involved if regional integration was the aim of the project.

The situation was similar in Nigeria as both the House and the Senate committees on environment refused to meet with communities and civil society groups and also refused to heed our call for a public hearing before the bills are passed into law. Serious issues raised by communities and groups about the adequacy of the environmental Impact assessment carried out by the project proponents, the false claim by project proponents that the project would utilize 60% associated gas and the lack of consultation and disclosure of relevant project agreements with groups and communities impacted by WAGP. The treaty and enabling legislations were similarly railroaded through the Nigeria National assembly.

The role of ECOWAS

The Economic Community of West African States may have played little or no role in the development of the concept of the Pipeline, although it has been credited with coming up with the idea. Chevron actually conceived this project and realising that it could not go it alone, it entered into discussions with the World Bank and the Nigeria National Petroleum Corporation (NNPC) to execute the project. It is pertinent to note that in a correspondence between the Bank and Environmental Rights Action in 2001 on this issue, Praful Patel, Sector Director Finance, Private Sector & Infrastructure Africa Region said “the Bank provided technical assistance to the governments of Ghana, Togo and Benin during the early phases of the project (1995-1999) to help these governments examine the concept and assess its feasibility”. In many of the early correspondences with the World Bank on these issues there was hardly any mention of ECOWAS. These countries would not be assessing the viability of this project if it was evolved by ECOWAS in which they are active members.

The project as claimed by its promoters would “contribute to fostering regional economic and political integration that would enhance economic growth and in particular the development of the West African Electricity market”. This project was also considered one of the pillars of the New Partnership for Africa’s Development (NEPAD). However it is interesting to note that regional relations within the region had been in existence long before the advent of colonialism, the discovery of oil and the conceptualization of the WAGP. These relations still exists and they are strengthened by the continuation of activities such as regional trade and commerce, family relationships and farming practices that extend across borders. A project that

has the potential of exacerbating the conflicts over resource ownership and access to the benefits of such resource in the Niger Delta specifically and Nigeria at large may on the contrary lead to regional disintegration. Many of the communities from where the gas for this pipeline would be sourced in the last 40 years have not experienced night because of continuous flaring and they have never had access to electricity yet gas from their lands would be providing electricity in neighbouring countries. Regional economic and political integration can only be built on the foundations of environmental and political justice. Building regional integration on the foundation of maximizing profits as is the case with the WAGP can only lead to one consequence; sowing the seeds of discord in the region.

Clearly with the present spike in oil and gas prices in the international market and the consequent intensification of new exploration activities in the energy sector, there is the need for any good governments to increase regulations in the extractive sector that would protect the environment, livelihoods and secure the power of the people over their resources. ECOWAS ought to be at the forefront of this move but because we have signed away our ability to regulate and secure control and access to energy our resources. Our flanks are wide open for a kill by foreign multinational companies operating in the region. Recently the Nigerian government asked Chevron and Shell to pay over \$2billion in revenues that should have accrued to the country from the Bonga field operations due to the spike in oil prices. But the Oil multinationals have not budged and have clearly stated that the government is not entitled to such payments going by the contractual terms of the Production Sharing Contract entered into with respect to the project.

We have gradually relinquished control over our resources especially in the last two decades. First it was the structural adjustment programmes of the 1980s when our governments were compelled to put a cap on salaries, reduce spending on the social sector, lay off workers, remove subsidies in all sectors and open up the oil/mining sector to private investments and with this opening up our governments lost the ability to ensure social and environmental controls around oil and gas facilities. The situation in which our governments found themselves at that period was not helped by the collapse of oil prices at the time and the fact that they needed to attract investments into the sector to boost revenue inflows.

Novel ways of protecting and enhancing corporate interests are constantly being evolved. Apart from the fact that the WAGP treaty is tilted almost wholly in favour of the corporations, giving them the right to be compensated if there is any breach of any of the obligations in the treaty or enabling legislation on the part of the participating countries. But there are no similar provisions if the company fails to fulfil its obligations. Sections of the WAGP treaty and agreement require countries to be locked into a gas purchase agreement from WAGP for 25 years and they cannot within that period access energy from another source. In fact the WAGP agreement appears to be cast in stone as parliaments in the participating countries cannot make new laws that touch on the agreement entered into with WAGP.

