

REPORT 2025

**"WITHOUT OUR LAND
AND RIVER,
WE WILL STARVE"**

Uncovering Green Colonialism in EDF,
Sumitomo and TotalEnergies Hydroelectric
dam Project in Mozambique

AUTHORING ORGANIZATIONS

Justiça Ambiental (JA!) – Friends of the Earth Mozambique - is recognized as a leading organization in Mozambique working on the impacts of rapid, uncontrolled and unsustainable development. It has existed since 2004 and works to raise public awareness and conduct campaigns against practices that harm the environment in Mozambique. JA! also seeks to support movement building and promote solidarity within communities facing these threats. They are supported through field surveys, policy and technical advice, information and capacity building. The ambition is to build a strong voice of communities by connecting communities that are facing similar environmental problems, supporting community campaigns including negotiations with industries, by facilitating access to decision-making bodies, government authorities, and the media and by bringing the difficulties experienced at local level to national and international bodies.

CCFD-Terre Solidaire is France's first international solidarity and development NGO that has been working for over 60 years alongside those who fight every day against all forms of injustice—first and foremost, the injustice of hunger. Abroad, by supporting local partner organizations so they can carry out their own development projects, as they hold the solutions best suited to the realities of their territories. At home, by raising public awareness and engaging policymakers and elected officials to defend the common good, resist the rollback of rights, and influence French and European foreign policy in line with the interests upheld by our partners. One of the organization's key priorities is fighting corporate impunity and ensuring that economic actors respect fundamental rights and the environment.

The European Center for Constitutional and Human Rights (ECCHR) is an independent, non-profit organization based in Berlin that uses strategic legal interventions to challenge impunity, injustice and human rights violations worldwide. As part of its Business and Human Rights program, ECCHR works closely with global partners and affected communities to advance climate justice through transnational legal interventions in Europe. Since 2020 ECCHR has been involved in a case against French energy giant Electricité de France (EDF) alleging violations of free, prior and informed consent and land rights of Mexican indigenous community Unión Hidalgo in the development of the Gunaa Sicaru windpark. Based on its experience in this case, ECCHR supports efforts to ensure that corporations involved in green energy transition projects respect the economic, social and cultural rights of impacted communities.

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Authors: Clara Alibert, Chloé Bailey, Manuel Chauque, Charlotte Kreder, Erika Mendes, Latifo Patreque.
Under the direction of Anabela Lemos, Isabelle Manimben, Hélène Souplos-David.
Photographer: Alexandre Larcen
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SUMMARY

04	Executive summary
06	Preface
07	Methodology
08	Mphanda Nkuwa: what are we talking about?
16	The social impacts of the project
26	The environmental and climate impacts
32	Where will the communities be relocated ?
38	The right to say no in a context of intimidation and lack of consultation
46	Demanding transparency
50	An energy transition : how and for whom ?
54	Shared responsibilities
59	And now?
62	Recommendations
64	Conclusions
65	Post-face
66	Annex

Journey up the Zambezi River aboard a wooden boat.

EXECUTIVE SUMMARY

The Mphanda Nkuwa project involves the construction of a run-of-river hydroelectric dam on the Zambezi River, with a projected installed capacity of 1,500 megawatts (MW). Of this, 60% is intended for export, while 40% will supply Mozambique's domestic energy needs. The project is currently being promoted with an estimated total cost of USD 6.4 billion, including USD 5 billion for the construction of the dam and power plant, and USD 1.4 billion for the power transmission lines. The project is scheduled to be commissioned in 2031 and would become the third-largest dam on the main stem of the Zambezi River and the largest hydroelectric plant built in Southern Africa in the last 50 years. The project is currently being promoted with an estimated total cost of USD 6.4 billion, including US\$5 billion for the construction of the dam and power plant, and USD 1.4 billion for the power transmission lines - and this cost already represents a 42% increase in relation to two years ago (2023).

Located 60 km downstream from the Cahora Bassa Dam and 70 km upstream from the city of Tete, the dam's reservoir would flood approximately 100 km² of land, affecting the Chiúta, Cahora Bassa and Marara districts.

In December 2023, the Mozambican government and state-owned companies Electricidade de Moçambique (EDM) and Hidroeléctrica de Cahora Bassa (HCB) signed a partnership agreement with a private consortium—Electricité de France (EDF) (40%), TotalEnergies (30%), and Sumitomo Corporation (30%) — without prior consultation with affected communities, who remain the legalholders of the land use rights. EDM and HCB retain 30% ownership, with the private consortium holding 70%.

Over 1,400 families—at least 8,120 people—face forced displacement.

The project poses serious social, environmental, and human rights risks:

- Over 1,400 families — at least 8,120 people — face forced displacement. Communities that rely on fishing, farming and livestock are threatened by flooding and disrupted river flows.
- Cultural and spiritual heritage sites, including sacred lands and sites where ancestral ceremonies take place, risk submersion or irreversible damage.
- Communities downstream face the loss of floodplain agriculture that is essential to food security due to changes in the river's natural cycle, echoing past negative experiences with the Cahora Bassa dam. There is an estimated population of about 350,000 people living in the Zambezi Delta area, which could be indirectly affected by the environmental and socio-economic consequences of the dam.
- Communities have described a repressive climate, with reports of pressure, detentions, threats and limitations on freedom of expression.

Field work conducted by Justiça Ambiental (JA!) throughout the past 25 years, and by CCFD-Terre Solidaire in April 2025, based on testimonies from over 245 people, reveal deep mistrust in the project. Promises of jobs and development are met with scepticism, as past projects failed to benefit locals. In fact, land initially designated for the MNK dam resettlement has already been used for relocating communities affected by Jindal's coal mine.

Despite the absence of proper community consultation and suitable resettlement plans, the project has gained strong international backing. It is supported by the World Bank, African Development Bank, European Union and European Investment Bank. However a rapid quantitative risk assessment by TMP Public¹ estimated a potential financial loss of USD 1.3 billion² due to social and environmental risks, including displacement-related conflicts.

¹ TMP produced a rapid risk assessment of the Mphanda Nkuwa hydropower project but did not participate in the production of this report.

² This is based on a 2-year delay and budget overrun of 33%, which is common for large hydropower developments. For further information about the Riverscope tool that was used for the assessment, please visit: <https://riverscope.org/>

EDF and TotalEnergies, as French companies, are legally bound by France's Duty of Vigilance Law to identify, prevent, and remedy human rights and environmental abuses—whether directly or through subsidiaries and partners. As the sole shareholder of EDF, the French State bears direct responsibility for ensuring compliance with these obligations.

The Mphanda Nkuwa Implementation Office (GMNK) has claimed to be involved in an ongoing dialogue and the companies of the consortium have claimed their respect for international standards in their press releases and through the different letters they exchanged with us. However, community interviews contradict these statements. People interviewed underlined that meetings lack transparency, no documents are shared and no community consultation has occurred. Legal action is underway in Mozambique to compel the release of essential information.

The project is emblematic of so-called “sacrifice zones”—territories exposed to extreme socio-environmental damage in the name of national and profit interests. This reflects a broader pattern of green colonialism, where marginalized populations are excluded from decision-making and deprived of their rights in the name of climate action and energy transition. Faced with the climate emergency and the exceeding of planetary boundaries, experts around the world are unanimous: the energy transition, and therefore the phase-out of fossil fuels, is necessary and must happen quickly without reproducing the patterns of the extractivist model that has shaped the world economy so far and contributed to the multiple crises we face today.

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However, while the transition is necessary, it must not be carried out at the expense of the human rights of local communities and Indigenous Peoples and their territories, where these operations generally take place. Large-scale renewable energy mega-projects (wind farms, hydroelectric dams etc.) and strategic minerals for the energy transition (lithium, copper, rare earths) have been the subject of allegations of human rights violations and environmental damage. According to the Business &

Human Rights Resource Centre's Just Transition Tracking Tool, 95 lawsuits have been filed globally by rights holders over human rights violations linked to ‘clean’ energy transition projects. These legal actions are not a rejection of climate action but a call for a truly just transition.

Ultimately, the Mphanda Nkuwa project highlights the urgent need for democratic, community-led and people-centred energy alternatives. Without genuine participation and respect for rights, energy transition efforts risk reinforcing inequalities in terms of land and domestic energy access and perpetuating injustice under the guise of sustainability.

Furthermore, as highlighted in the report, the Mphanda Nkuwa project is already exacerbating existing trends of state violence, the restriction of fundamental freedoms and violation of rights of marginalized populations that are heavily dependent on their land and river, thus presenting a serious risk of inflaming tensions and shattering the already weakened social contract between communities and the state. The armed insurgency in Cabo Delgado that followed the discovery of huge reserves of natural gas - and even the widespread protests that followed the October 2024 elections and clearly targeted megaprojects - should serve as a reminder of the dangers of continuing to pursue a top-down exclusionary model of development that prioritizes large scale investments over peoples' rights and needs.

PREFACE

We have been warned: here, the telephone network ends. We are still 1.5 hours from our final destination, and taking the winding roads to arrive in Chirodzi-Nsanangue. Here we are at last, facing the Zambezi River that we have heard so much about. Alexandre inherited the art of fishing from his father. He remains the only living fisherman in his family and is proud of it. He welcomes us dynamically. His mother, Avó Dodina, dean of the community and guardian of the peoples' memory, greets us in turn and announces that *"here, life is punctuated by the river"*. We are also promised to be told in the evening about the century-old beliefs of this mythical river, where crocodiles and spirits have a certain importance.

We will spend a week camping on the shore to understand the resistance that has been growing in the different local communities against the Mphanda Nkuwa mega dam project.

A week of talking to hundreds of people from four local communities, to understand a project that is now the subject of the consortium of public and private companies including the French companies Electricité de France (EDF) and TotalEnergies.

Sitting on a mat on the floor, Chauque and Latifo – both members of the organisation Justiça Ambiental (JA!), Latifo also being from the neighbouring community of Chacocoma and currently living in Chirodzi-Nsanangue – draw a map. On the drawing, the river of course, and on its banks, the delimitation of the villages where different communities live. If the mega-project goes ahead, nearly 100 km² of land will be submerged to create a reservoir to power hydroelectric turbines. This represents an area equivalent to the city of Paris.

"By the way, what does Mphanda Nkuwa mean?" we ask. Latifo then exclaims: *"Mphanda Nkuwa, that's the name of the mountain!"* It is in the valley of this mountain that the consortium plans to build the dam.

As we take our first steps in the village of Chirodzi-Nsanangue Bairro 4, we become fully aware of the number of families – and especially young children – who live there. Looking back at the map drawn earlier with our partners, and the land that would be submerged by the construction of the dam, it is already possible to imagine the suffering that this project would inflict on thousands of people.

The full moon is reflected on the river, we have to go back to the camp. The interviews will begin the next day.

Clara Alibert & Charlotte Kreder, Return from Mission April 2025

Latifo Patreque participating in a meeting in Luzinga.





"By the way, what does Mphanda Nkuwa mean?" we ask. Latifo then exclaims: "Mphanda Nkuwa, that's the name of the mountain!". It is in the valley of this mountain that the consortium plans to build the dam.

METHODOLOGY

CCFD-Terre Solidaire met JA! in 2009 and has been supporting its action since 2017. JA! is also part of several networks followed and/or supported by the CCFD – Terre Solidaire in Southern Africa such as the People's Dialogue and the African Climate Justice Alliance and their respective campaigns. For several years, JA! has been urging CCFD - Terre Solidaire of the need to collaborate to denounce the practices and consequences of French economic actors in Africa and their support by the French State. Both organisations are also engaged in advocacy on the regulation of transnational corporations, particularly during the negotiation sessions of the United Nations Binding Treaty on Business and Human Rights.

Following the announcement of the resumption of the Mphanda Nkuwa dam project in 2018, JA! requested CCFD – Terre Solidaire to alert the concerned French companies, the French State and the potential donors of the project on the negative consequences that it would have on communities, the environment and the climate.

For 25 years, JA! has been conducting research, monitoring and documentation work in Tete province, central Mozambique, and working closely with local communities threatened with displacement by the Mphanda Nkuwa mega-dam project.

This report is based on data collected during various field missions conducted by JA!, from regular exchanges with its local focal point as well as from a mission carried out in April 2025 by CCFD-Terre Solidaire, during which the testimonies of approximately 245 people were collected.

The interviews were conducted both collectively, with each community concerned, and individually, with several women and men of different ages.

For several days in April, we met with the communities of Chirodzi-Nsanangue Sede, Chirodzi-Nsanangue Bairro 4, Luzinga and Chamimba for in-depth interviews.

MPHANDA NKUWA: WHAT ARE WE TALKING ABOUT?



Alexandre looking at the mountain in Chirodzi Bairro 4.



Characteristics of the mega-dam project

Mhanda Nkuwa is no longer simply the name of a mountain but also the name of a project to build and commission a mega-hydroelectric dam. This project involves the construction of a run-of-river dam and a hydroelectric power plant with an installed capacity of up to 1,500 megawatts (MW). Finally, it provides for the construction of high-voltage electricity transmission lines over a distance of 1,300 km linking Tete and Maputo.³ According to current plans, the 1,500 MW generation capacity is distributed as follows: 60% (or 900 MW) will be destined for export, mainly to South Africa and Zimbabwe, while the remaining 40% (600 MW) will be reserved for Mozambique's domestic consumption.

The project is currently being promoted with an estimated total cost of USD 6.4 billion, including USD 5 billion for the construction of the dam and power plant, and USD 1.4 billion for the power transmission lines. World Bank figures show a significant increase compared to the original budget of USD 4.5 billion, but the government seems to have not yet officially updated this budget. The project is scheduled to be commissioned in 2031. Approximately two years would be spent in the design and planning phase, followed by six years of construction work.

This dam would be the third largest dam to be erected on the main stem of the Zambezi River.⁴ Indeed, the site envisaged for the construction of the Mphanda Nkuwa hydroelectric dam is located on the river 60 km downstream from the current Cahora Bassa dam and 70 km upstream from the city of Tete. The left bank of the structure will be located in the district of Chiúta,⁵ while the right bank will be located in the district of Marara.

As for the reservoir of the dam, it will extend to the districts of Cahora Bassa and Marara.⁶ It will stretch for about 60 km along the main river and about 18 km on the Luia River, one of the last undammed tributaries of the Zambezi. Thus, its total area will be about 100 km², which is roughly the size of the French capital city Paris.

³ Gabinete de implementação do projecto hidroeléctrico de Mphanda Nkuwa . Pedido de manifestação de interesse. Maputo. December 12, 2024. <https://gmnk.co.mz/wp-content/uploads/2024/12/LEGAL-ADVISOR-EoI-PORT-VERSION-18112024.pdf>

⁴ The Zambezi River originates in Zambia and flows through Angola, Namibia, Botswana, Zimbabwe and Mozambique before emptying into the Indian Ocean. The two main dams currently in operation on the Zambezi River are the Kariba Dam, located between Zambia and Zimbabwe, and the Cahora Bassa Dam, located in Mozambique.

⁵ Chiúta total population in 2023 : 117 122

⁶ Marara total population in 2022 : 82 456

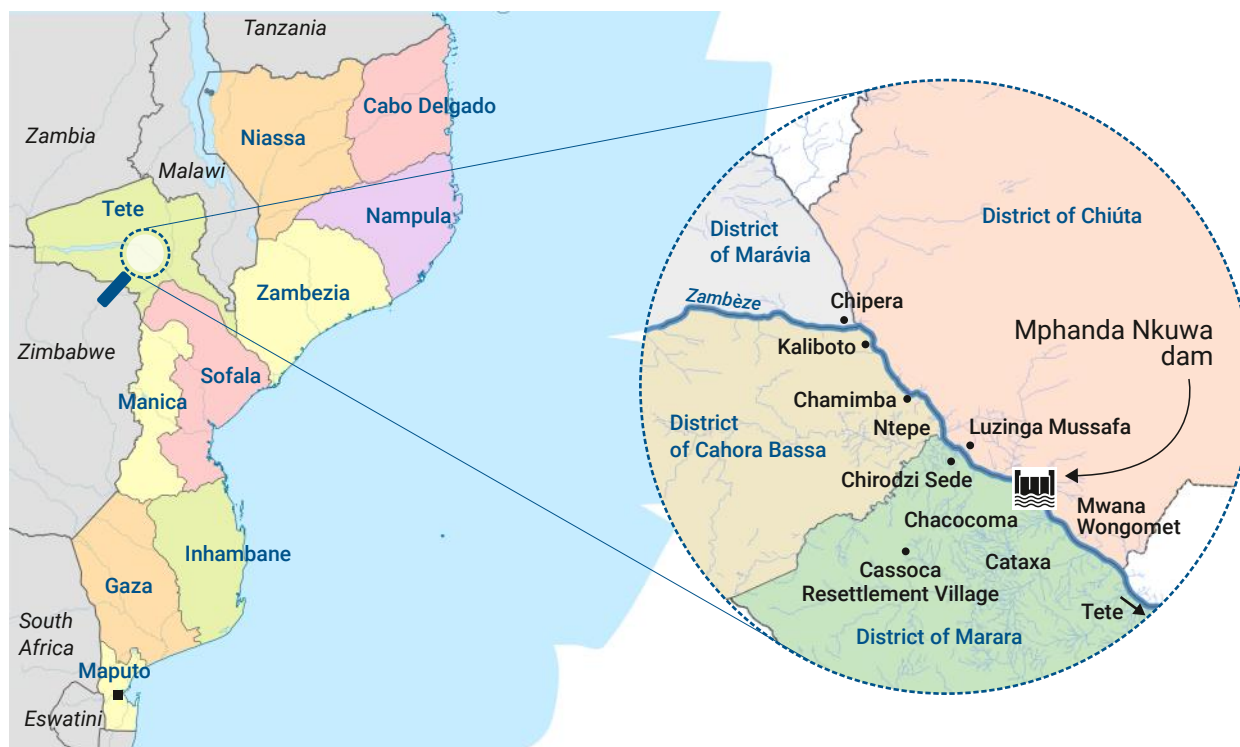
POLITICAL-ADMINISTRATIVE ORGANIZATION OF THE PROVINCE OF TETE

Tete Province is surrounded by international (Malawi, Zambia, Zimbabwe) and internal borders (Manica, Sofala and Zambezia Provinces).

At the political and administrative level, Tete province is organized according to the same model in force throughout the country. Thus, provincial authority is exercised by the governor, appointed by the President of the Republic, which therefore implies membership of the ruling party. The governor is supported in his duties by the technical services of the various provincial directorates. Tete Province is composed of 14 districts (Angónia, Cahora Bassa, Changara, Chifunde, Chiúta, Marara, Macanga, Mágoè, Maravia, Moatize, Mutarara, Tsanganoe, Dôa and Zumbo).

The districts are subdivided into administrative posts, led by a head of post. In turn, administrative posts are divided into localities, headed by a president or chief of the locality. Finally, the localities are themselves subdivided into villages or hamlets.

