



Parallel Report on the occasion of the consideration of the Concluding Observations for Senegal by the Committee on the Elimination of Racial Discrimination (CERD) 110th session (7-31 August 2023)

Executive Summary

The present report provides information on Senegal's support for multinationals Woodside Energy and British Petroleum's ongoing fossil fuel development in fragile marine ecosystems, on which the livelihoods of fishing communities depend, ahead of the Committee on the Elimination of Racial Discrimination's (CERD) review of Senegal. Off the Senegalese coast, oil and gas exploration activities are reportedly causing declines in fish catch and are limiting coastal communities' access to important fishing areas. Fossil fuel extraction activities also have the potential to threaten delicate ecosystems such as mangrove forests, with devastating consequences for the country's fishing industry as a whole. The loss of income and lack of compensation is already causing myriad socio-economic hardships for local communities, such as by pushing some fisherfolk to leave their traditional livelihoods and migrate to other countries, facing dangerous journeys and arrest.

Despite these impacts, the government of Senegal continues to greenlight the Sangomar Field Development ("Sangomar") and the Greater Tortue Ahmeyim ("GTA") projects, reportedly without meaningful prior public consultations with affected communities, who state that they lacked sufficient information about the projects to participate in the decision-making process. The government is also advancing the Yakaar-Teranga Gas Development offshore project, which is currently in its feasibility stage and reportedly likely to see a Final Investment Decision (FID) this year. Senegal's ongoing support for harmful offshore fossil fuel projects is resulting in a violation of Article 2 and Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).

In light of the above, the Center for International Environmental Law, Bargny Coast Waterkeeper, Hann Baykeeper, Save the Coast and Fisheries, and Waterkeeper Alliance respectfully ask that the Committee issue the following Concluding Recommendation to Senegal:

The Committee expresses concern about the impacts of ongoing and planned oil and gas exploration, extraction, and export on the livelihoods and Convention-protected rights of coastal and fishing communities who are already disproportionately threatened by the impacts of climate change. The Committee recommends that Senegal (1) suspend the Sangomar, GTA, and Yakaar-Teranga projects at least until adequate consultations with disproportionately affected ethnic communities (including artisanal and small scale fishing communities) and comprehensive human rights and environmental due diligence is undertaken, including the identification of impacts and measures to prevent/avoid, mitigate, and remediate adverse effects; (2) take measures to guarantee that coastal communities disproportionately affected by the projects are not impeded in the enjoyment of their economic, social, and cultural rights; and (3) ensure that communities and individuals who have suffered economic losses and adverse impacts on their livelihoods as a result of fishing exclusion zones are adequately compensated for all past, present and future losses.

Senegal's support for the Sangomar Field Development ("Sangomar") and the Greater Tortue Ahmeyim Project ("GTA"), which will open up fossil fuel production in waters of critical importance to local fishing communities, threatens rights protected under the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). The State has an obligation to guarantee ethnic communities' full and adequate enjoyment of human rights and fundamental freedoms (Article 2), including, but not limited to, the rights to work and to equal participation in cultural activities (Article 5). The operations around Sangomar and GTA are negatively impacting and threatening these Convention-protected rights through their adverse and disproportionate impacts on the subsistence and traditional lifeways of local communities as well as by contributing to adverse effects on the global climate. This report details some of those impacts and are thus responsive to paragraph 9 of the Committee's List of Themes for its periodic review of Senegal.¹

Reports abound of many ways in which Sangomar and GTA are imperiling the lives and livelihoods of traditional fishing communities along the Senegalese coast. Led by Australian multinational Woodside Energy, Sangomar is the first offshore oil development project in the country and is expected to produce 231 million barrels of oil. It is located near the Sangomar Marine Protected Area (MPA), whose rich ecosystem and biodiverse sea fauna support local livelihoods in several nearby villages, including Djiffère, Dionwar, Niodior and Palmarin. According to recent news reports, these communities have already begun to witness significant declines in fish catch as a result of exploration activities, and have also been prevented by the operating companies from accessing traditional fishing grounds.² In fishing villages like Djiffère, where evidence of oil spills have been observed,³ the development threatens to aggravate the damage that overexploitation by industrial fisheries and coastal erosion have already inflicted on local fish populations. Moreover, communities fear the potential harm oil activities may pose to mangrove ecosystems, which could have devastating consequences for fisheries in the Fatick region and for Senegal's fishing industry as a whole.⁴

These fears are well founded. Woodside's own 2020 Environmental Social Impact Assessment (ESIA) for the project details several scenarios for potential oil spills stemming from the extraction of production of oil in Sangomar.⁵ Indeed, the ESIA acknowledges the possibility of myriad adverse impacts, including water and sediment contamination and the corresponding impacts on the health of marine organisms and the functioning of local marine ecosystems, and damage to coastal habitats, including mangroves and coral reefs. Moreover, the ESIA recognizes the many adverse economic, social, and cultural impacts oil spills and their ecological consequences will have on local coastal communities, including income loss and employment, and the loss of traditional knowledge and

¹ Committee on the Elimination of Racial Discrimination, Liste de thèmes concernant le rapport du Sénégal valant dix-neuvième à vingt-troisième rapports périodiques, U.N. Doc. CERD/C/SEN/Q/19-23 (9 June 2023), at para. 9 ("Mise en œuvre et impact des mesures adoptées, y compris les mesures de consultation, pour assurer la protection des communautés ethniques touchées par l'exploitation des ressources naturelles. Mesures visant à atténuer les effets du changement climatique, notamment dans les régions côtières, et mesures mises en place pour préserver les modes de vie traditionnels des communautés ethniques touchées, notamment les pêcheurs.")