In essence ECOWAS has not helped much in ensuring that it creates the necessary environment for addressing some of the most important obstacles to regional integration. Such as taking proactive steps to ensure that the environment, livelihoods and aspirations of the over 240 million people that make up the community is

adequately considered whenever it lends its name and support to a project in the extractive sector in the region. It failed to factor in the long standing relationship among communities and civil society groups in the four impacted countries. It failed to consider the impact on communities and groups in Ghana, Benin and Togo of utilizing a resource from a sister community that continues to be destroyed, impoverished and dislocated in the process of extracting the resource. That may be why Benin and Togo even at this late stage of the project are yet to construct the spurs that would connect them to the main pipeline under the sea. There is reasonable apprehension that this project may run into major problems if the issues of the communities in the Niger Delta are not properly addressed. It would be appropriate that in future, ECOWAS must ascertain that any regional project is people centred, does not endanger the rights of communities to the enjoyment of a healthy environment and does not jeopardize their means of subsistence before throwing its full weight behind such project and that such project are not a means of transferring the peoples energy sovereignty and security into the hands of a few private concerns whose sole concern is profit.

World Bank Inspection Panel Processes

Communities in Lagos, Ogun and Delta states in Nigeria and also civil society groups in Ghana filed a petition with the Inspection Panel in 2005 and basically raised all the issues flagged above. After two years of manoeuvrings and grandstanding by the management of WAPco and the World Bank, the Inspection Panel only this week released its finding and conclusions which in effect agreed with our submissions and declared that the World Bank failed in its supervisory functions as regards the implementation of the WAGP and that WAPco either lacked the capacity or wilfully decided not to implement social and environmental safeguard.

We were at a meeting with the new World Bank country Director Onno Ruhl at the Bank's regional office in Abuja and the Bank surprisingly accepted that it failed and that it was ready to turn a new leaf and be transparent in further dealings on this project. But this does not take away the fact that the deregulation of the energy sector in West Africa had been achieved and control over our energy sovereignty and security has been passed on to private multinational companies.

Role of the World Bank

The World Bank's role in this project and similar projects all over Africa is worrisome. It appears the World Bank has lent itself as an enforcer of the deregulation policy and the transfer of control in the energy sector to International oil companies and other energy companies in Africa. For instance the Bank initiated a 5 year \$14.5million "Mineral Sector Technical assistance project" similar to the technical assistance offered West African Countries under WAGP. The project was designed to introduce legal, regulatory and fiscal framework which would "provide an environment conducive to private investment in mining" importantly the project also included assistance in re-writing relevant national legislations to as the Bank succinctly put it "to harmonize Tanzania's legislation with the requirement of the new global political economy"

The World Bank has invested and continues to invest disproportionately in the extractive sector and huge energy projects such as the Bujugali dam project, the

proposed Trans-Sahara gas pipeline and the recent initiative to bring in private Independent Power Producers into the domestic energy market. This is contrary to the recommendations of the Extractive Industries Review panel set up by the World Bank to carry out a careful appraisal and aggregation of the views of communities, civil society groups, development agencies etc of the World Bank's involvement in the Oil, Gas and Mining sectors in order to better understand whether such projects are consistent with the Bank's mission of sustainable development and poverty reduction. The Panel had called on the World Bank to drastically scale back its support and funding for extractive activities owing to the negative impact of such activities on the lives and livelihoods of communities around the world.

Negotiating Resource sovereignty

Resource sovereignty has of recent become the standard refrain of many resource rich communities and states especially in the global south. It forms the fulcrum of the agitations around the Niger Delta area of Nigeria and other resource rich communities Africa. The term is however not of recent origin as it has been in existence for over half a century.

In international law the principle of Permanent Sovereignty over resources was propounded over 50 years ago with the objective of using it as a tool to empower and benefit the people. This term first appeared in United Nations General Assembly Resolution 626 (vii) of 12 December 1952 entitled "Right to Exploit freely natural wealth and resources but the most explicit reference to the right to exercise sovereignty is to be found in General Assembly Resolution 1803 (xvii) of 1962 which declares that both people and nations have the right to exercise sovereignty over their natural resources.

Countries of the global south pushed for this principle in international law and it became a source of friction between developed and developing countries, on the one hand and multinational companies on the other.

Those who favoured the principle of resource sovereignty for resource rich countries envisioned it as a catalyst for rapid economic development but after fifty years of its existence our countries remain mired in the quicksand of economic retrogression and are even farther from bridging the developmental divide with the global north.

The under-development of resource rich communities has been the result of decades of poor leadership and the failure of our leaders to distinguish between state funds and their private funds. In many resource- rich countries, rulers use these terms interchangeably. A band of kleptocratic rulers, marauding as leaders have stolen their countries dry and have left communities devastated, stunting economic growth and political development in the process. All over Africa we have had serial looters of the commonwealth of the people. Recent revelations from probe panels set up by the legislative arm in Nigeria show the impunity with which thieving rulers deal with the resources of the people.