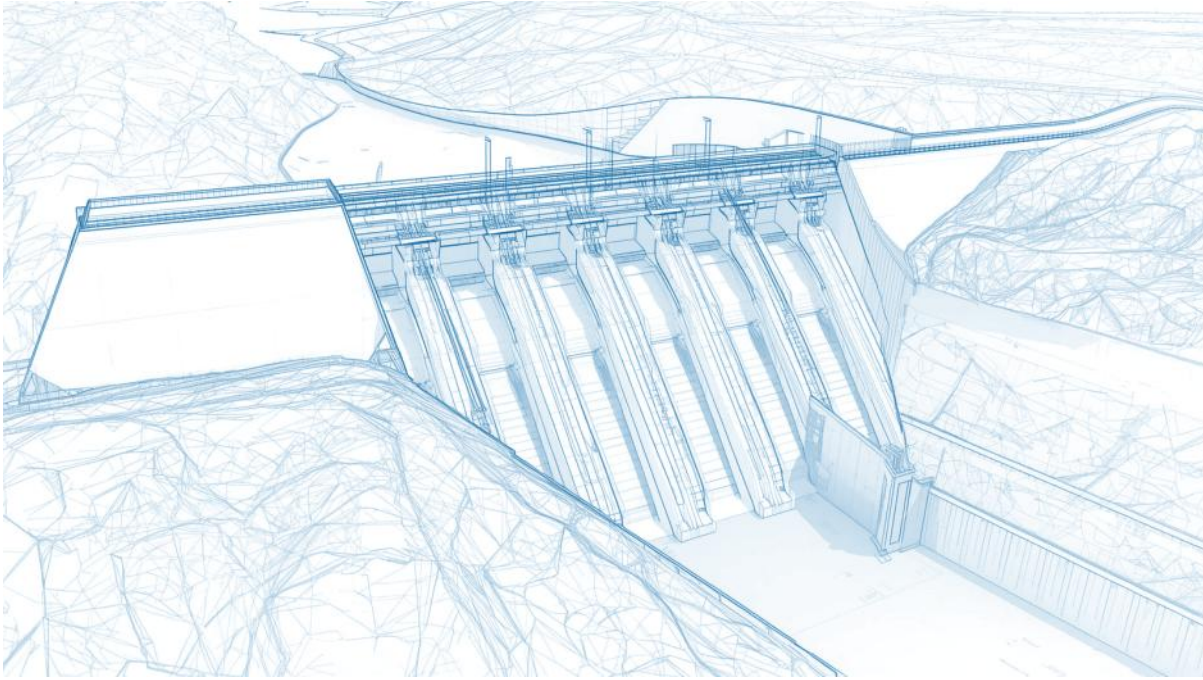
Decrees 15/2000 of 20 June 2000 and 11/2005 of 10 June 2005 (Regulation of the Law on Local State Bodies)⁷ recognize and frame the role of community leaders as legitimate authorities within their respective communities. The law aims to integrate these customary authorities into the administrative system of the State, thus enabling communities to organize themselves in their daily lives according to their customary traditions and norms. However, despite being 'elected' by the communities, traditional leaders are part of the government and therefore most of the time are highly loyal to the ruling party.



Location of the proposed Mphanda Nkuwa dam project.

Communities affected by the dam project.

⁷ Boletim Da República, Suplemento, Publicação oficial da República de Moçambique, 20 of June 2000, Num.24 <https://archive.gazettes.africa/archive/mz/2000/mz-government-gazette-series-i-supplement-dated-2000-06-20-no-24.pdf>
Boletim da República. 2.º Suplemento, Publicação oficial da República de Moçambique, 10 of June 2005, Num.23.
<https://fr.scribd.com/document/575967652/Decreto-n%C2%BA-11-2005>



Sketch of the project.

Project history – a colonial legacy that continues to stall

The Mphanda Nkuwa project was initially proposed by the Portuguese colonial authorities. The unsuccessful attempt to build it at the actual site led to the construction of the dam in Cahora Bassa. After the completion of the Cahora Bassa dam in 1974, the idea of another dam on the Mphanda Nkuwa site arose again.

The first attempts to make it a reality began in 1982, with the following milestones:

- In 1999, the Unidade Técnica de Implementação dos Projectos Hidroelétricos (UTIP) commissioned an in-depth study on the hydroelectric projects downstream of Cahora Bassa, including the first feasibility study of the project.
- In 2002, an investment conference was organized, attracting the interest of Brazilian, Chinese and South African investors.
- In 2010, the Mozambican government signed a 35-year concession agreement with a consortium consisting of Camargo Corrêa (Brazil), Insitec (Mozambique) and Electricidade de Moçambique (EDM) to develop the project.⁸ Construction was supposed to start in 2011 and the dam commissioned in 2015, but difficulties related to financing and the conclusion of power purchase agreements with South Africa delayed the project.
- In 2015, the government cancelled the concession agreement with the consortium due to the lack of progress.
- In September 2017, the International Development Association (IDA), a branch of the World Bank, approved a loan to support the development of the project.

⁸ The Camargo Corrêa scandal—as part of Brazil's larger Lava Jato ("Car Wash") corruption investigation which began in March 2014—had direct and significant consequences for Mozambique, which was among the international locations where Brazilian contractors like Camargo Corrêa operated. The scandal's exposure led to the interruption of infrastructure projects, reputational damage, governance challenges, and underlined broader vulnerabilities associated with foreign investment in Mozambique's public works sector—all under the shadow of large-scale international corruption.

- In August 2018, the Mozambican government entrusted the development to Hidroelétrica de Cahora Bassa (HCB) and EDM.⁹ In the same year, the Mphanda Nkuwa Hydropower Project Implementation Office (Gabinete de Implementação do Projecto Hidroeléctrico de Mphanda Nkuwa - GMNK) was created.
- In September 2019, a consortium of four companies was appointed to provide legal, financial and advisory services.¹⁰
- In 2021, the Mozambican government announced plans to accelerate the project, inviting investors to acquire a majority stake and taking steps to reach financial close by 2024.
- In April 2022, the government reported that eight consortia had expressed interest in the project.
- In May 2023, the government of Mozambique chose Electricité de France (EDF), TotalEnergies and Sumitomo as strategic partners in the hydropower project.¹¹
- In December 2023, the partnership contract and the framework agreement were signed without any consultation of the communities.

Since as early as 2000, the local communities had been informed of the possible realization of the mega-dam project. It is important to note that since then they have been advised by the local government not to invest in new infrastructure due to possible future relocation.¹² This means that any new investment - such as additional rooms in existing houses, new houses for new families, or community infrastructures - would not be compensated and should therefore not be built beyond what had been registered in the cadastre.

Avó Dodina, the elder of the community of Chirodzi-Nsanangue Bairro 4, whose parents and ancestors were born on these lands, confides:

"The first dam, the Cahora Bassa dam, they wanted to build here. We knew that this project was not going to benefit us, so we summoned the spirits to protect us and the dam was not built here... In 2000, they started doing censuses. As our elders were dead, we no longer had anyone who was able to summon the spirits and protect the mountain."
"We have been living for more than 20 years with the fear of being forced to leave."

A member of the Luzinga community similarly said: "People are demoralized at the idea that if I work today, tomorrow morning, I might lose my house or see my field swallowed up. We live in uncertainty."

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⁹ NS Energy. Mphanda Nkuwa Hydropower Project; October 9, 2019. <https://www.nsenerybusiness.com/projects/mpbanda-nkuwa-hydropower-project/>

¹⁰ These are the companies: Synergy Consulting and engineering firm, Worley Parsons, Backer Mckenzie and HRA Advogados. Source: Africa Energy Portal Mozambique : Consortium for technical assistance to Mphanda Nkuwa Dam. September 20, 2019.

¹¹ Mozambique picks Total, EDF for 1,500 MW hydroproject, Bloomberg reports. Reuters. May 26, 2023.

¹² This implies the question of compensation for these years without new infrastructure, buildings, fields, crops. See final recommendations.



Cahora Bassa dam.

THE TRAUMA OF CAHORA BASSA

The Cahora Bassa dam continues to have significant social and environmental consequences.¹³ Its construction in the 1970s during the time of Portuguese colonization caused the forced displacement of thousands of people living in the Zambezi River Valley. These communities have often been relocated to less fertile areas, with limited access to the natural resources necessary for their livelihoods, resulting in a significant loss of traditional livelihoods, including agriculture and fishing.

From an environmental point of view, the creation of the reservoir has profoundly changed the local ecosystem. The flooding of large areas has destroyed natural habitats, reduced biodiversity and disrupted the hydrological cycles of the Zambezi, affecting downstream areas. Fluctuations in water flow due to the management of the dam, of which riverside communities are never warned in due time, also impact their agricultural practices and fisheries, increasing their difficulties: every year, they suffer the destruction of their crops and the loss of their property.

This mega-project as well as its consequences are in the minds of all the people we met, such as a man from Chamimba who exclaimed during an interview: *“The experience of the evictions in Cahora Bassa would be the same for us. If we were expelled, we would be scattered and risk dying.”*

¹³ Penvenne, Jeanne Marie, citing Dams, Displacement, and the Delusion of Development : Cahora Bassa and its legacies in Mozambique, 1965–2007 by Allen F. Isaacman and Barbara S. Isaacman (review). Africa: the Journal of the International African Institute. Cambridge University Press. May 2016. Volume 86, Number 2. pp. 355-357. Project MUSE. Webpage: Dams, Displacement, and the Delusion of Development: Cahora Bassa and its legacies in Mozambique, 1965–2007 by Allen F. Isaacman and Barbara S. Isaacman (review).



A woman and her child in Chamimba.

The project actors

After more than two decades of reversals, in December 2023 the Mozambican government as well as the state-owned companies EDM and HCB signed a partnership agreement with a private consortium consisting of EDF, TotalEnergies and Sumitomo, to develop the Mphanda Nkuwa hydroelectric dam.

The breakdown of the consortium is as follows: EDF (40%), TotalEnergies (30%) and Sumitomo Corporation (30%).

EDM and HCB will own 30% of the project, compared to 70% for the consortium. The consortium, alongside EDM and HCB, has also signed a framework agreement with Mozambique's Ministry of Energy and Natural Resources (MIREME) that serves as the basis for the future concession agreement.

In a press release dated December 13, 2023,¹⁴ the consortium stated that *"EDF, a main member of the consortium, contributes to the consortium through its recognized expertise in hydropower, particularly in sub-Saharan Africa. TotalEnergies will leverage its know-how in large, integrated and complex energy projects, particularly in Africa. Sumitomo Corporation will facilitate strategic financing by leveraging its past achievements with independent power producers around the world and particularly in Sub-Saharan Africa."*

Béatrice Buffon, Group Executive Vice President in charge of EDF's International Division noted that *"we are delighted to contribute to the Mphanda Nkuwa project, as it is an excellent opportunity to put our technical expertise in hydropower as well as our strong environmental and social commitment at the service of local populations and biodiversity"*.

In another version of the press release,¹⁵ TotalEnergies states that: *"The highest international environmental, social and governance standards will be implemented within the framework of this project, supported by the African Development Bank and the World Bank through the International Finance Corporation (IFC). In particular, the consortium will work closely with all stakeholders upstream of the implementation of the project."*

However, it should be noted that this agreement was signed even before a single community consultation meeting had taken place with the local populations, who still have the legal right to use and enjoy the land concerned. According to the Mozambican Constitution, projects such as Mphanda Nkuwa cannot be carried out without transparency, genuine consultation (rather than a mere bureaucratic ritual) and adequate legal and social safeguards. Furthermore, Mozambique's land law guarantees customary rights to land for all Mozambicans who have occupied land in good faith for more than 10 years, even if they do not hold any formal title deeds.

¹⁴ EDF. Le consortium entre EDF, TotalEnergies et Sumitomo Corporation signe un accord de développement conjoint avec le gouvernement du Mozambique pour le projet hydroélectrique Mphanda Mkuwa de 1500 MW. Paris, December 13, 2023.

<https://www.edf.fr/groupe-edf/espaces-dedies/journalistes/tous-les-communiqués-de-presse/le-consortium-entre-edf-totalenergies-et-sumitomo-corporation-signe-un-accord-de-developpement-conjoint-avec-le-gouvernement-du-mozambique-pour-le-projet-hydroelectrique-mphanda-mkuwa>

¹⁵ TotalEnergies. Mozambique : Le consortium EDF - TotalEnergies - Sumitomo Corporation sélectionné pour développer un projet hydroélectrique de 1500 MW. Paris, December 13, 2023.

<https://totalenergies.com/fr/actualites/communiqués-de-presse/mozambique-le-consortium-edf-totalenergies-sumitomo-corporation>

THE SOCIAL IMPACTS OF THE PROJECT



A meeting of the Chamimba community



During our fieldwork, we met with the communities of Chirodzi-Nsanangue Sede, Chirodzi-Nsanangue Bairro 4, Luzinga, and Chamimba for in-depth interviews. Although these villages are located several dozen kilometers apart, they all face the same fate: complete submersion if the Mphanda Nkuwa mega-dam is built. The social impacts described by residents are profound and far-reaching. Community members expressed fears of forced displacement, the loss of fertile agricultural land, disruption of social and cultural ties and the destruction of sacred and burial sites. Women in particular shared anxieties about food insecurity, the loss of livelihoods, and the breakdown of community support systems. These testimonies underscore the human cost of the project, which remains largely invisible in official narratives.

Livelihoods at risk - "Without our land and river we will starve"

It is clear from the discussions with the communities that their main concern is the prospect of having to leave their land. The Mphanda Nkuwa mega-dam project, by its very nature, has the potential to profoundly destabilize or even destroy critical aspects of the livelihoods of local communities. As mentioned earlier, the creation of the reservoir will lead to the flooding of an area of 100 km² across the districts of Marara, Chiúta and Cahora Bassa, which will imply the forced displacement of the populations concerned. Indeed, low and outdated estimates indicate that more than 1,400 families could be displaced as a result of the project. In rural areas such as Tete, families are statistically larger, with fertility significantly higher than the provincial average (5.8 children per woman).¹⁶ This means that at least 8,120 people would be directly affected by the creation of the reservoir.

¹⁶ Instituto Nacional de Estatística Maputo, Moçambique and the DHS Program ICF Rockville, Maryland, USA. Inquérito Demográfico e de Saúde, Relatório de Indicadores-Chave, 2022-2023. May 2024.
Moçambique 2022-23 Inquérito Demográfico e de Saúde - Relatório Definitivo [FR389]
<https://www.dhsprogram.com/pubs/pdf/FR389/FR389.pdf>

A preliminary rapid quantitative assessment by TMP Public,¹⁷ a non-profit consultancy, estimates that 38,677 people¹⁸ live within a 20 km radius of the dam site and are directly at risk of economic and/or physical displacement.

In addition, there is an estimated population of about 350,000 people living in the Zambezi Delta area¹⁹ that could be indirectly affected by the environmental and socio-economic consequences of the dam.

Anita Salmone Larol, a member of the Chirodzi-Nsanangue Bairro 4 community, expresses this suffering forcefully: *"This Mphanda Nkuwa project is a suffering for us. Because this is where our survival, our spirits, and our sacred places reside. We don't want to leave here."* These words convey a deep attachment to the land, not only as a source of material life, but also as a place charged with spiritual and cultural values.

She adds: *"We are used here in our region to produce during the rainy season, and then take advantage of the drop in river levels to grow vegetables and harvest wild fruits, such as maçanicas."*²⁰ We can do all of that here."

This sentence highlights the adaptation of communities to the natural rhythm of the river, which influences their agricultural and food activities.

The people most directly threatened by the project are fishermen, shepherds, and farmers. Today, they have daily access to abundant natural resources: fresh fish and a variety of vegetables and wild fruits in sufficient quantities to feed their families. In addition, access to water and fertile land allows for livestock grazing, ensuring the survival of their herds. These communities are therefore entirely dependent on the river and its banks, which are their only source of livelihood.

The type of agriculture present in the region and on the land proposed for the project is family farming, with a large part in rain-fed mode. The crops, mostly intended for subsistence, are maize, cowpeas (mexoeira), sorghum (mapira), groundnuts and beans (and other vegetables). Agricultural work is usually carried out from October, when farmers begin clearing residues from the previous crops and cultivating new plots called machambas. Planting continues before and after the first rains, until January of the following year.

Small-scale fisheries are also generally intended for self-sufficiency. Livestock farming (cattle and goats) is also an important activity for the communities we met.

Rosa Samuele expresses this essential reality: *"Our survival depends on this land, on agriculture. If we leave here, we will not find this life again."*

She also points to another vital activity: *"We raised our children through gold mining. When we mine gold, we allow our children to go to school."*

In some communities, men practice garimpo, an artisanal form of gold mining without the use of chemicals. This activity, although precarious and physically demanding, is done manually with respect for the local environment. The absence of toxic substances such as mercury or cyanide limits the negative impacts on soils, waterways and the health of the inhabitants, which is an important element for the preservation of their living environment.

"Our survival depends on this land, on agriculture. If we leave here, we will not find this life again."

¹⁷ <https://asktmp.com/>

¹⁸ Riverscope Rapid Assessment - sample https://riverscope.org/wp-content/uploads/2022/07/Riverscope-Rapid-Assessment_sample_July-2022.pdf

¹⁹ Richard Beilfuss, Paul Dutton, Dorn Moore. Land Cover and Land Use Change in the Zambezi Delta. Chapter 2 in Biodiversity of Zambezi Basin Wetlands Vol. III. Land Use Change and Human Impacts. Publisher: Bulawayo Biodiversity Foundation for Africa and Harare: The Zambezi Society. Editors: J. Timberlake. October 2000. https://www.researchgate.net/publication/313727101_Land_Cover_and_Land_Use_Change_in_the_Zambezi_Delta_Chapter_2_in_Biodiversity_of_Zambezi_Basin_Wetlands_Vol_III_Land_Use_Change_and_Human_Impacts

²⁰ Edible fruit similar to a small apple.

Communities downstream of the dam will be forced to abandon their traditional agricultural practices, based on the use of floodplains. These areas are vital for their way of life and their food autonomy. Some populations will even have to move outside the territories irrigated by the regulated canals, which will further weaken their existence. This situation carries major risks, including the loss of livestock during floods, but above all growing food insecurity due to the gradual disappearance of floodplain agriculture, which represents an essential source of food for these communities. Several thousand people who live, fish and farm on the banks of the river will see their way of life profoundly disrupted by changes in the river's natural flow.

Latifo attending a meeting at Luzinga.



