REALITY CHECK: HOW EACOP & OTHER OIL PROJECT DEVELOPERS ARE FAILING AFFECTED COMMUNITIES

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Dear reader, welcome to our June 2022 newsletter. This month, we have given space to communities whose land is being acquired for the East African Crude Oil Pipeline (EACOP), Tilenga and Kingfisher oil projects to tell you their stories.

This follows various media articles published by the president, Petroleum Authority of Uganda (PAU) and certain members of the public associated with the country’s oil sector.

In the above-mentioned articles, the authors have widely explained the state of Uganda’s oil sector, what the potential impacts of the sector are and the mitigation measures that are to be implemented to avoid, minimise or mitigate these impacts.

In the articles, the authors have also explained what they are doing to manage the impacts accruing from the EACOP and related upstream oil projects’ land acquisition processes.

In a nutshell, the authors have said that oil project-affected persons are being given generous compensation and that the land acquisition processes for the EACOP and related projects are being well-managed.

However, are they? In our Word from AFIEGO and Oil-affected communities, communities share their stories in relation to the EACOP, Tilenga and Kingfisher oil projects.

The communities decry the low compensation they are being offered, the inadequate grievance handling mechanisms that they have to grapple with and failure to ensure that they are actively involved/participate in the land acquisition processes.

They also decry failure to replace them to their original positions and construction of culturally-, economically- and socially-inappropriate houses for them.

They also share how the use of courts against project-affected persons (PAPs) has caused fear. You can read more about this in this newsletter.

In this newsletter, we also bring you our pictorial section which highlights the work that we and our partners did this month.

For instance, we supported 2,591 oil-affected people from Uganda and the Democratic Republic of Congo to petition the Uganda Human Rights Commission as well as the UN Human Rights office in Uganda to engage oil project developers to end the human rights abuses against the people.

In addition, AFIEGO and our Save Bugoma Forest Campaign (SBFC) partners organised a meeting with local leaders of the 31 villages that surround Bugoma forest and participated in a radio talkshow at Spice FM in Hoima district.

The talkshow empowered stakeholders including the Bugoma forest host communities to defend their rights as they continue the fight to protect the forest from land grabbers.

Furthermore, AFIEGO and our Inclusive Green Economy Network – East Africa (IGEN-EA) partners conducted research on the tourism potential of Bugoma forest.

A research brief to support lobby and
advocacy for protection of the forest from oil, land grabbing and sugarcane threats is under production.

In addition, with some of our IGEN-EA partners, AFIEGO held a community sensitisation meeting with the oil refinery-affected youth and other groups in Hoima district.

During the meeting, we empowered the youth to engage in green economic alternatives and reject brown economic activities that continue to endanger their livelihoods.

Furthermore, we educated a clean energy women champion group in Hoima district to promote clean energy. Such initiatives will improve community livelihoods while protecting the environment.

We did much more as can be seen in our pictorial section.

In our lobbying section, we bring you a research brief titled, “Enhancing women participation in apiculture (beekeeping) for livelihoods and environmental conservation in the Albertine Graben” that we and our IGEN-EA partners produced this month. In addition, AFIEGO and our civil society partners wrote an open letter to the President reacting to his article, *Africa can help solve the energy crisis*, that was published in *The Telegraph* newspaper in May 2022.

Our statement noted that Uganda should not be seeking to help solve the energy crises of others yet the majority of citizens do not have access to clean energy.

Furthermore, with 12 civil society partners, we issued a statement reacting to the misinformation that Uganda’s oil exploitation efforts could result in the country reducing its Green House Gas (GHG) emissions.

The misinformation is being shared by PAU and others. Our statement debunked these arguments.

Finally, in the media section, we bring you some of the eight newspaper articles written by our staff and partners that were published in the leading newspapers in June.

We hope you will enjoy the newsletter.

Editorial team:
Diana Nabiruma
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Through this newsletter, EACOP and other oil-affected communities share their struggles in relation to the projects
Ms. Beatrice B. is a middle-aged, educated and amiable woman from Hoima district. She is also an empowered powerful speaker. She utilises her talents well as her day-to-day work involves sensitising community women so that they protect their land and livelihood rights.

Like tens of thousands of people in the oil region, Ms. Beatrice is a project-affected person (PAP). Part of her land in Hoima district was acquired for the Tilenga oil project’s feeder pipeline. The Tilenga project is operated by France’s TotalEnergies.

Under the project, Total is expected to pump 190,000 barrels of crude oil per day at peak production from over 400 oil wells in Murchison Falls National Park (MFNP) and Buliisa district. This oil will be cleaned in a Central Processing Facility (CPF) in Ngwedo in Buliisa district.