The problem of resource sovereignty could be situated in the failure to adopt people centred approach in exercising control over the resource in a country as against the present state centred approach. While it was reasonable and appropriate in the past especially in the immediate post colonial period to place emphasis on the state as the instrument of protecting a country's natural resource against external spoliation by

allowing the state to exercise sovereignty over resources. It has also become evident over time that our governments or home-grown despoilers are perhaps as efficient as the external interests, in depleting the resource, destroying the environment and preventing the people (supposed owners of the resource) from having access to or deriving benefit from the resource.

A proper interpretation of the rightful owner of a natural resource becomes imperative if we want to redress decades of plunder and destruction wrought by multinational companies in conjunction with international financial institutions and our conniving rulers. Perhaps the best way to solve this problem is to propose a return to the intents of the original framers of the principle of Resource Sovereignty. It bears repeating that the principle evolved from the view that

- (a) Rulers of the people ought not to divert the resources of the people to foreign interests for their own personal gain or group interest thereby imperilling the political and economic survival of their countries
- (b) People have the full rights to share in the proceeds and benefits from resources in their land

From the foregoing we can contend that communities in which, natural resources are situated or who are impacted by activities relating to the extraction of such a resource, no matter the distance of such impacted communities from the actual site of resource extraction; are the owners of such resources and to that extent have the right of control over the natural resource and the people can freely decide when and how the resource is extracted. States or governments should only act as agents or as trustees to the owners of the resource and at all times reflect and respect the aspirations of the people.

As was stated earlier the tendency has been to view the state as having the exclusive right to exercise sovereignty over the people's resource but this has led to what we see in the Niger Delta region of Nigeria today in which people are hamstrung in challenging natural resource policies of governments at international levels especially where such policies work hardship on the people. Often these people are forced by the brutality of the ruling class to respond in kind, leading to the upsurge in violence around the area. Although article 21 of the African Charter states that "all peoples shall freely dispose of their wealth and natural resources" This has not usually been interpreted to mean that it is the people that should exercise sovereignty over their resource.

The risk of looking at the issue of resource sovereignty from the state centred spectrum is that it would give those in government no matter how they got there the exclusive right to exercise sovereignty over the people's resource. The only way to redress this risk would be to view states as instruments to serve the interest of the people and not the other way round. People here may of course refer to the entire population of a country or region e.g. ECOWAS but with special emphasis on the population in the place where such resources are situated or populations in communities that are impacted by ancillary facilities used for resource extraction, because they are directly impacted and suffer the greatest harm.

It does appear that Resource or energy sovereignty is not amenable to any precise definitions but over time a range of ideas has been developed to explain the concept. From a social movement perspective energy sovereignty could be said to be the

intrinsic right of communities and peoples to have access to energy; to decide their energy sources and their consumption pattern that would lead them to a more sustainable society. This presupposes that the communities exercise unfettered control over their resource.

It could also refer to demands by communities for instance in Ogoni and Ecuador calling for a stoppage or moratoria on new resource exploitation and extraction activities on their lands. Therefore to all intents and purposes sovereignty over natural resource should reside in the people and this principle must underpin the actions and pronouncements of states and regional bodies with respect to contractual obligations relating to natural resources.

Barriers to Resource/Energy sovereignty

Unsustainable consumption especially in the global north

The Human race has taken giant leaps since the discovery of the potential in extractive resources, both in the technological and social spheres. We have achieved this almost unimaginable feat by burning extractive resources for energy 100,000 times faster than it can be produced by nature. In this manner we have burned up in the 100 years since the industrial revolution started resources that took millions of years to form. We are only now beginning to ask the appropriate questions of where the rain began beating us.

The Intergovernmental Panel on Climate Change in its 2007 report said “warning of the climate system is unequivocal as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice and rising global sea level”. The most devastating consequences of global warming such as drought, desertification, water shortage, flooding would be experienced disproportionately in the global south. Yet statistics show that Africa accounts for less than 3% of the global carbon emission which in the main is responsible for the havoc that is being wrecked around the world.

The global north that has contributed the most to global carbon emissions and benefited most from such emission is rarely impacted and it already has in place structures to mitigate the impact of any climate related events. Yet the global north is still heedlessly pursuing a path of increased and secured supply of energy resources to salve its unbridled thirst for energy.