SOCIAL RISK ASSESSMENT

TMP Public developed a robust rapid risk assessment tool - Riverscope - to quantify social and environmental risks associated with hydropower projects in financial terms.²¹ The tool uses geospatial data from 281 dams to identify risks, solutions and alternatives for projects. In the case of the Mphanda Nkuwa Dam project, a preliminary rapid assessment using this tool found that social and environmental risks²² associated with the project could lead to financial losses (losses to the Net Present Value) of USD 1.3 billion, as a result of project delays and cost overruns.²³

Indicator	Score			Comment
	Dam	River	District	
% poor and deprived : Improved Sanitation	100	100	100	This extremely high score suggests that access to infrastructure and services is low in the area. This increases the difficulty of local engagement and the likelihood of dispute.
% poor and deprived : Schooling	92	88		This very high score suggests that it may be difficult to convey information. Informed consent could therefore be hard to attain, replenish or verify. Assessments should consider engagement capacity.
% poor and deprived : Drinking Water	97	92		The very high score suggests that access to drinking water is low in the area. This creates risks for the project, which will have significant impacts on local water resources. This can spark dispute or deepen existing grievances.
Multidimensional Poverty Index	92			This very high score suggests that people living near the dam are extremely socio-economically vulnerable. This increase risk in the absence of proper consultations and consent.
Population vulnerable to poverty	47			This average score suggests that there are still some people on the verge of severe poverty in the area. Any large project in this area threatens these groups if they are not adequately supported, increasing the risk of dispute.
Conflict (Explosions, Remote Violence)			80	This high score suggests that there have been a large number of severe conflict events that are likely political. This social instability significantly increases the risk of conflict and operational disruptions.
Conflict (Protests, Strategic)			79	This score emphasizes the high score above, suggesting a high incidence of social unrest and dispute in the area. This raises the risk of project opposition in the absence of proper community engagement and a clear demonstration of project benefits.
Population density		27		These relatively low scores are counter-intuitive, suggesting that people do live in the area of the dam. More populated areas are associated with lower risk.
Night lights		33		

²¹ <https://riverscope.org/about/c>

²² The table below presents the social risk assessment results. The full rapid risk assessment includes an additional 8 environmental indicators of risk.

²³ 360 Mozambique. World Bank Backs Mphanda Nkuwa Dam But Threatens to Displace Thousands in Mozambique. March 7, 2023.

<https://360mozambique.com/business/infrastructure/world-bank-backs-mphanda-nkuwa-dam-that-threatens-to-displace-thousands-in-mozambique/>

The right to land in Mozambique

The majority of Mozambicans depend on land for subsistence, and the law aims to ensure access to land for all citizens as a means of social and economic well-being. Agriculture remains the backbone of Mozambique's economy and a key focus of land policy, with land tenure security seen as vital for food security and poverty reduction.

The Mozambican legal framework relating to land is primarily based on the Constitution (1990, revised in 2004 and 2007), according to which land is owned by the State and cannot be sold, mortgaged, or otherwise transferred. Individuals and entities, both national and foreign, can only acquire rights to use and benefit from land, which are known as *Direito de Uso e Aproveitamento da Terra* (DUAT). The 1997 Land Law (Law No. 19/97) reinforces the principle of State ownership and the inalienability of land.

DUATs can be obtained in three main ways:

- Customary occupation by local communities, recognized by tradition.
- Good faith occupation for at least ten years without dispute.
- Formal application to the State, which can grant a DUAT for up to 50 years, renewable.

Under the law, communities have the right to make decisions regarding the management of land:

- Natural resources management
- Land conflict resolution
- Approval and granting of new DUATs
- Identification and definition of land boundaries

Communities have automatic constitutional recognition of their land rights, even without formal titles. Only about 10% of communities have their land rights formally recorded, although efforts are ongoing to expand land titling and support community land demarcation.²⁴

Foreign individuals can apply for a DUAT if they have lived in Mozambique for over five years, while foreign companies must be registered or incorporated locally. DUATs can be transferred under certain conditions, but the land itself remains State property.

Partnerships between communities and investors are promoted by the government allegedly for economic development, but must involve transparent and meaningful consultation and compensation processes prior to any expropriation, when land use rights are affected. While the legal framework of Mozambique is considered progressive and is often cited internationally, practical challenges persist in its implementation. Tensions exist between the government's drive for foreign investment and the rural population's limited awareness and ability to exercise their legal rights, leading to frequent conflicts and land grabbing. The latter is facilitated by numerous failures in the entire DUAT granting process that benefit investors to the detriment of rural communities, such as the improper implementation of compulsory public consultations. The most aggravating factor in this phenomenon is the vulnerability resulting from poverty, leading communities to be lured by promises that their basic living conditions will improve. In fact, many of the conflicts that currently exist between communities and companies result from the failure to comply with the promises made in the public consultation process, the invasion of communities' land and the inappropriate conditions and locations of the resettlements.²⁵

The unequal power balance benefits the investments, which increases conflicts (the saddest example being the situation in Cabo Delgado) and therefore exacerbates the poverty, deprivation and vulnerability of rural communities.

²⁴ Food Security and Land Governance Factsheet Mozambique. Land Governance for Equitable and Sustainable Development. 2021. <https://www.landgovernance.org/wp-content/uploads/2019/09/20160608-Factsheet-Mozambique.pdf>

²⁵ Matavel Nilza, Dolores Silva, Cabanelas Dolores. Justiça Ambiental! e UNAC, Os Senhores da Terra - Análise Preliminar do Fenómeno de Usurpação de Terra em Moçambique. 2011 https://www.iese.ac.mz/lib/PPI/IESE-PPI/pastas/governacao/agricultura/artigos_cientificos_imprensa/landgrabbing_final.pdf

Culture and spirituality in danger: "Our spirits are here"

"Our spirits are here, our cemetery is here, if we leave here to go somewhere else, will it be possible to transfer our spirits elsewhere? No, we don't want to leave", says a woman from Chirodzi-Nsanangue Sede.

Several ethnic groups live in Tete province. It is important to emphasize the great cultural diversity of the populations with collective identities attached to the villages or districts where they are established.²⁶ The populations of the project districts, however, belong to the broader Nyungwe ethnic group that lives on the banks of the Zambezi River between Cahora Bassa and Lupata, a lowland region between the upper and lower Zambezi. The Nyungwe are descendants of the region's ancient peoples (the Tauaras) and the Achikunda, who settled in the area in the 19th century after fleeing attacks by the Nguni.

Throughout history, the Zambezi River has played an important role for these populations and has allowed for trade with other peoples. Despite the cultural genocide carried out by the assimilation and imposition of the Portuguese language during colonization, traditional culture and cosmovision persist and continue to govern the life of the Nyungwe. Their culture is characterized by the essential principle of participation in the same life, or vital union, which shapes political, social and economic institutions and is the basis of traditional spirituality. According to P. Raul Ruiz de Asúa Altuna, *"the entire visible and invisible universe, from God to the grain of sand, through genii, ancestors, animals, plants and minerals, is composed of communicating vessels, of solidary vital forces, which come from God."*²⁷ Thus, the worldview of the Nyungwe people is linked to the relationships they have with themselves and with others (family, elders, children, clan, tribe, plants, ancestors and descendants). A person cannot be happy if he is alone. Life is sacred and must be perpetuated. This solidarity with one's community and with the universe requires a harmonious life in peace, communion with others and tranquillity in ways of life that guarantee the manifestation of the vital force.²⁸

Beyond being the place that allows the Nyungwe to grow food, nature has a sacred character: it is the place that gives life, where communion between the living and the invisible partners occurs, especially through sacred sites.

The Nyungwe *"know the plants and their medicinal functions. Some plants cannot be cut, some cannot be used as firewood (...), others have purely medicinal functions or are dangerous to health"*.²⁹ Nyungwe women and men know how to distinguish the suitable soil for cultivation and what types of plants grow there.

The traditional rites and festivals that punctuate the life of the Nyungwe attest to their belief in a power of nature that transcends human laws. This spiritualistic cosmovision therefore goes beyond the visible world and refers to a great Whole, with visible parts and other, more important, parts that are invisible. The visible world itself is perceived in a spiritual way, as an extension of the invisible universe and with which it forms one and the same universe.³⁰

"Our spirits are here, our cemetery is here, if we leave here to go somewhere else, will it be possible to transfer our spirits elsewhere? No, we don't want to leave"

²⁶ Maia Antonio Alone. Metaphor as a cultural vehicle of historical memory between the Dema and the Nyungwe of the Zambezi valley - Mozambique. Journal of Historical and Anthropological Sciences. Volume 6, Issue 1. June 28, 2021. (PDF) Metaphor as a cultural vehicle of historical memory between the Dema and Nyungwe of the Zambezi valley – Mozambique.

²⁷ Maia, Antonio Alone. Saúde e doença na cultura Nyungwe: um olhar antropológico-teológico. Dissertação (Mestrado em Teologia) - Pontifícia Universidade Católica de São Paulo, São Paulo, February, 16, 2011. <https://tede2.pucsp.br/bitstream/handle/18277/1/Antonio%20Alone%20Maia.pdf>

²⁸ Ibid

²⁹ Ibid

³⁰ Ibid

For Altuna, “because there is a single vital current, an ontological unity of all the beings of the cosmos, a universal communion and an inner dynamism springs forth that is expressed, above all, through word and movement. The invisible world and the visible world appear in a symbiosis of indestructible life”³¹ and the human will do everything within his reach to support the life force. Any act contrary to the strengthening of the life force will constitute a gateway to illness or death.

A 2009 study by Impacto³² highlights the cultural characteristics of the communities living in this region: people show deep respect for their ancestors and seek their protection by organizing ceremonies dedicated to the evocation of ancestral spirits. These rituals are led by an elder, generally the head of the lineage. Various traditional dances accompany events such as deaths, festivals, initiation rites or the welcoming of important visitors.

Sacred sites are particularly vulnerable as they are used to evoke ancestral spirits and perform traditional ceremonies. The submergence of these sites raises major cultural and spiritual concerns for local communities.



Two men from Chirodzi Sede participating in a meeting.

LAND AND IDENTITY

The communities affected by the mega-dam project have ancestral cultures and spiritualities that have been preserved despite colonization. There is no universally accepted legal definition of Indigenous Peoples under international law. However, the communities' particular connection with the land and nature, as well as their previous presence with the settlers, are all facts that make it possible to meet the criteria of José Martínez Cobo's study.³³ It is important to note that some of these local communities that have indigenous characteristics don't call themselves Indigenous because of the colonial legacy, when this term was used pejoratively.

Although the Mozambican State does not recognise Indigenous Peoples in the strict sense, it is undeniable that the country is home to local communities with indigenous characteristics. Within the framework of international standards (World Bank, IFC, United Nations Guiding Principles on Business and Human Rights (UNGPs), ILO Convention 169), indigenous communities can benefit from the guarantees of free, prior and informed consent, especially if they are affected by investment projects or extractive activities.

³¹ Ibid

³² Coba, Impacto. Hidroeléctrica de Mphanda Nkuwa estudo de pré-viabilidade ambiental e definição do âmbito (epda) resumo não técnico. July 2009. http://www.xitizap.com/EPDA_Total.pdf

³³ "Peoples and nations that have historical continuity with societies prior to the conquest and colonization of their territories, that consider themselves distinct from other sectors of society that today dominate these territories or that are part of them. They are now non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories and ethnic identity, on the basis of their continued existence as a people, in accordance with their own cultural systems, legal systems and social institutions." Martínez Cobo, José. Study of the Problem of Discrimination Against Indigenous Populations, New York: United Nations Assembly. 1982

THE CONVENTION ON BIOLOGICAL DIVERSITY AND THE AKWE: KON GUIDELINES³⁴

The Convention on Biological Diversity (CBD) was adopted at the 1992 Rio Earth Summit in order to promote sustainable development. It recognizes that biological diversity is about more than plants, animals and micro organisms and their ecosystems – it is about people and their need for food security, medicines, fresh air and water, shelter, and a clean and healthy environment in which to live. Mozambique ratified the CBD in 1994, committing itself to the conservation and sustainable use of biological diversity at the national level. The country has developed and updated a comprehensive National Biodiversity Strategy and Action Plan (NBSAP), with the latest version covering the period 2015–2035.

Parties to the Convention have developed the Akwe:Kon guidelines, in cooperation with Indigenous and local communities. Those voluntary guidelines provide a framework to ensure that any development affecting indigenous lands or sacred sites is assessed in a way that fully respects the rights, knowledge, and participation of Indigenous and local communities, safeguarding their cultural and environmental heritage. The key principles are:

- Scope: the guidelines apply to developments that may affect sacred sites or lands and waters of Indigenous and local communities
- A holistic approach: they integrate cultural, environmental, and social considerations into a single impact assessment process, reflecting the interconnectedness of these aspects for Indigenous Peoples
- Participation: they emphasize the full and effective participation of Indigenous and local communities throughout the assessment process, from planning to decision-making
- Traditional knowledge: they require the incorporation and respect of traditional knowledge, innovations, and practices of Indigenous communities in assessments.

The procedural steps that are to be followed for any development project are:

- early identification and engagement of affected communities;
- transparent sharing of information;
- joint decision-making and consent-seeking;
- consideration of alternatives and mitigation measures;
- monitoring and follow-up of impacts en dernier point.

³⁴ Secretariat of the Convention on Biological Diversity. Akwé: Kon Voluntary Guidelines for the Conduct of Cultural, Environmental and Social Impact Assessment regarding Developments Proposed to Take Place on, or which are Likely to Impact on, Sacred Sites and on Lands and Waters Traditionally Occupied or Used by Indigenous and Local Communities. 2004. <https://www.cbd.int/doc/publications/akwe-brochure-en.pdf>



A man walking down towards the river.

ENVIRONMENTAL AND CLIMATE IMPACTS



Alexandre working in his field at Chirodzi Bairro 4.



JA! has been documenting and analysing the different risks and impacts associated with the Mphanda Nkuwa dam project. In 2022, it has documented once again its specific concerns about the potential environmental and climate impacts of the project.³⁵ First, the Mphanda Nkuwa dam would add to a series of infrastructures that are already having a heavy impact on the Zambezi River, including the Kariba and Cahora Bassa dams, and eventually the Batoka Gorge dam. This further alteration of the natural course of the river will lead to a significant loss of biodiversity, particularly downstream, by disrupting irrigation systems and aquaculture in the Zambezi Delta. The UN has called the Mphanda Nkuwa project *“probably the least environmentally acceptable large dam project in Africa”*.³⁶ The dam was designed according to the current flow regime of the Cahora Bassa dam, which is recognized as harmful to the ecosystem.

In addition, the argument that the dam would have a limited environmental impact due to the smaller size of its reservoir and because of being run-of-river is highly questionable, considering its location. Indeed, the project is located only 60 km downstream from Cahora Bassa, a base-load dam that already strongly regulates the flow of the river. Just because a reservoir is smaller does not mean that it has no effect: on a river that is not yet developed it could reduce disturbances. But here, downstream of a base dam, Mphanda Nkuwa would only repeat and prolong the already disturbing hydrological effects of Cahora Bassa.

In a letter dated August 22, 2011, JA! sent a critical analysis of the assessment for the Mphanda Nkuwa Hydropower Project to Impacto, the firm that conducted the environmental impact study (EIA). JA! denounced serious methodological shortcomings in the study, pointing to a lack of scientific rigour and an underestimation of the risks. Despite these criticisms, the study concluded that the project was viable, provided that its negative effects were “well mitigated”. The lack of analysis of the cumulative impacts of the many existing and future dams in the Zambezi River Basin remains a major problem. More than 90% of the basin is already regulated and the Cahora Bassa dam alone has reduced sediment transport by 70%. However, each project is evaluated in isolation, artificially minimizing its impacts. A consultant involved in a previous EIA already spoke of a “death by a thousand cuts” for the Zambezi Delta.³⁷ The consequences are visible: erosion, drying up of wetlands and retreat of the delta. Without a comprehensive strategy for the development of the basin, each new dam only aggravates the ongoing ecological crisis.

³⁵ JA! Save the Zambezi River from the Mphanda Nkuwa dam ! JA4change blog. December 16, 2020. <https://ja4change.org/2020/12/16/save-the-zambezi-river-from-the-mphanda-nkuwa-dam/>

³⁶ Bryan Groenendaal. Mozambique : controversial 1500 MW Mphanda Nkuwa Hydro Project moving ahead. Green Building Africa. August, 5, 2019. <https://www.greenbuildingafrica.co.za/mozambique-controversial-1500-mw-mphanda-nkuwa-hydro-project-moving-ahead/>

³⁷ Rudo A. Sanyanga. Mphanda Nkuwa Dam: a climate change millstone around Mozambique's neck. Justiça Ambiental! 2022; p.22. https://drive.google.com/drive/folders/1FXkv0z4PzdOT6yhueYhPqXVCo_9di4Qz

From a climate perspective, the creation of a reservoir contributes to climate change – either by changing the environment from ground to water, which causes changes in the rate of absorption or reflection of solar rays, or through the production or release of greenhouse gases, for example carbon dioxide (from the aerobic decomposition of biomass) and methane (from the anaerobic decomposition of lignified matter). It is estimated that greenhouse emissions from dams amount to around one billion tons annually.³⁸

MEGA DAMS : A HIGHLY CONTROVERSIAL ISSUE

Globally, the need to reconcile the reduction of carbon emissions with economic development and efforts to increase renewable energy has led to a renewed interest for large-scale hydropower. This follows a period of greater caution in the 1990's resulting from its disruptive social and environmental impacts.³⁹ After the World Bank stopped financing dams in 2000, following concerns raised by the World Commission on Dams (WCD⁴⁰), it resumed supporting big hydroelectric dams as a way to promote clean energy. Unfortunately, *"renewable energy does not necessarily mean sustainable energy"*.⁴¹ The WoMin African Gender and Extractives Alliance and International Rivers, explain that *"Big dams have a long and troubled history on the African continent and globally. They change how a river should naturally flow and have contributed to the destruction of river ecosystems. They damage people's relationship with their land, water, way of life and livelihoods and have impoverished and displaced communities. They increase national debt burdens – all while driving corruption."*⁴²

A large body of scientific literature has documented the severe environmental and social impacts of dams.⁴³ Women in poor communities are the most affected,⁴⁴ as they are highly dependent on natural resources to feed their families and communities. Communities barely benefit from the energy produced by dams which is mainly used to feed urban centres and industries.

An analysis of 220 environmental conflicts related to dams warns that a new wave of violence may be developing.⁴⁵ *"Repression, criminalization, violent targeting of activists and assassinations – especially when indigenous peoples are involved – are recurrent features of conflictive dams."*⁴⁶

The WCD has evaluated large dams worldwide and produced guidelines for the planning and implementation of dam projects. These guidelines are based on basic principles meant to ensure that the right energy projects are developed and that these projects are supported by the affected communities and benefit them and the nation in the long term. The Mphanda Nkuwa project has made no attempt to respect or comply with these guidelines.

The hypocrisy of international funders like the European Investment Bank (EIB) has to be highlighted. Indeed, while the EIB is supporting the dismantling of dams in Europe, including by giving monetary awards to groups involved in river restoration,⁴⁷ it is at the same time supporting the construction of new and very controversial dams in Global South countries.

³⁸ Bridget R. Deemer, John A. Harrison, Siyue Li, Jake J. Beaulieu, Tonya DelSontro, Nathan Barros, José F. Bezerra-Neto, Stephen M. Powers, Marco A. dos Santos, J. Arie Vonk. Greenhouse Gas Emissions from Reservoir Water Surfaces: A New Global Synthesis. *BioScience*, Volume 66, Issue 11, November 1, 2016, pp 949–964. <https://doi.org/10.1093/biosci/biw117>

³⁹ The World Commission on Dams was an independent body that existed between April 1997 and 2001 to study the environmental, social, and economic impacts of large dam development worldwide.

