



Media Advisory

EACOP: East African Court of Justice will hear arguments on court's jurisdiction

4 April 2023, Arusha: Tomorrow, 5 April 2023, the East African Court of Justice (EACJ) will hear arguments for and against the objection to the court's jurisdiction filed by Secretary General of the East African Community, the Republic of Tanzania and Republic of Uganda in response to the case challenging the construction of the East African Crude Oil Pipeline (EACOP) until the questions of environmental, social justice, and climate justice concerns raised in the case are heard and determined.

On 6 November, 2020, Natural Justice, Africa Institute for Energy Governance (AFIEGO), Centre for Strategic Litigation and the Centre for Food and Adequate Living Rights (CEFROHT) Limited filed a case against the governments of Uganda and Tanzania and the Secretary General of the East African Community (EAC), challenging the construction of the EACOP at the EACJ. The applicants also applied for a temporary injunction to stop the construction of the EACOP until the questions of environmental, social justice, and climate justice concerns raised in the case are heard and determined. This application is yet to be determined by the Court.

The Applicants' case is premised on grounds that the EACOP project contravenes various provisions of the treaty of the East African Community; the Protocol for the Sustainable Management of the Lake Victoria Basin; the African Charter on Human and People's Rights; the African Convention on Conservation of Natural Resources; the post-2020 Convention on Biological Diversity and the Paris Climate Accords. Moreover, the applicants contend that the project proponents, including French oil giant Total Energies, China's National Offshore Oil Corporation, and the states of Uganda and Tanzania did not conduct effective and meaningful public participation and consultation, and neither did they conduct both human rights and climate impact assessments before the commencement of the EACOP project.

If the preliminary objection on the court's jurisdiction is successful, the case shall be dismissed, and if the court determines that it has jurisdiction, then the matter shall proceed, and will be heard on merits.

"Given continuing community concerns and the emerging science from the IPCC on worsening climate impacts on vulnerable countries, we hope the court will make a swift determination and consider this important case on its merits." - **Mark Odaga, Attorney, Natural Justice.**

"EACOP- and Tilenga-affected communities in Uganda were disappointed in February 2023 when the French courts dismissed the duty of vigilance case against TotalEnergies without hearing the case on its merits. Today, their hope lies with the judges at the EACJ and we

remain hopeful that the court will dispense justice.” - **Diana Nabiruma, Senior Communications Officer, AFIEGO.**

“Our concern lies with the communities who have been subjected to human rights violations and abuses before the construction of the East African Crude Oil Pipeline (EACOP) has begun. This, coupled with the potential dangers of EACOP to livelihood and biodiversity across the region, requires a swift and just resolution. A favourable ruling would send a strong message to financiers and investors that relentless profiteering and extraction, at the expense of human rights, substantive freedoms and sustainability, will not go unchallenged in Africa.” - **Zaki Mamdoo, StopEACOP Campaign Coordinator.**

“The recent [IPCC synthesis report](#) reminds us that projects like EACOP fly in the face of the Paris Accords and the urgent need for all states to divest immediately from fossil fuels. We hope that through regional courts and the rule of law, the people of East Africa and the Global South will be safeguarded from oil giants and profit hungry investors when states do not fulfil their obligation to protect the human rights of their citizens.” - **Nyaguthii Chege, East Africa Hub Director, Natural Justice.**

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Notes to editors:

- For more information about the merits of the case please refer to [this factsheet](#) published by AFIEGO, CEFROHT and Natural Justice (2022). Court papers available on request.
- Read an [oped](#) by NJ Attorney Mark Odaga
- Read previous press release [here](#) and [here](#)
- Learn more about the [StopEACOP Campaign](#)

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