At present oil rigs are in short supply globally because demand has far outstripped supply. There is a new scramble for Africa and multinational corporations would throw in everything to ensure that they get a piece of the cake. From the Horn of Africa, through East Africa to southern Africa a massive exploration campaign is ongoing to discover new oil wells and bands of ruling elites in these regions are salivating at the prospect of getting their hands on the petrodollars that would follow the discovery of oil in their countries. In Dafur in the south of Sudan, it is already a zero sum game at the moment, thousands are being systematically removed from their lands and those who refuse are summarily dispatched to sing and dance with celestial beings in heaven.

Who knows what the future holds in store for other countries around this axis where this desperate search is going on. Where would we store the carbon that would be emitted from these new finds now that the earth's recycling capacity is at its stretched out limit. The global north must rein in its insatiable thirst for energy and help by providing money and technology for countries that have suffered the most to mitigate and adapt to the consequences of their over consumption

Privatization of energy resources

Privatization of energy resources would lead to a significant increase in the rate of poverty as the overwhelming majority of our people over 70% of them who live below the poverty line and who have been forced to live on the margins of society desperately trying to exist would be unable to afford the deregulated price of energy for their homes and businesses. What usually happens is that the company would make a whole lot of money, a select few in government and those connected to the government get paid off, a few jobs are created but these are usually highly vulnerable jobs and often the working conditions are harsh.

Centralization of energy policies

More and more, companies' interests are protected by treaties and legislations usually drafted by consultants hand picked by the multinational companies or international financial institutions such as the World Bank and the International Monetary fund to harmonize legislations in resource rich countries with the requirements of the new global political economy. Many governments in resource rich countries are by this stripped of the powers to make laws and regulations to protect their peoples' right to a healthy environment, sustainable livelihoods and life.

Over 2500 bilateral treaties have been signed by resource rich governments around the world with multinational companies to protect the business and profits of the multinational companies and most of these agreements share similar traits such as non discrimination - companies from all over the world must be similarly treated, foreign companies must be given the same treatment like their local counterparts, 100% repatriation of profits and the payment of compensation to the company by the government in case government makes legislation to fix the amount to be repatriated.

Others include the right to sue government under international arbitration but the governments cannot sue etc. These and many more are standard ingredients in any treaty or agreement in the extractive sector transferring ownership the people's resource into private hands. In Africa evolving an independent vision of development is nigh impossible because of the policies of the World Bank and the International Monetary fund (IMF). This has restricted our government from its duty to act as agents of the people to decide on practical issues like who gets the revenue from the resource and who controls the way in which the resource is developed.

Lack of investments in sustainable energy alternatives such as solar, wind and small hydro dams

The World Bank commissioned Extractive Industries Review Panel had recommended that the World Bank should scale down and phase out lending to extractive projects by 2008 and instead increase investments in renewable energy but the Bank has continued to fund extractive projects. World Bank's support for fossil fuel extraction increased by a massive 93% in 2006 compared to 2005. The private sector lending arm of the World Bank the International Finance Corporation (IFC) grew its funding support for extractives by a whopping 75% in 2006 compared to 2005. However the Bank's support for renewable energy within the same period grew by a mere 28% by the Bank's own reckoning. These small investments in renewable energy also include a worrisome investment in coal fired power plants which are slightly less polluting than the existing coal plants. The World Bank has in fact been accused of not having a clear idea and a definition of clean technology.

Multinational companies and their home governments in the global north have been the targets of the massive investments in fossil fuel in Africa. Research conducted by Sustainable Energy and Economy Network based in the United States suggest that most of the Oil projects supported by the World Bank supply industrialized countries consumption- not the energy needs of developing countries and almost all such lending benefit the multinational oil companies and ChevronTexaco was named as one of such companies.

CONCLUSION

To address the barriers to energy sovereignty discussed above and engage in a right based, knowledge driven approach to achieving energy sovereignty we must include as an irreducible minimum the following

- The interest of the people the true owners of the resource must at all times be paramount and must guide government actions on the extractive sector
- Agreements and treaties being entered into by our governments in respect of our resources must be disclosed from the conceptual stages to the people and the government must respect the wishes of the people in this connection
- There must be a moratorium on new extractive activities in West Africa
- Reduced and sustainable consumption of energy especially by the global north
- Decentralized energy generation, supply, administration and management
- Repayment of ecological debt by the global north for using more than their fair share of the global common for their development to the detriment of countries of the global south who bear the biggest cost of this practice
- Increased investments in sustainable energy sources
- We must continue to support social movements that are working to preserve the environment and the society

End Notes

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6. Extractive Industries Review report 2004
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