⁴⁰ Del Bene, D., Scheidel, A. & Temper, L. More dams, more violence? A global analysis on resistances and repression around conflictive dams through co-produced knowledge. *Sustainability Science* 13, pages 617–633, 2018. <https://doi.org/10.1007/s11625-018-0558-1> The WCD was an independent body that existed between April 1997 and 2001, to research the environmental, social and economic impacts of the development of large dams globally. c

⁴¹ Del Bene, D., Scheidel, A. & Temper, L. More dams, more violence? A global analysis on resistances and repression around conflictive dams through co-produced knowledge.

⁴² WoMin and International Rivers. *Fighting Big Dams. A guide for women activists in Africa*. March, 2019. <https://womin.africa/wp-content/uploads/2025/06/FightingBigDamsfinal.pdf>

⁴³ Del Bene, D., Scheidel, A. & Temper, L. More dams, more violence? A global analysis on resistances and repression around conflictive dams through co-produced knowledge.

⁴⁴ WoMin and International Rivers. *Fighting Big Dams. A guide for women activists in Africa*.

⁴⁵ Daniela Del Bene, Arnim Scheidel, Leah Temper. More dams, more violence? A global analysis on resistances and repression around conflictive dams through co-produced knowledge.

⁴⁶ Ibid

⁴⁷ European Investment Bank Group. A rivers runs through it. May 19, 2022. <https://www.eib.org/en/stories/dam-removal-europe>



A meeting of the Chamimba community.

Questionable viability

The Mphanda Nkuwa project suffers from a fundamentally flawed design. The current flow regime of Cahora Bassa does not meet environmental and social flow requirements and is having a devastating effect on the delta. A lot of work has been carried out by different institutions, including the Crane Foundation and Eduardo Mondlane University (UEM) to get Cahora Bassa dam to meet ecological flow requirements. However, the project is designed with the current damaging flow regime of Cahora Bassa. It is acknowledged in the Mphanda Nkuwa's first EIA⁴⁸ that changes in Cahora Bassa's flow regime to be more environmentally and socially just will have a detrimental effect on Mphanda Nkuwa's economic viability. So if the project goes forward, there will be no chance to have a sustainable Zambezi river and delta downstream.

Moreover, mega-dams like Mphanda Nkuwa are highly vulnerable to the impacts of climate change. Around the world, and in Africa specifically,⁴⁹ many hydropower dams have failed to meet their production targets due to changing rainfall patterns, reduced river flows and extended droughts — all of which are expected to worsen.

Richard Beilfuss, a hydrologist and researcher specialised in the Zambezi River, highlighted the crucial importance of incorporating climate change scenarios into the hydropower design and operation of any dam project.⁵⁰ JA! also conducted some climate model simulations with the University of Cape Town and found similar results of worsening droughts and more intense floods for the Zambezi basin which places additional risks on hydropower development. Also, the International Energy Agency (IEA) projects that the average hydropower capacity factor across African basins will decline by around 3 % between 2060 and 2099 compared to 2010–2019 levels.⁵¹

⁴⁸ Environmental Impact Assessment (EIA), Feasibility Study, Mepanda Uncua and Cahora Bassa North Project, Technical Unit for the Implementation of Hydropower Projects (UTIP), Joint Venture LI-EDF-KP, Mozambique, 2001.

⁴⁹ Angelo Carlino et al. Declining cost of renewables and climate change curb the need for African hydropower expansion. *Science* Vol 381, Issue 6658. August 11, 2023. <https://www.science.org/doi/10.1126/science.adf5848>

⁵⁰ Richard Beilfuss. A Risky Climate for Southern African Hydro: assessing hydrological risks and consequences for Zambezi River Basin Dams. *International Rivers*. September 2012. https://floodobservatory.colorado.edu/SatelliteGaugingSites/Shire1zambezi_climate_report_final.pdf

⁵¹ International Energy Agency. *Climate Impacts on African Hydropower*, June 2020. https://iea.blob.core.windows.net/assets/4878b887-dbc3-470a-bf74-df0304d537e1/ClimateimpactsonAfricanhydropower_CORR.pdf

These reservoirs, maintained at high levels to ensure energy production, also exacerbate the impacts of flooding. Cahora Bassa's role in worsening downstream floods is well documented.⁵² This adds to the broader problem of economic unpredictability in dam projects. In fact, studies by the World Bank and the World Commission on Dams show that half of large dams globally fail to meet their projected economic outcomes — a risk only heightened by climate change.

Another major issue is the underestimated seismic risk. The proposed dam site is located less than 200 km from the Shire Trough fault zone, a highly active seismic area. Mozambique sits along the Nubia-Somalia tectonic boundary, making earthquakes a real concern. Seismologist Professor Chris Hartnady has heavily criticized the project's environmental and seismic assessments,⁵³ arguing they severely downplay the risks. The weight of the reservoir itself could trigger seismic activity — a phenomenon known as reservoir-triggered seismicity. According to international standards, responsible dam design should account for maximum seismic scenarios, which in this case would require overdesigning the structure and increasing costs significantly.

The risks are not just theoretical — there is real-world evidence of how vulnerable hydropower in the Zambezi basin has become.

Despite these well-documented concerns, there is a troubling lack of transparency. Although the project's leadership now claims to consider climate impacts, they continue to avoid sharing the terms of reference or details of the environmental and technical studies. Repeated requests by civil society for full disclosure, including seismic and climate-related analyses, have gone unanswered.

The risks are not just theoretical — there is real-world evidence of how vulnerable hydropower in the Zambezi basin has become. Lake Kariba, another major dam, has experienced critically low water levels multiple times in recent years, dropping to 40% in 2015–2016 and again in 2022–2024.⁵⁴ These shortages led to severe power cuts in Zambia and Zimbabwe, highlighting the growing unreliability of hydropower in the face of climate variability.

Energy and employment: between promises and doubts

In official speeches on the Mphanda Nkuwa dam project the promises of jobs, improved living conditions and access to electricity are widely highlighted. Yet, on the ground, local communities are expressing scepticism about what they perceive as repeated fantasies. A man from the community of Chamimba said: *"They talk about jobs, but there will be no jobs. Look at the people evicted by Jindal, why don't they work here at Jindal? Before the Jindal company arrived, the community was living well, it had its houses, it had its gold, it had everything there."*

The example of Jindal, a mining company based in the region, is used as proof that large projects do not bring direct benefits to local inhabitants. Despite promises made at the time, the local population has not had access to sustainable jobs or a significant improvement in their living conditions.

⁵² RTP Arquivos. Cheias em Moçambiques, February 26, 2001. <https://arquivos.rtp.pt/conteudos/cheias-em-mocambique-2/> Cadete, Xavier Agostinho. Impacto da Barragem de Cahora Bassa na agricultura familiar no Vale do Baixo Zambeze, 1975-1997: estudo de caso do distrito de Caia. November 1, 2003. <http://monografias.uem.mz/handle/123456789/2315>

⁵³ Chris Hartnady. Critical review of the EIA and Seismic Hazard reports for the Mphanda Nkuwa project.

⁵⁴ Zenda, C. Zambia faces 21-hour power cuts as Lake Kariba dries up. African Arguments. September 11, 2024. <https://africanarguments.org/2024/09/zambia-faces-21-hour-power-cuts-as-lake-kariba-dries-up/>

In Luzinga, another testimony highlights the low expectations among the youth: *"The project is already ready. To come and tell us now that young people are going to be trained to work, when everything is already underway, is very hard to believe. For us, this is a lie."*

Promised vocational training has come too late, if at all, and no clear strategy for integrating local youth in the development of the project seems to exist.

In the same way, access to energy remains a pressing issue. Residents point out that, although they live only 60 kilometres from the Cahora Bassa dam, they have never been connected to the national electricity grid.

The claim that 40% of the Mphanda Nkuwa dam's electricity is reserved for domestic use likely refers to industrial demand in the capital, Maputo, rather than to rural electrification. This is supported by the inclusion of a high-voltage transmission line in the project design, aimed at delivering power to urban and industrial centres. In contrast, supplying electricity to rural households would require massive investments to expand the rural grid into remote and sparsely populated areas – an effort that is neither outlined in current project plans nor reflected in government infrastructure strategies.

The project developers' plan to provide solar panels as part of the Mphanda Nkuwa project's social initiatives is viewed with scepticism. While the announcement promotes access to solar energy for local communities, many suspect this is a limited or symbolic gesture rather than a comprehensive solution to energy access. Critics argue that offering solar panels might be used to overshadow the broader issues, such as the lack of reliable electricity from the main grid, especially in rural areas that are unlikely to benefit from the hydropower project's power supply. *"They say they're going to install solar panels, but this land is going to be flooded. How can solar panels be installed if all this is to be swallowed up by the dam's reservoir?"* asked a member of the Luzinga community.

The lack of clarity around the deployment of solar panels is also fuelling confusion and frustration. Discussions about their installation suggest that they will be implemented in stages, district by district, with no guarantee of equal access.

In addition, communities denounce the fact that their essential needs are not taken into account. One man remarked bitterly:

"What surprises me is that they talk all the time about solar energy but never about other things like schools or hospitals. Why only energy?"

The community has asked for the damaged road that leads to the village to be repaired, the renovation of the local school and access to basic services. These requests remain unanswered.

The promises of employment and energy development do not stand up to the lived experience of the population, marked by exclusion, neglect of public infrastructure and the loss of livelihoods. For the inhabitants, the project does not symbolise a promising future but is rather synonymous with displacement, uncertainty and injustice.

"The only job I have is the land" said Alexandre from the community of Chirodzi-Nsanangue Bairro 4.

WHERE WILL THE COMMUNITIES BE RELOCATED?



Houses built in Cassoca Resettlement Village to relocate the displaced populations.



A

t the time of writing this report, one question remains unanswered: where will the local communities whose land would be flooded by the reservoir be relocated?

The cynicism of the situation means that the land that was envisaged by the designers of the project to be used for the resettlement of the communities affected by the dam has in the meantime been used for the relocation of communities affected by another multinational company, Jindal.

The Indian company Jindal Steel & Power, through its local subsidiary, operates an open-pit coal mine in the same area, near Chirodzi-Nsanangue.⁵⁵ The project is part of a series of mining concessions granted by the Mozambican government in a region that is rich in coal, but very poor in vital and social service infrastructure. Since the launch of the open-pit mining project, about 500 families have been forcibly displaced to make way for mining.

JAI, which closely monitors the social and environmental impacts of extractive industries, has documented numerous serious human rights violations in the context of these relocations.⁵⁶ The affected communities were not consulted in a free, prior and informed manner, as recommended by international standards. In several cases, residents say they were informed too late, or even forced to sign documents they did not understand.

The houses provided by Jindal to displaced people are often of poor quality, poorly insulated, and built in areas far from agricultural land. This break with their traditional way of life has led to serious consequences: loss of agricultural income, food insecurity, destruction of the social fabric and dependence on humanitarian aid.

In addition, the compensation land allocated to the families is, according to the families themselves and documented by JAI, rocky, infertile and uncultivable, making any viable agricultural activity impossible. As a result, many families are left without jobs or resources, while the company has created very few sustainable local jobs.

⁵⁵ Jindal Africa. Chirodzi - Jindal Africa. November 8, 2023. <https://www.jindalafrika.com/operations/chirodzi/>

⁵⁶ Justiça Ambiental. Comunidade de Cassoca prisioneira da mineradora JINDAL. March 22, 2017. <https://justica-ambiental.org/2017/03/22/comunidade-de-cassoca-prisioneira-da-mineradora-jindal/>

The communities we met from Chirodzi-Nsanangue to Luzinga are well aware of the problems and suffering experienced by the people resettled in Cassoca. This is inevitably a point of comparison and a source of concern.

According to Lidia from the community of Chirodzi-Nsanangue Sede: *"It will not be a fair resettlement, we have the example of the community of Cassoca, where many people have abandoned their homes. There, there is a lack of food, farmland, pasture and they also have no access to water. Here, for example, the water, that stream over there, we have access to water at all times, but those in Jindal, when the engine is broken, they can go a week, two weeks without water."*

Between the experience of people displaced by Jindal and the trauma of the construction of the Cahora Bassa dam, the communities we met are legitimately very worried.

"We won't have a place to live anymore", worried a woman from Luzinga. *"The experience of displacement for the people of Cahora Basa will be the same for us. If we were displaced, we would also be scattered and we would die",* said another person from the same community.

"Where are our children going to live?" worried Dorencia Cesario.

The fact that the issue of available land has not yet been resolved is therefore extremely problematic. According to Mozambican resettlement regulations, all citizens have the right to be resettled under the same or better conditions than their previous standard of living. This right is also guaranteed through regional and international human rights instruments that Mozambique has ratified.⁵⁷

"The experience of displacement for the people of Cahora Basa will be the same for us. If we were displaced, we would also be scattered and we would die"

INTERNATIONAL LEGISLATION AND THE RIGHT TO LAND AND FOOD

Mozambique has signed and ratified numerous international and regional human rights treaties, making binding commitments to uphold a broad range of civil, political, economic, social and cultural rights.

By voting in favour of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP), the country expressed its support for the protection of peasants' rights and rural communities such as the right to land and natural resources; the right to adequate, nutritious, and culturally appropriate food; the right to participate in decision making; and the right to be protected from all forms of violence, persecution, arbitrary eviction and discrimination.

The African Charter on Human and Peoples' Rights also recognizes economic, social, and cultural rights such as the rights to food and housing, and includes collective rights such as self-determination, economic and social development and control over natural resources. It recognizes the right of peoples to a satisfactory environment and to freely dispose of their wealth and resources.

⁵⁷ Database on UN treaty bodies, OHCHR
https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=118&Lang=FR
It should be noted, however, that Mozambique has not accepted individual complaint procedures for Mozambique in the majority of conventions.

Tete – a megaprojects province

According to the Human Development Index (HDI) published every two years by the United Nations Development Programme (UNDP), Mozambique ranks 183rd out of 193 countries, which positions it among the countries with the lowest level of human development in the world.⁵⁸

Tete is the province in Mozambique with the highest number of megaprojects, leading to major land conflicts. In 2022, Tete had a HDI of 0.420, ranking 9th out of the 11 provinces of Mozambique, which places it in the category of regions with low human development. This fact alone demonstrates that extractive projects do not seem to allow for 'human development'.

Despite promises of jobs and development, the affected communities see very little real benefit. As is common in the extractive sector, the jobs created are often temporary and precarious or require a high level of qualification and are therefore not easily accessible to local populations.

The province of Tete is also a nerve centre for the coal industry in Africa. Rich in natural resources, it is home to nearly 6.7 billion tonnes of coal reserves, making it one of the largest coal regions in the world. The Moatize basin, discovered several decades ago but only actively exploited since 2011, is at the heart of this dynamic. Long operated by the Brazilian multinational Vale, the site has been taken over by the multinational companies Vulcan and Jindal, pursuing an annual production of several million tonnes.

In addition to Moatize, the Benga and Revuboè mines also extract large deposits of thermal and metallurgical coal. The development of this industry has been accompanied by significant investments in transport infrastructure, such as the Sena (to Beira) and Nacala rail corridors, allowing the export of coal to international markets.

Environmental pollution generated by extractive projects in the region is also very problematic. In particular that caused by coal mining: coal dust, mining waste and deforestation have degraded the local environment, affecting the air, water and soil as well as the health of the inhabitants.

One consequence of repeated displacement is that there is very little good arable land left where subsistence farmers can be resettled. In some cases, families resettled by mining companies are still waiting for the adequate land they have been promised.

⁵⁸ United Nations Development Programme. The 2023/2024 Human Development Report. 2024
<https://hdr.undp.org/system/files/documents/global-report-document/hdr2023-24reporten.pdf>



CABO DELGADO: A GAS MEGA-PROJECT IN A CRISIS CONTEXT

The Mozambique LNG project, led by TotalEnergies, is a colossal USD20 billion investment to exploit large liquefied natural gas (LNG) fields offshore the province of Cabo Delgado in Northern Mozambique. Launched in 2019, the project provides for the exploitation of two offshore gas fields as well as the construction of two liquefaction units. But this project is being deployed in an extremely tense context. Since 2017, the province has experienced armed conflict, marked by the emergence of the insurgent group Ahlu Sunna Wa-Jama'a, affiliated with the Islamic State. Violence intensified from 2019 onwards, plunging the region into a dramatic humanitarian crisis: nearly 4,000 dead and nearly a million people displaced. This situation of war and insecurity has been aggravated by the lack of sufficient due diligence measures on the part of the companies involved, including TotalEnergies, ENI and ExxonMobil that began exploring the deposits as early as 2017. Civilian populations are caught between insurgent attacks and abuses committed by the Mozambican armed forces.

In a striking example of this negligence military forces did not intervene in an attack just 7 km from the Afungi gas site, citing their exclusive mission to protect industrial facilities.⁵⁹ As a direct consequence the inhabitants fled, mostly to the city of Palma, while a subcontractor of the gas companies took advantage of the situation to seize the abandoned land and start construction work.

Since the project's inception, its operators – first Anadarko, then TotalEnergies – have underestimated the human, environmental and security risks associated with such an undertaking in an active conflict zone.

In April 2021, TotalEnergies suspended its activity, citing force majeure. This decision worsened the situation of the 586 families that had already been displaced to make way for the Afungi site, at least 310 of whom came from the village of Quitupo. Of these, 149 had been relocated before the attack, but the remaining 161 were only resettled in July 2023. This displacement has resulted in heavy losses: loss of agricultural land, end of access to the sea for fishing and livelihood loss.

The compensation process, suspended in 2021, has since resumed but remains marred by tensions. To date, 1,847 families are said to be affected, a figure that could increase further due to the complexity of the case and the conflicts related to the compensation of agricultural land. Worse still, the lack of

⁵⁹ Les Amis de la Terre France. Gas in Mozambique, TOTAL Violence. <https://www.amisdelaterre.org/campagne/gaz-mozambique-violence-totale/>



The community of Chamimba.