² Massaër Dia, A Sangomar, *Djiffère, Dionwar et Niodior: Pétrole et Pêche ne font pas bon ménage*, BUSINESS221 (19 July 2023).

³ Fatou Ndiaye, *Exploitation du pétrole et du gaz à Sangomar : les barils d'angoisse d'une population à l'avenir incertain!*, SUD QUOTIDIEN (July 2023).

⁴ *Ibid.*

⁵ Woodside et al, [SNE FIELD DEVELOPMENT PHASE 1: ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT](#), Final Report (2020).

practices related to fishing and other marine activities.⁶ Despite these risks, the government nonetheless gave Sangomar a green light, and oil extraction from the field is expected to begin as soon as mid-2024.⁷

Similar livelihood risks surround GTA, a cross-border gas project between Senegal and Mauritania operated by British Petroleum (BP). Located 120 km offshore in water depth of 2,850 meters, GTA is one of the deepest subsea developments in Africa. According to reports, like in the case of Sangomar, exclusion zones surrounding GTA's infrastructure have made important fishing areas now inaccessible to locals, leaving families in dire conditions.⁸ For instance, in Saint-Louis, Senegal, where 90% of the town's 250,000 people rely on fishing for income, these restrictions have forced some women who previously worked as fish processors to turn to desperate measures in order to support their families. Similarly, fishermen are "quitting, risking their lives migrating to Europe, or fishing illegally in neighbouring Mauritania where they face arrest."⁹ The respective companies behind Sangomar and GTA have reportedly yet to provide communities with any kind of compensation for the economic losses they have suffered as a result of the fishing exclusion zones.¹⁰

Despite the significant risks that Sangomar and GTA poses to local communities and the environment, reports indicate that there were no meaningful public consultations prior to the approval of the projects and that communities lacked sufficient information about the projects to participate in the decision-making process. Residents of Djiffère, for instance, allege that they've had little interaction with companies operating Sangomar aside from receiving brochures with information about the facilities.¹¹ Artisanal fisherfolk affected by the GTA have described BP's dialogues with the communities as "tenuous" and "insufficient to address [their] concerns."¹²

Instead of taking measures to ensure the protection of the rights of coastal and fisherfolk populations disproportionately affected by Sangomar and GTA, Senegal has doubled down on its support for new fossil fuel projects that contribute to both local and global harms. The Senegalese government is advancing yet another major offshore gas project, the Yakaar-Teranga Gas Development, which is currently in its feasibility stage and likely to see a Final Investment Decision (FID) in 2023.¹³ On top of jeopardizing local livelihoods, the project—which could produce 456.51 million barrels of oil equivalent that will ultimately be burned and produce significant greenhouse gas emissions (over 196 million tons CO₂)—will accelerate climate change, the effects of which disproportionately affect coastal and traditional populations including fisherfolk.

⁶ *Ibid.*

⁷ Roushni Nair, [Australia's Woodside delays Sangomar first barrel to mid-2024, flags higher costs](#), REUTERS (17 July 2023).

⁸ Sam Mednick, ['Communities can fall apart': Senegal gas project drives locals to desperation](#), EURONEWS (via Associated Press) (14 April 2023)

⁹ *Ibid.*

¹⁰ Massaër Dia, A Sangomar, [Djiffère, Diour et Niodior: Pétrole et Pêche ne font pas bon ménage](#), BUSINESS221 (19 July 2023); Shanna Jones & Emma Howard, [BP's big new gas plans in West Africa pose climate and biodiversity threats](#), GREENPEACE UNEARTHED (21 June 2021).

¹¹ Fatou Ndiaye, [Exploitation du pétrole et du gaz à Sangomar : les barils d'angoisse d'une population à l'avenir incertain!](#), SUD QUOTIDIEN (July 2023).

¹² Shanna Jones & Emma Howard, [BP's big new gas plans in West Africa pose climate and biodiversity threats](#), GREENPEACE UNEARTHED (21 June 2021).

¹³ [Oil & gas field profile: Yakaar-Teranga Phase 1 Conventional Gas Field, Senegal](#), OFFSHORE TECHNOLOGY (28 April 2022) [last accessed 01 August 2023].

The CERD has previously addressed the issue of fossil fuel extraction in recent reviews of other States, which should guide its Concluding Observations to Senegal. In 2020, the Committee asked Guyana to “provide information on measures taken to address the effects of climate change, oil and gas production, [...] that affect indigenous communities, including women.”¹⁴ It also asked Guyana to provide information on ensuring the “participation, consultation and inclusion of indigenous peoples in decisions that may have a detrimental impact on their communities, in particular with regard to the oil and gas production sector.”¹⁵ In its 2022 Concluding Observations to the United States, the Committee recommended that the State take adequate measures to “undertake prompt, independent and thorough investigations into all cases of environmentally polluting activities affecting the rights of racial and ethnic minorities and indigenous peoples, bring those responsible to account and provide effective remedies for the victims.” Furthermore, the Committee recommended that the United States consider “adopting moratoriums on the authorization of new heavy industry facilities and the expansion of existing ones, such as petrochemical plants.”¹⁶

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¹⁴ CERD, *List of issues prior to submission of the fifteenth and sixteenth periodic reports of Guyana*, U.N. Doc. CERD/C/GUY/QPR/15-16 (7 December 2020), at para. 19.

¹⁵ *Ibid.*

¹⁶ CERD, *Concluding observations on the combined tenth to twelfth reports of the United States of America*, U.N. Doc. CERD/C/USA/CO/10-12 (21 September 2022), at para. 46.