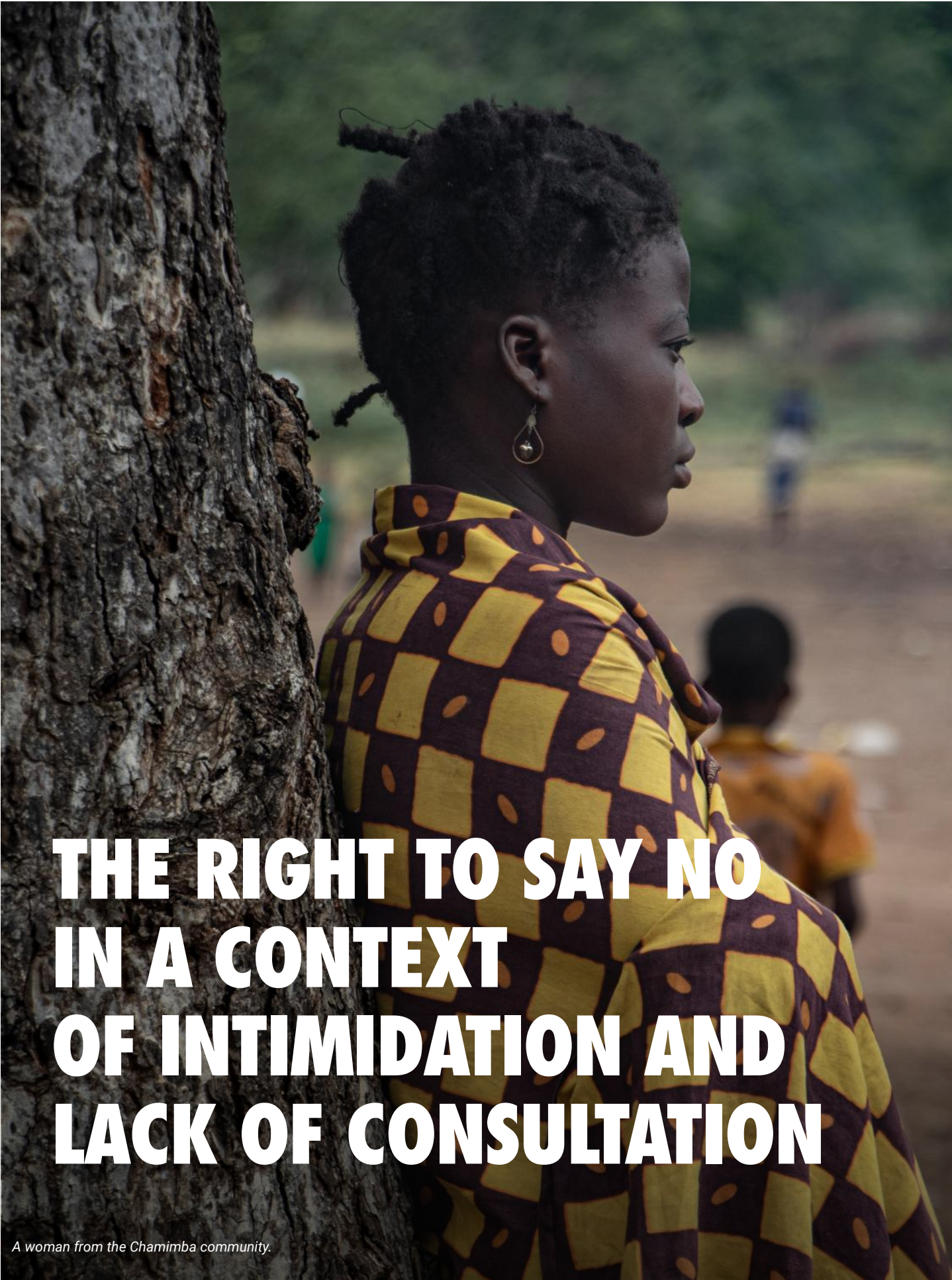
confidentiality in the process has allowed serious abuses to occur: several people who have received compensation have been victims of extortion by the security forces, some have been kidnapped and remain missing to this day.

On 26 September 2024, *Politico* published an article by freelance journalist Alex Perry⁶⁰ revealing new damning accusations. It reports an alleged massacre of civilians by the Mozambican army between July and September 2021, near TotalEnergies facilities. According to the investigation, between 180 and 250 men were locked in windowless metal containers, starved, tortured, suffocated, beaten, some stabbed – and most of them “disappeared”. Only 26 are believed to have survived. The women, meanwhile, were reportedly subjected to sexual violence during their detention before being released. In October 2023, survivors and relatives of victims of the Palma attack filed a complaint with the court in Nanterre, France.⁶¹ They accuse TotalEnergies of failing to fulfil its safety obligations towards local subcontractors, in particular by refusing to supply fuel to a security company in charge of evacuations.

In Cabo Delgado, TotalEnergies still faces serious allegations of failing to identify and prevent human rights abuses connected to this project. Operating in a context of armed conflict requires heightened due diligence, where the risk of severe human rights violations is acute, and the government may be often unable or unwilling to protect human rights. The project has been linked to forced displacement, loss of livelihoods and widespread violence—many of these outcomes stemming from poor due diligence, lack of meaningful community engagement and prioritization of commercial interests over civilian safety. By participating in the Mphanda Nkwa consortium, TotalEnergies risks repeating these same patterns—ignoring community opposition, downplaying social and environmental risks and operating in ways that enable or exacerbate rights violations. The same structural flaws in risk assessment, transparency and community consultation are evident. Without a radical shift in approach, the dam project may reproduce the same injustices seen in Cabo Delgado, but this time under the banner of clean energy.

⁶⁰ Perry, A. “All must be headed”. Revelation of atrocities at French energy giant’s African stronghold. September 26, 2024. <https://www.politico.eu/article/totalenergies-mozambique-patrick-pouyenne-atrocities-afungi-palma-cabo-delgado-al-shabab-isis/>

⁶¹ Les Amis de la Terre France. Total faces criminal charges in French courts for its negligence during the Palma attack, in northern Mozambique. October 10, 2023. <https://www.amisdelaterre.org/communique-presse/total-faces-criminal-charges-in-french-courts-for-its-negligence-during-the-palma-attack-in-northern-mozambique/?utm>

A photograph of a woman from the Chamimba community. She is standing outdoors, leaning against the trunk of a large, textured tree on the left. She is wearing a yellow and brown patterned shawl and has her hair styled in small braids. She is looking off to the right with a serious expression. In the background, another person is visible, and the setting appears to be a rural area with trees and a dirt path.

THE RIGHT TO SAY NO IN A CONTEXT OF INTIMIDATION AND LACK OF CONSULTATION

A woman from the Chamimba community.



Growing repression around the dam project

Although the official announcements of the relaunch of the Mphanda Knuwa dam project date back to 2018, the first concrete interactions with local communities did not take place until mid-2022. These meetings, described as “consultations”, have not provided an opportunity for equitable dialogue.

In August 2022 GMNK organized its very first meeting with the community of Chirodzi-Nsanangue. However, according to those present this meeting left no space for community members to ask questions or react to the information presented. Very soon after this event, the region received a visit from international partners and companies interested in the construction of the dam. These visits were perceived as demonstrations of power, to the detriment of a real dialogue with the affected populations.

At that time, JA! started to receive complaints from local communities. They said they had been dissuaded from criticizing the project and urged to welcome the resumption of the dam and to avoid any questions or critical speeches. Since the visit of government and business officials, cases of intimidation, threats and repression have multiplied in the region.

Faced with this situation, several members of the affected communities requested the help of JA! to inform them about their rights, particularly in terms of customary land rights. However, this approach has itself been targeted by the authorities. The local government has tried to prevent residents' participation in these legal trainings, using a variety of pressure tactics including threats to community leaders, disinformation campaigns, inciting internal dissent and carrying out arbitrary arrests of people that have participated in events organized by JA!.

A prominent example of this repression occurred in November 2022 during the 6th Workshop on Corporate Impunity and Human Rights organized by JA! in Maputo.⁶² This annual event brings together representatives of civil society, academia, state institutions, as well as people directly affected by large-scale projects. A community leader from Chirodzi-Nsanangue took part in this meeting; while he was in Maputo, he received several calls alerting him that the local authorities strongly disapproved of his participation.

⁶² Justiça Ambiental. Communities threatened by the Mphanda Nkuwa dam project are accused of being “terrorist” for having traveled to a workshop in Maputo. December 13, 2022. <https://ja4change.org/2022/12/13/communities-threatened-by-the-mphanda-nkuwa-dam-project-are-accused-of-beingterrorist-for-having-traveled-to-a-workshop-in-maputo/>

Upon his return, he was summoned by the Marara District Command. He was held there for 10 hours, without access to a lawyer. He was accused of terrorism and interrogated by the criminal police, the Ministry of Defence and the local security forces. He was forced to give the names of all the members of his community who attended the workshop. He was only released around 6:30 p.m., without explanation or justification.

The members of JA! who came to support him were also accused of terrorism and ordered to cease all information activities with local communities about the impacts of the dam or other extractive projects.

A few days later, the other ten participants from Chirodzi-Nsanangue and Chacocoma who attended the same workshop received a summons for 8 December, including the JA! focal point. During this new summons, the ten members of the community were interrogated in a climate of intimidation, surrounded by armed police. The local representative of JA! was isolated, interrogated separately and then excluded from the room. The rest of the JA! team was not allowed to enter. Everyone was released after several hours without formal charge, but the intention to suppress any criticism was clear.

Since December 2022, this type of summons has been repeated. It usually comes from the police or local authorities and is aimed at deterring communities from exercising their right to information and their right to association.

Traditional leaders in Chirodzi-Nsanangue and neighbouring villages have been ordered, directly or implicitly, not to collaborate with JA!, not to hold meetings on the dam and not to distribute awareness-raising and legal training materials.

Even though its construction has not yet begun, the Mphanda Nkuwa project has been beset with serious human rights violations against local communities.

LOCAL AUTHORITY AND CORPORATE RESPONSIBILITY

According to the UN Guiding Principles on Business and Human Rights (UNGPs), companies have a responsibility to respect human rights. This responsibility applies even if the violations are directly committed by a state authority: a company cannot exonerate itself from its obligations on the grounds that it does not control the perpetrator. Under the UNGPs, a company must implement a due diligence process to identify, prevent and mitigate human rights abuses that may be related to its activities, including those arising from its business or institutional relationships. Even though these voluntary guidelines remain largely insufficient to address corporate impunity, legislation in France has made this a legal requirement through the Duty of Vigilance Law, which requires large companies to establish a vigilance plan covering the human rights risks related to the activities of its subsidiaries, subcontractors or suppliers.

As a consequence, when a government authority adopts measures that infringe the rights of communities in order to facilitate an economic project, the beneficiary company has the responsibility to take reasonable steps to prevent or mitigate these violations, failing which it may be legally liable.



A child from the Chamimba community.

The social tensions that are emerging today are reminiscent of what occurred during the start of gas projects in Cabo Delgado or coal mines in the province of Tete. Mozambique's history of major infrastructure projects has been marked by the silencing of critical voices, repression, corruption, arbitrary detentions and forced evictions.

Even though its construction has not yet begun, the Mphanda Nkuwa project has been beset with serious human rights violations against local communities⁶³. The level of repression continues to grow, affecting fundamental freedoms:

- Intimidation and threats against people expressing a critical opinion on the project
- Violations of freedom of movement, with the obligation to obtain "permission" from local authorities to travel
- Attacks on freedom of association, preventing residents from meeting NGOs like JA!
- Restrictions on freedom of expression, going as far as banning the singing of songs expressing their feelings about the project
- Arbitrary exclusion of community members from meetings related to the dam
- Arbitrary detentions of community members after participating in trainings in Maputo

This context shows that the Mphanda Nkuwa project could be imposed by force and fear, to the detriment of the local communities' rights.

THE EDF MEXICO CASE

Outside of Mozambique, EDF's projects have been linked to similar violations of Indigenous rights. Since 2015, EDF has sought to develop a wind farm in the Oaxaca region of Mexico that is located on Indigenous lands. Members of the Union Hidalgo Indigenous community have challenged the project, on the basis that their FPIC has not been obtained.⁶⁴ A lawsuit against EDF in France, alleging violations of its vigilance obligation, remains ongoing.

This failure to consult local communities and Indigenous Peoples in extractive projects developed by multinationals leads to a polarisation of the communities involved, including serious threats and attacks on individuals that oppose the project or wish to be better informed of its development. This has been documented in EDF's renewable energy projects in both Mexico and Mozambique.

The link between the lack of meaningful consultation and the rise in violence against human rights defenders is a phenomenon that has been documented by observers including the UN Special Rapporteur on the rights of Indigenous Peoples⁶⁵.

⁶³ Justiça Ambiental. Video launch : How many "no's" does it take to build a dam ? The repression of the communities who resist Mphanda Nkuwa. December 15, 2023. <https://ja4change.org/2023/12/15/video-launch-how-many-nos-does-it-take-to-build-a-dam-the-repression-of-the-communities-who-resist-mpbanda-nkuwa/>

⁶⁴ From rights to reality. Ensuring a rights-holder-centred application of the French Duty of Vigilance Law; European Center for Constitutional and Human Rights e.V. (ECCHR), ProDESC, CCFD-Terre Solidaire, 2023 https://www.ecchr.eu/fileadmin/user_upload/ECCHR_EDF_WEB.pdf

⁶⁵ United Nations. Report of the Special Rapporteur on the rights of Indigenous Peoples, A/HRC/39/1. August 10, 2018, <https://documents.un.org/doc/undoc/gen/g18/246/34/pdf/g1824634.pdf>

Lack of transparency and neglectful communication

For the community members we met, the lack of clarity and transparency from the Government and the cabinet in charge of the Mphanda Nkuwa project, but also from international companies, is a major source of concern and frustration. Many people express their dissatisfaction with a communication that is considered unilateral, vague, often devoid of concrete content and flawed by the bias of interpreters.

A member of the Luzinga community expressed it forcefully: *"as citizens, we have the right to be informed about what is going to happen. So we need to have that information to follow and see what their plan is and challenge it."* This demand illustrates a fundamental need to understand the decisions that will directly affect their territory, their daily lives and their future. However, according to several testimonies the so-called "consultation" meetings do not meet this need. They are often perceived as top-down monologues, where the project representatives speak without really listening.

A woman from Chamimba recounted in detail one of these meetings: *"When they came to this meeting, they did not give us priority, they were only talking. When people wanted to know or asked them questions, they said, 'We don't have answers right now, because studies are ongoing.'*

She continued:

"The inhabitants wanted to know if they would be able to stay and they always replied that for the moment, 'we are at the study stage'. Whatever question was asked, there was no satisfactory answer, they gave the same answer, and that's why people didn't understand the meeting well, because they wanted to know, they wanted answers."

The repetition of this vague discourse, without a timetable or commitment, is fuelling the growing mistrust of local communities. They feel that these meetings are mainly organised to tick the box of "community dialogue", without any real desire to listen or be transparent.

Also during this meeting, promises were made about the quality of future resettlement. The same woman reported: *"During the meeting, they made promises. The cabinet official himself said that when we are moved, when there is a relocation, then this relocation will be fair, and it will be magnificent..."* But without details, guarantees or tangible evidence, these words seem hollow in the eyes of the communities.

In Luzinga, a man angrily called out: *"And this study, when will it be unveiled? When will it be completed? They say that 'we are waiting for funding', but the population wants to know! They come here with the members of the project office, why are they here then?"*

Visits without concrete progress or documents presented are considered a waste of time, or even a form of contempt disguised as dialogue. The way these meetings are conducted also adds to the unease.

Paulina Salanhar testified to this feeling of incomprehension:

"What bothers us is that when they arrive, they always separate people. They put women on one side and men on the other. And that's disturbing, we don't want to be divided like that. At the very least, after talking to men and women, they should bring everyone together and present the conclusion or what they talked about, but they don't."

"What bothers us is that when they arrive, they always separate people. They put women on one side and men on the other. And that's disturbing, we don't want to be divided like that."

When asked about the availability of concrete information during the consultations, community members were unanimous: no written documents, summaries or information materials were given to them. There is therefore no way to verify, transmit or follow up on the commitments made orally by the project representatives. This lack of a paper trail also prevents any form of informed participation or accountability.

As for the way in which meetings are announced, it is often problematic. A man from Chamimba explained: *"Sometimes they announce that they want to meet only the village chief, or the chief accompanied by two or three people. But generally, neither the chief nor the community accepts this type of restricted meeting. The chief then informs the inhabitants, and the community collectively decides to attend the meeting."*

In short, the communities denounce opaque communication, vague promises, inappropriate methods and a consultation process that does not meet their legitimate expectations. More specifically, this approach does not meet the requirements of free, prior and informed consent (FPIC), particularly in terms of what qualifies as "informed" consent. To comply with international standards, clear, objective, and sufficient information must be provided in a timely manner, enabling communities to make decisions with full understanding of the potential impacts. The current process, as reported, undermines this principle.

The unilateral installation of site markers

Around September 2024, at least four families living in the area affected by the Mphanda Nkuwa dam project reported a serious incident that they later reported to JA!. These families discovered that, without any prior warning, concrete markers bearing the initials “MNK” had been installed directly on their land. This was carried out without any information being communicated to them in advance and without any consultation procedure having been initiated, either by the government authorities or by the companies involved in the project. These acts are a clear violation of the right to FPIC.

The unilateral installation of these site markers, without dialogue or prior information, should also be seen as an illegal intrusion on property that is akin to an abusive appropriation of customary land. In doing so, the project promoters and the institutions that support them are ignoring not only the minimum legal obligations to respect human rights, but also the social and cultural dynamics that govern land use in this region. This type of behaviour feeds the climate of mistrust, intimidation and tension that is already very present around the project.

One of the markers installed without the consent of the populations in Chacocoma.



THE PRINCIPLE OF FREE, PRIOR AND INFORMED CONSENT

Among the fundamental elements of Indigenous Peoples' rights is the principle of free, prior and informed consent (FPIC). FPIC is a right explicitly recognized in ILO Convention No. 169 on Indigenous and Tribal Peoples,⁶⁶ the Convention on Biological Diversity, and the United Nations Declaration on the Rights of Indigenous Peoples.⁶⁷ It consists of three interdependent and cumulative rights of Indigenous Peoples, namely the right to be consulted, the right to participate and the right to their lands, territories and resources.

FPIC is both a process and an outcome. As a process, it involves the exchange of information, consultation, deliberation and negotiation with the community concerned before the implementation of activities. At the end of this process, the community can give consent, with or without conditions, or refuse it.

Although legally focused on Indigenous Peoples, FPIC is gradually being extended to vulnerable, affected or historically rooted local communities. International standards increasingly call for robust community consultation when large-scale projects significantly impact local populations. The World Bank's Environmental and Social Framework (ESS7) states that *"the Borrower will obtain the Free, Prior, and Informed Consent (FPIC) of affected Indigenous Peoples / Sub-Saharan African Historically Underserved Traditional Local Communities when the project may affect their lands, resources, or cultural heritage."*⁶⁸

Similarly, according to the financial institution, IFC Performance Standard 1 requires that stakeholder engagement include information disclosure, consultation, informed participation, and, in certain cases, free, prior, and informed consent (FPIC).⁶⁹

Decisions by the African Commission and the African Court on Human and Peoples' Rights also converge with this growing consensus. The Ogiek and Endorois rulings are particularly important as they established broader principles applicable to any traditional or marginalized community with strong cultural and subsistence ties to ancestral lands. These rulings affirmed that states have an obligation to consult and obtain consent when such communities face displacement or disruption to their way of life.⁷⁰

As many rural communities in sub-Saharan Africa share similar characteristics—such as collective land use, customary governance, and cultural dependence on natural resources—these legal precedents contribute to the expansion of FPIC beyond strictly defined indigenous contexts. This interpretation aligns with the World Bank's ESS7, which explicitly includes "Sub-Saharan African Historically Underserved Traditional Local Communities" within the FPIC requirement.

⁶⁶ It is to be noted that Mozambique did not ratify Convention 169.

⁶⁷ Mozambique voted in favor of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) when it was adopted by the UN General Assembly on September 13, 2007.

⁶⁸ World Bank. Environmental and Social Framework, ESS7. 2018.

⁶⁹ International Finance Corporation. IFC Performance Standard 1 : Assessment and Management of Environmental and Social Risks and Impacts. 2012 <https://www.ifc.org/en/insights-reports/2012/ifc-performance-standard-1>

⁷⁰ African Commission on Human and Peoples' Rights. Communication 276/2003, Centre for Minority Rights Development (Kenya) and Minority Rights Group International on behalf of Endorois Welfare Council v Kenya, para. 291.

DEMANDING TRANSPARENCY



A Chirodzi Bairro 4 family.



In Mozambique

In 2018, the Government of Mozambique reinitiated the project by creating the GMNK Office, placed under the authority of MIREME. This office has the mandate to update the studies carried out previously, but no specifications or terms of reference for this work have been made public.

Since 2019, JA! has been trying in vain to obtain information from the authorities. Despite repeated requests, GMNK provided only vague answers and MIREME did not respond. JA! therefore took the matter to court on 2 April 2024.⁷¹ In Case No. 63/2024, JA! requested the court to summon GMNK and MIREME to provide information related to the protection of the human rights of the local communities affected by the implementation of the Mphanda Nkuwa project.

As part of this procedure, after notification by the court, the GMNK first claimed that local communities had been actively involved through meetings of local leaders and civil society. It also insisted on the fact that the media was provided with information.

As for MIREME, it merely reproduced the allegations of the GMNK and requested the rejection of the summons request, arguing that it was false, hasty and “presumptuous”.

The GMNK, in its legal arguments, justified its silence on the sharing of the documents by claiming that the studies were not yet at the stage of public participation. This was rejected by the court.

The GMNK's assertion that community participation is limited to the “public hearing” process – the phase in which environmental and social feasibility studies will actually be presented – does not reflect a genuine commitment to consult communities and is not in line with the Administrative Procedure Act, which the court did not hesitate to clarify.

Law No. 07/2014 is clear: administrative authorities must guarantee public consultation and provide the requested information, except in the case of documents classified as secret or confidential, which is not the case here.

⁷¹ Justiça Ambiental!. Press release. Justiça Ambiental! wins legal battle against the Mphanda Nkuwa dam implementation office : the government is now obliged to provide information about the project. February 28, 2025. <https://ja4change.org/2025/02/28/press-release-justica-ambiental-wins-legal-battle-against-the-mphanda-nkuwa-dam-implementation-office-the-government-is-now-obliged-to-provide-information-about-the-project/>

On 27 February 2025, the Administrative Court of the City of Maputo therefore requested the summons of the GMNK and MIREME⁷² to provide information relating to the safeguarding of the fundamental rights of the local communities affected by the implementation of the dam.

This landmark decision strengthens the constitutional right of access to information and sets an important legal precedent for other communities affected by major infrastructure projects.

By ordering the GMNK and MIREME to provide the requested information, regardless of the stage of the studies, the court established that transparency cannot be postponed or subordinated to government timelines. However, challenges remain: GMNK has still not complied with the court orders and did not share all the requested documents. The legal battle to access information is ongoing.

“JA! welcomes this decision and reiterates that no so-called 'development' project should be implemented without all the information necessary and required by local communities and other social actors being made available, so that this information can be properly assessed and debated, and we can thus make better development decisions. This decision is also a big step towards realizing the right to say NO to megaprojects that fail to prove their purported benefits or are already involved in human rights violations, as is the case with Mphanda Nkuwa. Nothing for us without us!” – Anabela Lemos, Director of JA!

From consortium companies

CCFD-Terre Solidaire, ECCHR and JA! have also demanded this request for information from the companies in the consortium: EDF, TotalEnergies and Sumitomo.

The organisations wrote separately as well as jointly to the companies in the consortium.

Following a letter to EDF presenting various questions and alerting them to the ongoing risks for local communities, CCFD Terre Solidaire and JA! were able to present these concerns during a meeting at the company's headquarters in October 2023. We reiterated our remarks and requests in writing in a letter sent to EDF on 13 December 2023.

In May 2024, our organizations wrote to TotalEnergies to obtain important information on the status of the Mphanda Nkuwa hydroelectric dam project.

We alerted TotalEnergies that information relating to the content, methodology, extent and degree of public participation in the impact studies has not been made accessible. We also noted that, to the best of our knowledge, TotalEnergies is currently carrying out an impact study of the project, according to information available on the website of the consulting firm Insuco.⁷³

According to Insuco's website, it was commissioned to examine the shortcomings of the reference framework (or terms of reference – TOR) published in 2022 by the Mozambican government as part of the Environmental and Social Impact Assessment (ESIA) of the

In the interests of transparency, particularly in view of the project's history marked by a lack of openness and scientific rigour, we have asked for these documents to be made public.

⁷² Tribunal Administrativo da cidade de Maputo, República de Moçambique. Notificação CART/TACM-111.3/CA/2025, February 19, 2025. <https://justicaambiental.wordpress.com/wp-content/uploads/2025/02/acordao-tacm-mphanda-nkuwa-19-fev-2025.pdf>

⁷³ Insuco. Gap analysis environnementale et sociale pour Total Energies - Mozambique. February 12, 2024. <https://www.insuco.com/project/gap-analysis-environnementale-et-sociale-pour-totalenergies-mozambique/>

Mphanda Nkuwa dam, and to produce an analysis of the environmental and social risks associated with the project.

According to information available on the website, the results of this project include:

- An analysis of the inadequacies of the 2022 specifications with a view to a new ESIA
- A socio-environmental risk analysis report allowing TotalEnergies to decide whether or not to proceed with the project (Go/No Go)
- A summary of the environmental and social aspects of the power line

In the interests of transparency, particularly in view of the project's history marked by a lack of openness and scientific rigour, we have asked for these documents to be made public.

In a response dated 11 June 2024, TotalEnergies refused our request. It should be noted that the response was made on behalf of the consortium, which stated that it is committed to following international environmental and social standards and practices as part of the ESIA process and invited us as stakeholders to do the same.

We responded that *"according to your response, the EDF-TotalEnergies-Sumitomo Corporation consortium is committed to maintaining a transparent and rigorous process that involves stakeholder participation. However, without access to information related to the project, including the three documents we requested, the local communities we are in contact with cannot be fully informed about the project development process, which ultimately restricts their right to effective participation."*

We added that *"given the undeniable impact of this project on the daily lives and environment of local communities, we ask you to reconsider your decision to deny access to the three above-mentioned documents. We also ask that you provide us with a clear timeline for when information about the development of the project will be communicated to local communities, as well as the procedure that will be followed to do so."*

Our request went unanswered.

It is nevertheless important to emphasize that this analysis must be considered within a broader reflection on the necessity of a just energy transition. It is indeed a question of transforming our energy production and consumption system - by reducing fossil fuels and developing renewable energy sources - while ensuring that the most vulnerable populations are not excluded or penalized by these changes. As civil society organisations, we must make sure that the energy transition does not reproduce neocolonial, extractivist patterns that still dominate the global economy.

AN ENERGY TRANSITION: HOW AND FOR WHOM?



A women from the community of Chirodzi Bairro 4.



This project will contribute to the increase of access to the electricity around the regions as well as becoming green energy hub in southern African countries.” - Koichi Taniguchi, Managing Director, Sumitomo's Power Infrastructure Division⁷⁴

Mozambique's energy matrix is dominated by biomass (main source of energy used in households) and hydropower. 98% of Mozambique's electricity is produced from renewable sources, with hydropower accounting for approximately 95% of the mix.⁷⁵ The largest power generation plant in the country is the Cahora Bassa hydroelectric dam, operated by the government-owned HCB. Smaller dams are located in Mavuzi, Chicamba & non chiramba, Corumana, Lichinga and Cuamba.⁷⁶ As seen before, Mozambique holds substantial coal reserves, which are mainly exported, but also used domestically for power generation and industrial processes. As there are significant natural gas reserves, gas-based generation is expected to grow rapidly, potentially accounting for 44% of total electricity generation in the next decade. The country is also positioning itself as a major global exporter of LNG.⁷⁷

The government's central goal is universal energy access by 2030, with a target to reach at least 50% electrification by that year. "Despite impressive hydropower generation, Mozambique faces challenges in extending access to remote and rural communities, infrastructure investment, and ensuring affordability. Only 36% of the population benefits from electricity access.⁷⁸ More recent data suggests that electricity access has risen to 61% of the population, but this might be misleading. Concerns and criticism have been raised in relation to the methodology and indicators used to get to those numbers, amongst which the fact that some neighbourhoods or villages are now considered to be connected to the grid despite the fact that individual households are still not connected or lack the purchasing power to remain connected beyond emergency situations. One paradox of the energy policy is the fact that, while a significant portion of its own population remains without reliable electricity access, Mozambique exports

⁷⁴ EDF, TotalEnergies, Sumitomo, Presse release. December 13, 2023.

https://www.edf.fr/sites/groupe/files/epresspack/6753/PR_-EDF-MNK-VDEF-13122023.pdf

⁷⁵ Development reimagined, Mozambique - Mozambique's Renewable Energy Potential and Country Overview. February; 2024. <https://developmentreimagined.com/wp-content/uploads/2024/03/Mozambique.pdf>

⁷⁶ Department of Commerce United States of America. Mozambique country commercial guide. March, 13, 2024. <https://www.trade.gov/country-commercial-guides/mozambique-power-generation-transmission-distribution>

⁷⁷ Climate Analytics. What is Mozambique's pathway to limit global warming to 1.5°C? Based on IPCC SR1.5 December 1, 2023. <https://1p5ndc-pathways.climateanalytics.org/countries/mozambique/sectors/power>

⁷⁸ World Bank. Electrification Dataset, SDG 7.1.1, data accessed May 16, 2025. <https://data.worldbank.org/indicator/EG.ELC.ACCS.ZS?locations=MZ>

a large majority of its power to neighbouring countries. The country is a central player in the Southern African Development Community (SADC) electricity landscape. It is a net exporter of electricity within the Southern African Power Pool (SAPP),⁷⁹ supplying significant amounts of power to neighbouring countries, especially South Africa as well as Zimbabwe and Zambia. HCB sells 66% of its existing generation to South Africa,⁸⁰ and the remaining 34% is sold to the northern regions of Mozambique and to Zimbabwe. Energy exports are considered to be a strategic economic driver for Mozambique, and recent policy reforms have aimed to further facilitate cross-border electricity trade and attract independent power producers (IPPs).⁸¹ But in fact, there is a clear asymmetry in the relationship between Mozambique and South Africa when it comes to electricity supply. The agreements between the two countries provide an import guarantee to South Africa to the detriment of EDM, associated with a price below market. And the imported electricity from HCB is resold to EDM by ESKOM (the South African electricity company) at exorbitant prices.⁸²

Another challenge lies in the significant governance risks in the energy sector, as highlighted by civil society and anti-corruption organizations. The National Electrification Strategy (ENE) coordinates efforts among MIREME, FUNAE (Energy Fund - rural/off-grid), and the Ministry of Economy and Finance (funding). ARENE (Energy Regulation Authority) oversees the sector, ensuring compliance with technical, safety and commercial standards. Civil society organizations (CSOs) have criticized: the lack of independence and accountability from ARENE leading to weak regulatory oversight; conflicts of interest, as MIREME both supervises the regulator and acts as a counterparty in energy contracts; and the influence peddling by multinational companies and elites connected to political power. Other criticisms relate to the rapid, opaque legislative changes that create loopholes and opportunities for corruption and insufficient transparency in procurement and contract awards.⁸³ The sector is also exposed to investor-state dispute settlement (ISDS) regimes, which can bypass national judicial systems and expose Mozambique to large financial liabilities.⁸⁴

While Mozambique's energy development is a legitimate priority, it cannot be pursued at the expense of human rights, environmental integrity and social justice.

The Just Energy Transition Strategy, first presented at COP28 and in force since January 2024, is designed to guide the country's energy sector development in line with the 2015 Paris Agreement. While emphasizing renewables, Mozambique will continue to develop its natural gas resources.⁸⁵ Off-grid solutions, particularly solar home systems and mini-grids, are expanding rapidly in remote areas, supported by regulatory reforms and international funding. The legal and regulatory frameworks have become more supportive of private sector participation. The strategy has faced CSO criticism for its financial scale, the risks of deepening the Mozambican debt, the potential to worsen inequalities and implementation challenges. Moreover, the continued role of natural gas in Mozambique's development is highly controversial as it generates serious financial, social, environmental and climate risks. The development of LNG in Mozambique has also been tangled up in an international corruption scandal and a devastating militarized conflict impacting over a million people.⁸⁶

⁷⁹ Department of Commerce United States of America. Mozambique country commercial guide. March, 13, 2024. <https://www.trade.gov/country-commercial-guides/mozambique-power-generation-transmission-distribution>

⁸⁰ Club of Mozambique. Mozambique: South Africa's Eskom bought 66% of Cahora Bassa electricity in 2024. July 10, 2025. <https://clubofmozambique.com/news/mozambique-south-africas-eskom-bought-66-of-cahora-bassa-electricity-in-2024-286682/>

⁸¹ African Development Bank Group. Mozambique country strategy paper 2023-2028. June 2023. <https://www.afdb.org/en/documents/mozambique-country-strategy-paper-2023-2028>

⁸² Paolo Mateus Wache, Política externa de Moçambique para a África do Sul. Universidade Joaquim Chissano, 2020.

⁸³ Caitlin Maslen, Transparency International. Corruption risks in Mozambique's energy sector. 2024 <https://www.u4.no/publications/corruption-risks-in-mozambiques-energy-sector.pdf>

⁸⁴ Lea Di Salvatore and Maria Julia Gubeissi. Vulnerabilidade de milhões de dólares: O sistema de arbitragem investidor-Estado no sector de combustíveis fósseis em Moçambique. February, 2024. <https://friendsoftheearth.eu/wp-content/uploads/2024/07/Mozambique-ISDS-PT.pdf>

⁸⁵ International Monetary Fund. African Department. Republic of Mozambique: Poverty Reduction and Growth Strategy. July, 22, 2024. <https://www.elibrary.imf.org/view/journals/002/2024/238/article-A001-en.xml>

⁸⁶ See box on Cabo Delgado

While Mozambique's energy development is a legitimate priority, it cannot be pursued at the expense of human rights, environmental integrity and social justice. The Mphanda Nkuwa project exemplifies an energy policy overly reliant on large-scale, export-oriented infrastructure with significant externalities for local communities. This model not only marginalizes those most directly impacted, but also fails to address the pressing issue of domestic energy access, particularly for rural populations. A reorientation of Mozambique's energy strategy toward inclusive, transparent and community-centred solutions is definitely required.

TRANSFORMING THE ENERGY SYSTEM

Transforming the energy system is among the most urgent and complex challenges of our time. According to the Business & Human Rights Resource Centre's Tracking Tool, 95 lawsuits have been filed globally by rights holders over human rights violations linked to "clean" energy transition projects.⁸⁷ These legal actions are not a rejection of climate action but a call for a truly just transition.

Across the globe, communities are not only resisting destructive energy projects but are also creating grassroots, justice-oriented alternatives grounded in sustainability and local control.⁸⁸ These efforts are both acts of resistance and the expression of a vision that aims to reclaim common resources and build low-impact, community-led energy systems.

In many places, communities are developing small-scale, locally owned renewable energy projects to meet their own needs. These initiatives demonstrate practical, equitable solutions: reducing emissions, improving energy access and strengthening local empowerment. Yet they often face serious barriers: lack of funding, political neglect and the overwhelming influence of corporations profiting from the current extractive model. While some local victories offer hope, many remain isolated and under-resourced. In densely populated areas, community-led solutions alone may not meet the scale of need. For a truly just and sustainable energy transition, grassroots initiatives must be supported, connected and expanded.

Ultimately, national governments hold the power to shape energy systems through licensing, infrastructure investment and regulation. Yet in many cases, these decisions are captured by powerful corporate interests. Without reclaiming democratic control over energy policy and shifting away from profit-driven models, isolated successes will not be enough to deliver the systemic change needed to confront the climate crisis and achieve energy justice.

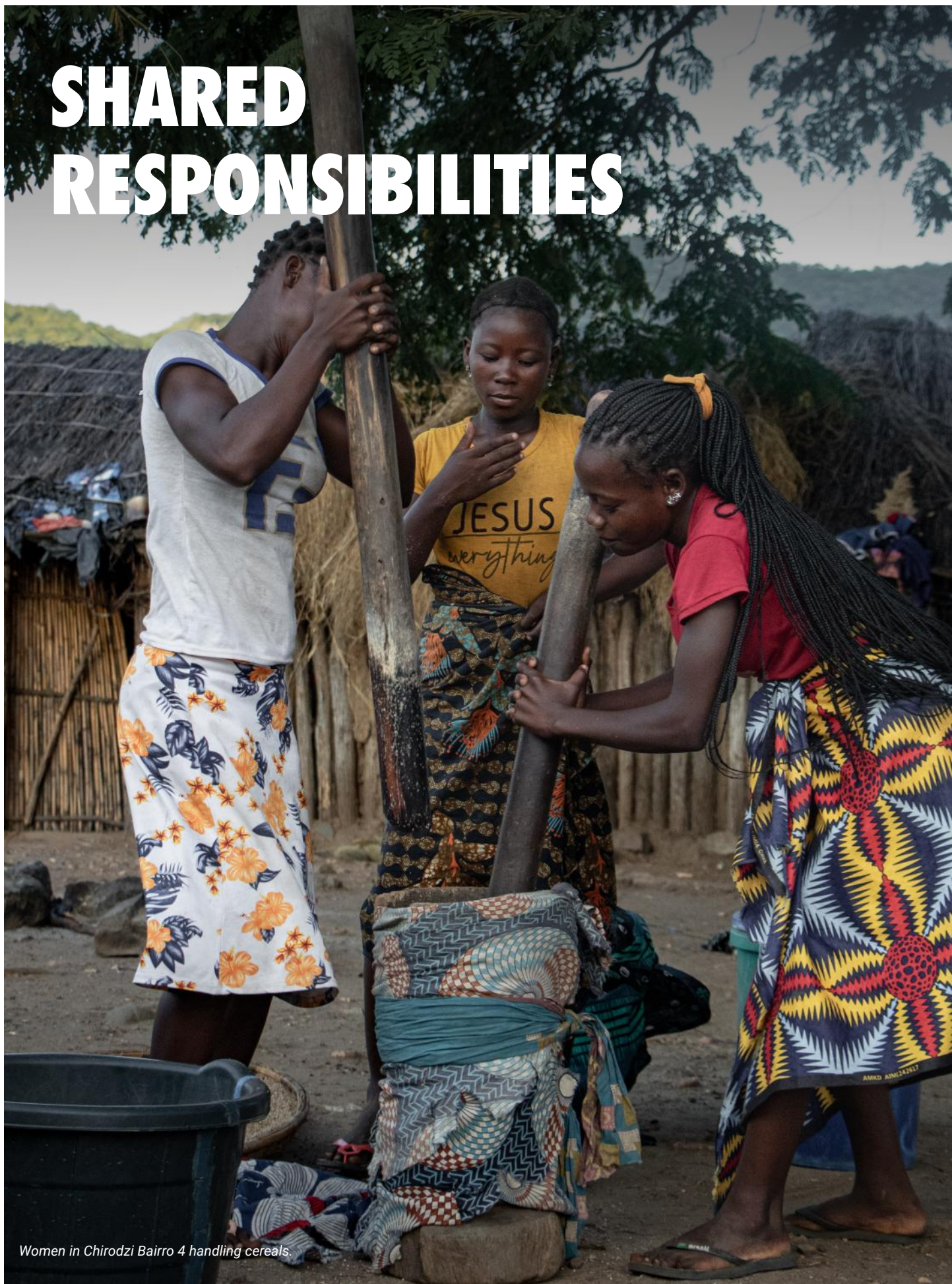
In 2021, Friends of the Earth Africa (of which JA! is a member) produced a proposal for a Just Recovery Renewable Energy Plan for Africa. It offers a practical opportunity to change the trajectory of energy development, distribution and access. It opens up energy systems to a more democratic process, frees them from the power of transnational corporations (TNCs) and enables people and communities to access sufficient energy. For the plan to succeed it requires systemic transformations that are determined through public consultations, peoples-centred approaches and decentralisation of the sector. It requires a complete shift from current energy systems.⁸⁹

⁸⁷ Business & Human rights Resource Center. Justice in the transition : Litigating corporate abuse in the shift to clean energy for all - 2025 analysis. 2025 https://www.business-humanrights.org/en/from-us/briefings/litigating-the-energy-transition-2025/#_globalanalysis

⁸⁸ Sarah-Jayne Clifton & Dipti Bhatnagar, Friends of the Earth International. Good energy, Bad energy ? Transforming our energy system for people and the planet. 2013 <https://www.foei.org/wp-content/uploads/2020/12/Good-energy-bad-energy.pdf>

⁸⁹ <https://www.foei.org/wp-content/uploads/2021/08/Friends-of-the-Earth-Just-Recovery-Renewable-Energy-Plan-for-Africa-2021.pdf>

SHARED RESPONSIBILITIES



Women in Chirodai Bairro 4 handling cereals.



Responsibility of French companies

As French companies, EDF and TotalEnergies have a legal obligation to identify human rights risks and prevent and remedy serious human rights and environmental violations related to their activities.

In France, the due diligence obligation within the UNGPs has been transposed into law with the adoption of Law No. 2017-399 of 27 March 2017 on the duty of vigilance of parent companies and contracting companies. This law requires large French companies to identify, prevent and remedy serious violations of human rights, fundamental freedoms, health, safety of persons and the environment, when they result not only from their own activities, but also from those of their subsidiaries, subcontractors or suppliers, with whom they have an established business relationship.

EDF and TotalEnergies have already been the subject of lawsuits filed under the Duty of Vigilance Law, alleging that they have failed to comply with their due diligence obligations when developing energy projects that have negatively impacted local communities. Although there is yet to be a definitive court judgment determining their non-compliance, these companies have been clearly put on notice of the significant human rights risks associated with their activities. In 2019, Friends of the Earth France, Survie and four Ugandan organisations filed a case against TotalEnergies, arguing that the company did not take into account the social and environmental impacts of the East African Crude Oil Pipeline (EACOP). A civil claim for compensation for damages caused by the deficiencies of TotalEnergies' vigilance plan, as well as the case against EDF related to its windpark in Mexico, are ongoing.

Responsibility of the French State

France bears direct responsibility for addressing human rights violations connected with EDF's international activities. It is played out on two levels. On the one hand, EDF is a company under French jurisdiction. On the other hand, the French state has a responsibility as EDF's sole shareholder.

Since its complete renationalisation, the State has held 100% of EDF's capital, which gives it total control over the company's strategy, investment choices and governance. As such, it is no longer simply a question of supervising, but of assuming full responsibility for the impacts of EDF's activities, particularly abroad.

The UNGPs are very clear on this issue. Principle 4 states that:
"States should take more stringent measures to protect against human rights violations committed by companies owned or controlled by them [...], including, where appropriate, by requiring the exercise of human rights due diligence."

And the commentary specifies:
"When States own or control companies, they have more means to ensure that relevant human rights policies, laws and regulations are implemented."

In other words, the French State cannot exonerate itself from liability for EDF's international activities. It must ensure that the company fully complies with its due diligence obligation, particularly in terms of human rights, environmental justice and consultation with affected populations.

Two MPs asked the Government what measures EDF is implementing to stop acts of intimidation and harassment against local communities impacted by Mphanda Nkuwa, how the company intends to prevent further human rights violations and how it ensures that the impacts of the dam are assessed according to rigorous and transparent methods.

In its response⁹⁰, published in the Official Journal on 11 June 2024, the Government stated that *"the State, EDF's sole shareholder, actively ensures that EDF operates according to the highest environmental and social standards"*. It specifies that this requirement is integrated into EDF's vigilance plan, in accordance with French law.

The Government adds that:
"Technical, environmental and social studies must therefore be updated to take into account the evolution of the context and international standards" and that they will be *"supplemented by additional studies that will take into account the concerns expressed by the various stakeholders."*

Finally, it specifies that these studies will include a verification of the populations residing on the future construction sites, so that *"they can be offered new homes and new agricultural land or alternative solutions allowing them to guarantee, in the long term, an improvement in their livelihoods."* The process would also include *"in-depth phases of stakeholder consultation"*.

Despite these commitments, many doubts remain about the real effectiveness of these mechanisms, especially in a context where already- documented violations have been largely ignored.

The French State cannot exonerate itself from liability for EDF's international activities. It must ensure that the company fully complies with its due diligence obligation, particularly in terms of human rights, environmental justice and consultation with affected populations.

⁹⁰ https://questions.assemblee-nationale.fr/static/16/questions/jo/jo_anq_202424.pdf

Responsibility of the Mozambican State

The Republic of Mozambique, as a sovereign state, bears fundamental responsibilities toward its citizens in ensuring access to essential rights including land, justice, dignity and economic and social rights. These obligations stem from both its national constitution and international agreements to which the country is a party.

The Constitution of the Republic of Mozambique, most recently revised in 2018, enshrines key principles that guide the relationship between the state and its citizens, particularly regarding access to fundamental rights and resources. The Constitution also establishes human dignity as a cornerstone of the state's relationship with its citizens.

Land rights occupy a central position in Mozambique's legal framework. The Constitution establishes that all land and natural resources belong to the state, while simultaneously guaranteeing that all Mozambicans have the right to use and enjoy land as a means for creating wealth and social wellbeing.

The Constitution places particular obligations on the state to ensure equitable access to land, protect existing land use rights and prevent arbitrary displacement. The Constitution recognizes customary land practices, thereby acknowledging traditional forms of land tenure that predate colonial and post-independence legal frameworks.

The Constitution also creates state obligations to ensure that all citizens have meaningful access to judicial processes, regardless of their economic status or geographic location. Justice must be accessible, affordable and effective. This includes the obligation to provide legal aid to those who cannot afford it, maintain adequate judicial infrastructure throughout the country, and ensure that legal proceedings are conducted in languages understood by the population.

In light of the Constitution, beyond transparency and fairness of procedures, people cannot have their (legitimate) right of use and enjoyment of the land (DUAT) revoked, be forcibly displaced to other locations without a guarantee of decent housing and the means to obtain an income equivalent to their current one, or without being compensated in advance (see Articles 82, 109, 110 and 111 of the Constitution). Therefore, the Mozambican State cannot revoke DUATs, expropriate or 'forcibly displace' communities without complying with three cumulative requirements:

1. Clear legal justification of public interest. This has not been demonstrated, much less substantiated, for the Mphanda Nkuwa dam project.
2. Transparent, informed consultation with effective participation of affected communities. Examples of the absence of consultation for the project include: the installation of markers without consultation or prior notification (in violation of Article 82 of the Constitution and the right to FPIC) and the lack of public consultations, without guarantees of transparency, adversarial proceedings or accessible information (in indirect violation of Article 111 of the Constitution).
3. Prior, fair and proportionate compensation (Articles 82/2 and 56/2 of the Constitution), including guarantees of access to decent housing and the maintenance of equivalent income. This excludes mere promises of rehousing without concrete legal guarantees (in violation of the principle of legal certainty and the requirement of 'fair compensation').

At international level, Mozambique is bound by the core components of the International Bill of Human Rights, which consists of the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

The ICCPR obligates state parties to protect and preserve basic human rights including the right to life and human dignity, equality before the law, freedom of speech, assembly and association, religious freedom and privacy, and freedom from torture and cruel punishment. These provisions create specific obligations for the Mozambican state to ensure that its laws and practices conform to international standards.

Mozambique is also party to regional human rights instruments that create additional obligations. The African Charter on Human and Peoples' Rights (Banjul Charter) establishes both individual and collective rights, including the right to development and the right to a satisfactory environment. These instruments recognize the particular challenges facing African states and provide context-specific protections.

The convergence of these domestic and international legal frameworks creates a robust foundation for citizen rights and state accountability. However, the realization of these rights depends on political commitment and the state's capacity and willingness to translate legal commitments into concrete actions that improve the lives of all Mozambicans. In the context of Mozambique's extractive capitalism and export oriented model of development, the realization of these rights remains largely theoretical, with local communities and marginalized peoples, in particular women, facing the consequences of the collusion between domestic and international capitalist elites.

The state's dual role as both guarantor of rights and facilitator of investment creates inherent contradictions that systematically favour capital over community rights. The ongoing struggles in Mozambique demonstrate that ensuring the constitutional promise of dignity, justice and development becomes a reality for all citizens requires more than legal reform—it demands fundamental changes to the political economy that currently prioritizes short-term profit extraction over long-term rights protection. What is at stake is not only the legality of any given energy project, but also the legitimacy of a development model that continues to undermine community rights in the name of (allegedly) structural investments.

The ongoing struggles in Mozambique demonstrate that ensuring the constitutional promise of dignity, justice and development becomes a reality for all citizens requires more than legal reform.



Three children from Chamimba.

AND NOW?

W

While the Mphanda Nkuwa dam project advances on paper, serious uncertainties persist regarding its financial viability and transparency. With a funding model heavily reliant on debt and private investment,⁹¹ the project's future hinges on infrastructure bottlenecks and unresolved environmental concerns.

The question of financing seems to be decisive at this stage. In this sense, TotalEnergies CEO Patrick Pouyanné's recent statements concerning the project are troubling. During an energy summit in Tanzania in January 2025, he stated in reference to the Mphanda Nkuwa dam project:

"I was discussing the issue yesterday with the president of Mozambique, where we have a hydropower project, and I told him we cannot start the hydro because we don't see the transmission line behind it."⁹²

"It's difficult in terms of huge capital to attract ... You could attract international and private investors on infrastructure (projects), like transmission lines, but it has to be managed ... otherwise I'm afraid this bottleneck will remain."

Our organizations therefore contacted the consortium once again requesting information on the progress of the project and whether it had been suspended.

After several weeks of delays and a reminder, we received an email indicating that the project is progressing. The consortium responded that attention is currently focused on the revision of the existing Environmental and Social Impact Assessment (ESIA), in order to assess its

⁹¹ The financial package therefore provides for a contribution of 30% in equity and 70% in debt, thus mobilizing public and private capital.

⁹² Hernandez and Roelf. Mozambique president discussed LNG, hydro projects with TotalEnergies' CEO. Reuters. January 28, 2025. <https://www.reuters.com/business/energy/mozambique-president-discussed-lng-project-with-totalenergies-ceo-2025-01-28/>

relevance and verify its compliance with the technical development process. The response further noted that an update of the ESIA is also under consideration and it is envisaged that this process can be implemented throughout 2025 and beyond.

The project actors described throughout the report are also supported by international financial institutions. The International Finance Corporation, a member of the World Bank Group, signed a first participation agreement in 2022. In July 2025, the World Bank pledged that the IFC will contribute to financing the dam and will also hold an equity stake in the project.⁹³ The International Bank for Reconstruction and Development (IBRD) is set to offer risk guarantees, while the International Development Association (IDA) will support the 1,300km transmission line through concessional financing. Additionally, the Multilateral Investment Guarantee Agency (MIGA) will provide political risk insurance to help safeguard the project. The African Development Bank is supporting the dam project through a financial structuring and advisory role.⁹⁴ The European Union and the European Investment Bank (EIB) have pledged to support the project with EUR 500 million (EUR 200 million for the power plant and EUR 300 million for the transmission lines).⁹⁵ The announcement was made during a meeting held on 5 June 2023 in Maputo between GMNK, a high-level delegation from the European Union (EU) and the EIB.

Regarding the EIB's support, it should be noted that no official communication concerning its financing commitment has been made public, which should be the case according to its own transparency rules. In May 2025 we contacted the EIB's offices in France and Luxembourg and set a request via the EIB's dedicated platform, asking the bank to make public the information on its financing of the project.

In response the EIB stated that, as of now, no decision has been made on its participation and no project appraisal has been conducted. Should the EIB consider the project in the future, it affirmed that it would follow its Environmental and Social Standards, including those on climate, biodiversity, stakeholder engagement and Indigenous Peoples' rights. The Bank also referred to its Hydropower Development Guidelines.

While we acknowledge the EIB's response, we remain concerned due to multiple reports in the Mozambican press suggesting that the European Investment Bank has already committed to financing the Mphanda Nkuwa hydropower project. This apparent contradiction with the EIB's claim of no formal involvement raises questions, and we hope to receive clarification in future correspondence.

As all sources indicate, the future of the Mphanda Nkuwa hydroelectric dam project is dependent on the revision of the environmental and social impact studies that are necessary to define the project's financial model. That said, it should be recalled that agreements have already been reached between the Mozambican Government and the international consortium.

In March 2024, the project director and director of the GMNK office, Carlos Yum, stated that *"we are reviewing and updating the technical, economic and environmental studies necessary to structure the investment, maintain the downstream environmental balance and preserve the needs, land use planning and safety of the population."*⁹⁶ In the same statement, he added that *"we are in constant contact with the communities in order to develop a social programme that includes key actions or interventions within the communities directly or indirectly affected by the project."*⁹⁷

However, our various interviews with the communities on the ground contradict this claim.

⁹³ Dakhling, P. Mozambique secures hydropower funding. African Energy Council. July 21, 2025. <https://africanenergycouncil.org/mozambique-secures-hydropower-funding/>

⁹⁴ Groupe de la Banque Africaine de Développement. Mozambique : la Banque africaine de développement, institution-conseil pour la réalisation du projet hydroélectrique Mphanda Nkuwa d'une capacité de 1500 mégawatts. May 25, 2022 <https://www.afdb.org/fr/news-and-events/press-releases/mozambique-la-banque-africaine-de-developpement-institution-conseil-pour-la-realisation-du-projet-hydroelectrique-mphandan-kuwa-dune-capacite-de-1500-megawatts-51830>

⁹⁵ Henriques, B. European Union and European Investment Bank Announce € 500M Funding for Mphanda Nkuwa. 360 Mozambique. June 8, 2023 <https://360mozambique.com/development/european-union-and-european-investment-bank-announce-e500m-funding-for-mphandan-kuwa/>

⁹⁶ Aim News. Mphanda Nkuwa project still dependent on environmental studies. March 12, 2024. <https://aimnews.org/2024/03/12/mphandan-kuwa-project-still-dependent-on-environmental-studies/>

⁹⁷ Ibid



Avo Dodina from the Chirodzi
Bairro 4 community.

RECOMMENDATIONS

Given the various concerns raised in this report – insufficient social, environmental, climate and seismic impact assessments; lack of an identified equivalent resettlement location; lack of meaningful consultations; and recurrent issues of transparency and intimidation of local communities and activists – **this project should be cancelled, at least until these social and environmental issues are adequately addressed. We also reiterate that the project should not move ahead if communities do not give their FPIC. This means they have the right to say no if, for one reason or another, they do not feel that the project will benefit them.**

TO THE MEMBERS OF THE CONSORTIUM (EDF, TOTALENERGIES, SUMITOMO):

- Commit to suspending any involvement in the project until all human rights and environmental violations have been fully addressed and remedied.
Do not undertake any additional steps towards the development of this project without having the free, prior and informed consent (FPIC) of affected communities, fully respecting their right to refuse the project.
- Take all necessary measures to identify, prevent, and mitigate human rights and environmental risks associated with the project, including during the preparatory phase and prior to any implementation.
- Commit to conducting additional, independent, scientifically robust environmental and social impact assessments, made publicly available at every stage, in order to ensure full transparency and an accurate evaluation of the dam's impacts.
- Integrate the analysis of cumulative impacts—particularly those linked to the upstream Cahora Bassa dam—into all risk assessments, to avoid a fragmented approach that would obscure the project's broader consequences.

TO CURRENT AND POTENTIAL FINANCIERS AND INVESTORS:

- Refrain from committing any financial support to the project until all social and environmental concerns have been effectively addressed and unless affected communities have freely given their consent.
- Conduct independent and robust human rights and risk assessments and due diligence before any future investment decisions are made.
- Ensure full transparency by publicly disclosing any investment decisions, including all related environmental and social impact assessments.

TO THE GOVERNMENT OF MOZAMBIQUE:

- Immediately end all forms of intimidation, harassment and repression targeting local communities and civil society actors who oppose or question the project, and take concrete steps to investigate such violations and hold state actors accountable.
- Clearly disclose the planned locations and conditions of resettlement for affected populations, ensuring they are adequate, dignified and developed in consultation with the affected communities.
- Establish a fair and transparent compensation mechanism for communities whose development has been blocked for over two decades due to official restrictions on land use and infrastructure. Compensation must address loss of opportunities, land and long-term stability.
- Publish a transparent and detailed analysis of the projected short- and long-term economic benefits of the project, including mechanisms for generating and distributing these benefits.
- Ensure that any projected benefits include concrete, measurable provisions for directly improving the living conditions of affected communities—in particular through infrastructure, basic services and sustainable livelihoods.
- Disclose all low-impact energy alternatives that have been considered, provide justifications for their rejection and initiate a truly inclusive public debate on Mozambique's long-term energy strategy.
- Take concrete measures to enforce existing frameworks regulating corporate activities, and to introduce stronger and binding national legislation to better regulate transnational companies operating in Mozambique, as well as actively participate in the ongoing negotiations for a strong and binding United Nations treaty on transnational corporations and human rights, alongside other African countries committed to ending corporate impunity.

TO THE GOVERNMENT OF FRANCE:

- Commit to suspending any involvement in the project until all human rights and environmental violations have been fully addressed and remedied.
- Require EDF to carry out additional, scientifically rigorous environmental and social impact studies, ensuring that these are publicly accessible and subject to transparent consultation at all stages.
- Ensure that the consent of affected communities is a non-negotiable condition for project approval. Human rights and resettlement standards must not be overridden, even when the host government assumes responsibility. Forced evictions without genuine, free, prior and informed consent must be explicitly prohibited.

CONCLUSIONS

For more than two decades, people have been living in uncertainty, deprived of the opportunity to plan for their future, build infrastructure or consider life projects due to the constant threat of displacement.

At this stage, the project poses a serious threat to rural communities living in harmony with the Zambezi River. Their livelihoods, culture and food sovereignty are directly at risk. Testimonies reveal deep resistance to the idea of displacement, emphasising that land is much more than a physical space: it is life, memory, and future.

The consultation process related to the Mphanda Nkuwa dam project continues to be tainted with numerous irregularities. Affected communities have at no time received clear, accessible information adapted to their socio-economic and cultural realities. Their concerns were not taken into account in the planning of the project.

Meetings about the project have often taken place after major decisions have already been taken, and without giving space to communities to express their concerns and needs. These sessions, organized according to the agenda of the promoters and the authorities, have sometimes been used as tools to promote the project, minimizing its negative impacts and reducing communities to a passive role, sometimes even pressuring them to remain silent.

We believe that a real dialogue, coupled with broad participation of civil society and the reality of the right to say no, is essential to imagine a development model that truly meets the needs and aspirations of the majority. This type of approach would reduce social tensions and conflicts, often fuelled by the exclusion of communities from decision-making processes.

Unfortunately, instead of addressing the many concerns that have been expressed for years by local communities, experts and civil society organisations, the Mozambican Government's strategy has focused on restricting access to information and manipulating or intimidating local communities. This attitude cannot be normalized or accepted by the project developers.

French companies like EDF and TotalEnergies are legally required to identify, prevent and address serious human rights and environmental violations linked to their operations as well as those of their subsidiaries, suppliers, and subcontractors. Moreover, as EDF is fully state-owned, the French government holds full responsibility for its international activities and must ensure the company respects human rights and environmental standards.

The emphasis on the alleged macroeconomic benefits of the project, to the detriment of the concerns of local populations, is part of a logic that several researchers and specialists describe as "sacrifice zones": territories exposed to extreme environmental and social impacts, in the name of a supposed national "common good". This reality is made possible by a culture of human and environmental rights vulnerability of marginalized populations.

This whole dynamic reflects a broader pattern of green colonialism, where large-scale infrastructure projects, often branded as climate-friendly or development-driven, are imposed on vulnerable communities without genuine consultation or consent. Under the pretext of clean energy, local populations are once again displaced, silenced or sacrificed to serve the interests of global markets and corporate profit. The Mphanda Nkuwa project is already becoming yet another example of extractivist development that replicates colonial power structures under a new, greener veneer.

Finally, as noted in this report, reshaping the energy system is one of the most urgent and complex challenges we face today. In this situation, as unfortunately in many others across the globe, local communities are excluded from control and benefits, thereby reproducing neo-colonial forms of appropriation and injustice. True climate justice cannot be achieved through opaque processes, elite-driven decisions and the marginalization of those most affected. It requires respect for communities' rights, participation, transparency and a rethinking of development models that prioritize local well-being over external and private returns. Without this, green colonialism mechanisms will continue to undermine climate action efforts and perpetuate inequality and social conflict.

Testimonies reveal deep resistance to the idea of displacement, emphasising that land is much more than a physical space: it is life, memory, and future.

Post-Face

"We don't want to leave" is the sentence we heard the most during our investigation. These words, spoken by women and men who know that without their land the future will be uncertain, remain stuck in our memories.

Just like the message that Avó Dodina addresses to the French companies: "those who are in their country, busy with their business, without consulting us, I tell you: one day, we will win!!".

As our interview with her ends, the leader looks at us both deeply, "the struggle must come from here, from us. And from you too, because you will help us there, in France."



A woman goes down to the river with her child in Chirodzi Bairro 4.

ANNEX

Declaration of Chitima

Prepared jointly by:

Communities of Chirodzi-Nsanangue Sede, Bairro 3, Bairro 4, Kadjadi, Chacocoma, Chamimba, Luzinga and N'tepe

We, members of the communities threatened and affected by the Mphanda Nkuwa dam project in the districts of Marara, Cahora Bassa and Chiúta, met in Chitima, Tete Province, from 11 to 13 March 2025, to discuss this megaproject and our position and concerns regarding it.

We begin by recalling that we are the rightful owners of our lands, because we have occupied them in good faith for well over ten years. Most of us inherited them from our parents, who inherited them from their parents. All our ancestors were born here, died here, and were buried here. Our umbilical cords were buried here. We are aware that, even without holding any formal land title documents, this land rightfully belongs to us. This land sustains us: we live from farming, fishing, and artisanal mining, and through these activities we manage to survive and send our children to school. Without land, we have nothing.

In 2019, we learned that our government intends to build yet another dam, the Mphanda Nkuwa Dam on the Zambezi River, and that it has already selected companies to construct it. We reject these agreements that the government has been making without consulting us, and we state that to this day nobody has come to ask us whether we want this project or not. We know that our government is often corrupted by large companies that want our land, and we demand that the government defend the interests of its people. We demand clear information from the government regarding which communities it intends to resettle, because until today we have not been informed. We know that we have the right to information, based on Article 48 of the Constitution of the Republic of Mozambique, and Article 14 of Decree 31/2012 of 8 August, which approves the Regulation on the Resettlement Process Resulting from Economic Activities. We reiterate that in no way does this request for information mean that we accept being resettled.

We know the impact that dams have on communities living along the river. We know the example of the Cahora Bassa Dam, which to this day gives us no energy or benefit, even though it is so close to us here in this province, but always makes droughts and floods worse. We have lost much production from our fields along the riverbanks due to HCB discharges, and we know that the Mphanda Nkuwa Dam, if built so close to other dams, will only worsen this situation. Fishermen who fish in the HCB reservoir are required to have a license and pay a fee. We do not want that here, because we want to continue practicing our traditional fishing. We also know the stories of the Kariba Dam in Zimbabwe, and we know that this dam recently stopped producing energy due to drought. Floods and droughts are much worse now compared to the time of our grandparents, and therefore we do not need another mega-dam on the Zambezi River. Any change to the Zambezi deeply affects our lives, our culture, our traditions, our farming, and for this reason we reject this dam.

We also know very well the situation of our brothers and sisters from Cassoca, resettled by the mining company Jindal in Nhamatua. We know how they were deceived with false promises from the company and the government; their lives were destroyed because they lost their land, and to this day they have nowhere to farm or mine. Today the government no longer cares about their suffering. We also know that this is the reality for so many other communities resettled by megaprojects in Mozambique, here in Tete as well as in Cabo Delgado, Nampula, Gaza, and elsewhere. At this meeting, we were joined in solidarity by people affected by Jindal in Cassoca and by Vale/Vulcan in Moatize.

We denounce the intimidation, threats and intrigues that have been promoted by the local government, aimed at instilling fear and creating divisions among our communities. Some of us have already been summoned by the police, where we were called terrorists simply for attending a human rights training in Maputo. We are not afraid. The more we are threatened, the more we understand that it is the government that fears us when we know our rights.

We also denounce the illegal orders given by the local government to our leaders, forbidding them from convening meetings with civil society organizations. We remind our leaders that they have the right to resist illegal orders, according to Article 80 of our Constitution, and that they must always represent the interests of the community. We also remind our leaders and the government that we have the right to assembly and association, under Article 51 of our Constitution, and therefore we do not need any authorization to meet with whomever we want. We do not accept the presence of the police at meetings to intimidate us. If we cannot speak freely about our positions, then do not invite us to meetings. If meetings only serve to give us false promises, and never inform us about the real negative impacts of the project, then such meetings are of no use to us.

We do not accept the Mphanda Nkuwa project on our land. If we are forced, this will create much conflict.

United and with the protection of the spirits of the lion and the snake, which have accompanied the people of the great Zambezi since the time of our ancestors, we affirm:

PANSI M'PHATHU! This land is ours!

MPHANDA NKUWA TANHONHO! No to Mphanda Nkuwa!

Chitima, March, 13, 2025

Original song lyrics in Nyungwe / English

Mphanda Nkuwa Tanhonho

Lyrics: Lídia Zacarias Jaqueta

Music: Puto Nelson

Mphanda nkuwa tanhonho
Mphanda nkuwa tanhonho ife, timbacira na masau,
Mphanda nkuwa tanhonho
Mphanda nkuwa tanhonho ife timbacira na
malambe,
Mphanda nkuwa tanhonho
Mphanda nkuwa tanhonho ife timbacira na kulima.

Tinkakhala kuponi ife
Tinkakhala kuponi ife
Tikhadazolowera kulima
Tinkakhala kuponi ife

Muyiwone bwino khani imweyi
Muyiwone bwino khani imweyi
Tikhadazolowera kukhala nyumba zanthu

Kulima nyemba
Kulima ximanga
Kulima mapira
Kulima mandui
Tikhadazolowera kukonza madimba yathu mu
gombemo
Mukatixosa tinkakhala kuponi
Mukatixosa tinkakhala kuponi
Tikhadazolowera kukhala ku chirodzi nsanangue.

Chirodzi nsanangue oiee, oiee
Chirodzi nsanangue oiee, oiee
Chirodzi nsanangue oiee, oiee

Tinkakhala kuponi ife
Tikhadazolowera kulima
Tinkakhala kuponi ife
Magole na magole tiri pamwepa
Tabala wana, tina azukulu
Tabala wana, tina azukulu,

Mathanga na mathanga ya n'gombe tinayo
Mathanga na mathanga ya mbuzi tinayo
Mathanga na mathanga ya nkuku tinayo
Mukatiuza kuti tikayambe papsa, thangwe ranyi
waboma?
Tiwoneni ife

Mufuna kutixosa thangwe ranyi
Mufuna kutixosa thangwe ranyi
Tikhadazolowera kukhala nyumba zathu
Tikhadazolowera kukhala nyumba zathu

Tinkakhala kuponi ife
Tinkakhala kuponi ife
Tikhadazolowera kulima
Tinkakhala kuponi ife

Ifepano a Chirodzi Nsanangue, kodi imwepo wa
boma mukafuna kutitonga, titongeni ninga wathu
wanzanu,
Lekani kutiwona ninga bzirombo
Ukafuna kutixosa munkatiikha kuponi
Tikhadazolowera kucira na malambe, massau,
tikhalima
Tina minda yathu konkuno khani ya mphanda
nkuwayo tifuna lini na kundoyibvako
Mulekeretu mwayona kuna oro
Mufuna kucita ninga bza kukateme, anzathu
akadazunzika na lero ku Kateme, tifuna lini
Mukuvingari povo ni nkondo yomwe mukuyambayi
Tiniwona basi kumala kwa bzene

Tinkakhala kuponi ife
Tikhadazolowera kulima minda yathu
Tinkakhala kuponi ife

Tinkakhala kuponi ife
Tinkakhala kuponi ife
Tikhadazolowera kulima
Tinkakhala kuponi ife.

English translation

We don't want Mphanda Nkuwa, oiee
We survive with cassava
We don't want Mphanda Nkuwa, oiee
We survive with malambe
We don't want Mphanda Nkuwa, oiee
We survive with agriculture

This is Chirodzi Nsanangue
Where are we going to live?
Where are we going to live?
Because we are already used to living from
agriculture
Where will we live better?
Let's carefully look at this case
We are used to staying in our homes
To grow nhhemba beans,
To grow maize,
To grow mapira,
To grow peanuts,
We are used to farming in the river lowlands.
Today they want to take us away, where will we go?
Today they want to take us away, where will we go?
We are already used to living here in Chirodzi
Nsanangue
Chirodzi Nsanangue, oiee
Oiee oiee
Chirodzi Nsanangue, oiee
Oiee oiee
Chirodzi Nsanangue, oiee
Oiee oiee
Where will we stay?
We are already used to agriculture
Where will we stay?
We have been here for many years, we already have
children and grandchildren
We have children and grandchildren
So many cattle pens we have
So many goat pens we have
So many chicken coops we have
What are they telling us, to start over again?
Why do you want to do this to us, you from the
government?!
We ask you to think carefully
Why do you want to take us away?
Why do you want to take us away?
We are already used to living in our homes
We are already used to living in our homes
Where will we stay?
Where will we stay?
We are already used to agriculture
Where will we stay?
We, from Chirodzi Nsanangue, ask the government

to see us as people, not as animals
Now they want to take us away, where to?
Here we are already used to raising animals and
farming
We have malambe, cassava
We don't want Mphanda Nkuwa
You realized there is gold here, right?
You want to treat us like the people of Cateme, who
are still suffering
You are mistreating the people, but know this is a
war
You will see how it ends
Where will we stay?
Where will we stay?
We are already used to agriculture
Where will we stay?
Where will we stay?
We are already used to agriculture

Response

from the Consortium to the Justiça Ambiental (JA!) -Friends of the Earth Mozambique / CCFD-Terre Solidaire/ EECHR's Report: "Without our land and river, we will starve": Uncovering Green Colonialism in EDF, Sumitomo and TotalEnergies' Hydroelectric Dam Project in Mozambique"

FRIDAY, 03 OCTOBER 2025

We thank you for the opportunity to respond to your publication.

We value your concerns and appreciate your advocacy for the Project's alignment with the highest standards. The Consortium is fully committed to develop the Project in compliance with the IFC Performance standards (IFC PS 2012) focusing on respect for human rights, environmental protection and improving the livelihoods of local communities.

The consortium comprising EDF, Sumitomo Corporation, and TotalEnergies responded to the launch of a competitive tender by the Government of Mozambique. Subsequently, the consortium was officially designated as the Strategic Partner and its engagement was formalized through the signing of a Joint Development Agreement only on December 13, 2023. The decision to invest (Final Investment Decision) is expected to take place at the end of the development phase, following the completion of feasibility studies, environmental and social assessments and permitting, which is not set to occur before early 2028.

As you are aware an Environmental and Social Impact Assessment (ESIA) was prepared for the Project in 2011 under the leadership of a previous consortium. This ESIA will be updated and enhanced to comply with all currently applicable regulatory requirements, the IFC Performance Standards (2012) and all applicable World Bank Group Environmental Health and Safety Guidelines.

Most importantly, the ESIA will account for updates in the Project design, operating methods and reservoir configurations, which are currently being analysed. Until now, efforts have been focused on revising the alternatives analysis, to prioritize the most sustainable option from the economic, environmental and social perspectives. This illustrates our Consortium's strong commitment to applying the "avoid, reduce and compensate" mitigation hierarchy – a framework that prioritizes avoiding and minimizing impacts as much as

possible. Once prefeasibility is confirmed, we shall be in a position to present the revised bases for the Project design by early 2026.

With respect to cumulative impacts, we are currently working on factoring the Cahora Bassa dam into the design and operational parameters of the Project. This approach aims to optimize water management and energy generation while minimizing additional environmental and social impacts.

The Terms of Reference (ToRs) for the ESIA will be shared when the revision process is launched. Public consultations on the ESIA ToRs will occur during the Environmental Pre-Feasibility and Scoping Study (EPDA) phase to ensure stakeholder feedback is integrated. The update will encompass the entire ESIA process. This process being public, it will provide any interested stakeholder with the opportunity to engage and contribute constructively.

While complying with all nationally applicable regulations, we are committed to engaging meaningfully during the whole project development process, in a transparent and inclusive manner with all stakeholders, especially project affected communities whose views will be carefully considered in the decision-making process. All potential environmental and social impacts associated with the Project will be systematically and robustly assessed against all the IFC Performance Standards, including Performance Standard 7 which pertains to Indigenous Peoples.

We remain open to constructive dialogue with all relevant stakeholders and would welcome the opportunity to engage further during the upcoming phases of project development to ensure that concerns and perspectives are duly considered.

Response

from from the Mphanda Nkuwa Hydropower Project Implementation Office — General Directorate to the Justiça Ambiental (JA!) -Friends of the Earth Mozambique / CCFD-Terre Solidaire/ EECHR's Report

THURSDAY, 0 OCTOBER 2025

We acknowledge receipt of your letter ref. 107/JA/2025 of 26 September 2025, and thank you for the opportunity to respond to the report. However, we regret that it has not been possible to request an extension of the deadline to prepare our response. We acknowledge and value the concerns raised and appreciate your advocacy for the alignment of the Project with the highest national and international standards.

We reiterate our commitment to developing the Project in accordance with the International Finance Corporation Performance Standards (IFC PS 2012), with particular attention to respect for human rights, environmental protection, and improving the livelihoods and means of subsistence of local communities.

As you are aware, an Environmental and Social Impact Assessment (ESIA) of the Project was conducted in 2011. This ESIA will be updated and refined to ensure compliance with all applicable requirements, including the IFC Performance Standards (2012) and the applicable Environmental Health and Safety Guidelines of the World Bank Group.

The update of the ESIA will address changes in project design, operating methods, and reservoir configurations that are currently under review.

Our efforts have focused on reviewing the analysis of alternatives, with the aim of prioritizing the most sustainable option from an economic, environmental, and social perspective. This process reflects a strong commitment to the mitigation hierarchy of "avoid, reduce, and compensate," prioritizing the prevention and minimization of impacts whenever possible.

Once the project's pre-feasibility has been confirmed, we expect to present the revised basis of the project design in early 2026.

With regard to cumulative impacts, we are currently working to include the Cahora Bassa dam in the parameters for analyzing the project and its respective operation. This approach aims to optimize water management and power generation, minimizing additional environmental and social impacts.

The Terms of Reference (ToRs) for the ESIA will be shared as soon as the review process begins. Public consultations on the ESIA ToR will take place during the Environmental Pre-Feasibility Study and Scope Definition (EPDS) phase, ensuring the integration of contributions from stakeholders and affected parties. This process will be public and transparent, allowing for the active and constructive participation of all parties involved.

In compliance with all applicable national and international regulations, we are committed to involving all stakeholders throughout the project development process, in a transparent and inclusive manner, especially the communities affected by the project, whose opinions will be carefully considered in the decision-making process.

All potential environmental and social impacts associated with the Project will be systematically and robustly assessed against all IFC Performance Standards, including Performance Standard 7 on Indigenous Peoples.

In summary, preliminary internal assessments are currently underway to assess the project's pre-feasibility. These assessments aim to analyze, in detail, the essential aspects that will determine the feasibility of the project before moving on to subsequent phases.

When the environmental licensing process formally begins, all applicable national and international legal requirements will be strictly complied with. This commitment ensures that the project will fully comply with established standards and regulations, promoting responsible and transparent action.

In accordance with best practices on stakeholder engagement, all stakeholders, including local communities, will be duly informed at the start of the environmental licensing process. This communication will ensure transparency and enable the active and informed participation of all those involved in the subsequent stages of project development. The Stakeholder and Affected Party Engagement Plan will be shared in due course.

In addition, the studies will be subject to public consultation, in accordance with national legislation and internationally accepted best practices. Public consultations will be announced in due course in the media and other duly identified channels.

We reiterate our willingness to maintain a constructive dialogue with all interested and affected parties throughout the next stages of the project's development to ensure that all concerns and perspectives are duly considered.

Yours sincerely,
Carlos Yum
General Director

**"THIS MPHANDA NKUWA PROJECT
IS A SUFFERING FOR US. BECAUSE
THIS IS WHERE OUR SURVIVAL,
OUR SPIRITS, AND OUR SACRED
PLACES RESIDE. WE DON'T WANT
TO LEAVE HERE."**

**ANITA SALMONE LAROL, MEMBER OF THE
CHIRODZI-NSANANGUE BAIRRO 4 COMMUNITY**

Reference : 704 02 25

The Village the village of Chirodzi © Alexandre Larcen