From the CPF, the oil will be evacuated to the Kabaale Industrial Park (oil refinery) area through a 24-inch feeder pipeline that traverses Buliisa, Kikuube and Hoima districts.

It is for the aforementioned feeder pipeline that some of Ms. Beatrice’s land was compulsorily acquired. She was requested to sign some sort of consent form after the acquisition.

“My neighbours, the majority of whom are illiterate, had signed the forms as well. Total’s subcontractors made everyone who owns land within 200 metres of the feeder pipeline to sign these consent forms.

My neighbours did not understand why they were signing the forms. They said that the forms were aimed at barring them from using their land.”

Ms. Beatrice adds, “I read the forms and they did not say anything akin to that.

However, people continue to say that they can’t use their land. They weren’t sensitised enough to understand the purpose of the consent forms.”

CONFUSION IN BULIISA
The same confusion reigns in Buliisa district where a lot of the Tilenga project infrastructure is to be located.

“People have been asking what the consent forms they are being made to sign are for. They are worried that their land could be stolen,” Mr. Atuhura Y., who lives in Buliisa district, says.

Some of the households that signed the consent forms in Buliisa live within 200 metres of the Tilenga CPF area and feeder pipeline.

The confusion around these consent forms, alongside a number of practices seen under land acquisition processes for the Tilenga, East Africa Crude Oil Pipeline (EACOP) and Kingfisher oil projects, is against policies such as the 2017 Land Acquisition and Resettlement Framework that the oil companies in Uganda put in place.

It is also against the international best practices related to land acquisition that the companies committed to adhere to.

Furthermore, the experiences shared by the people are different from those that are being conveyed in the media by the president, PAU and others. The aforementioned parties give the impression that the compensation processes are going on well, contrary to the reality on the ground.

THIS IS OUR REALITY
Throughout this year, AFIEGO has continued to interact with oil project-affected persons (PAPs), community-based monitors, community organisations, observers, women’s clubs and youth champions to support them to build more pressure on oil companies, government and other actors to address the grievances they face.

During our interactions, the communities and
above-mentioned stakeholders have shared the following:

(a) Denied opportunity to give informed consent: EACOP-affected people across various districts in Uganda are signing forms to receive their compensation. Those affected by the Tilenga feeder pipeline project also signed such forms before they received compensation.

The majority of communities however do not understand the contents of the forms they signed.

“I have read the forms signed by communities and even the certificates of translation. These certificates show that the compensation forms the PAPs signed were translated to them. However, if you ask the majority of the PAPs what the forms they signed say, they are unable to explain. PAPs are often illiterate and it is hard for them to understand legal documents.

They also aren’t given time to consult say their literate relatives before signing forms. This is why you find that many of them signed forms that they do not understand,” Mr. Edward N. from the Bunyoro sub-region says.

(b) Refused to participate in decision-making: Communities need to be supported to effectively participate in land acquisition processes to protect their rights. In their Land Acquisition and Resettlement Framework (LARF), the oil companies operating in Uganda actually committed to ensure that communities participate in land acquisition processes. In some instances, however, this participation is denied.

Mr. Robert S., a PAP from Kyotera district shares, “On April 13 [2022], we wrote to Total and asked them for a meeting. This is because in November 2021, Total had told us that they were consulting with the Chief Government Valuer to see if they could increase our compensation. You know the company wants to pay us based on very low rates for our crops such as coffee and bananas. We rejected these rates. Unfortunately, early this year, Total and NewPlan [Total’s land acquisition sub-contractor] made some PAPs to sign forms agreeing to receive compensation based on the old rates that we rejected. This is why we wrote to Total on April 13. We wanted the company to clarify on which compensation rates we would be paid.

Over two months later, the company is yet to meet with us. The company has also never replied to our letter. We are afraid we are going to be cheated."

(c) Failing to restore PAPs to original position: Anger is brewing in Lwengo district where land is being acquired for the EACOP project. Ms. Rose N., a community-based monitor, says, “You know our people, those who have the money, build big houses of eight to nine rooms. Some of these people are being displaced for the EACOP project. At first, these people did not have any problem with the displacement as they were told that their land and houses would be replaced. However, when they were shown the standard houses, which must have only five rooms that they are to receive, the people became very angry. They are still complaining today”.\n
(d) Primary and secondary residence confusion: In Buliisa district, households affected by the Tilenga project are confused about the terminology on primary and secondary residences. The Bagungu people of Buliisa live in extended family settings. A father, his sons and their wives live on the same piece of land in different houses.

The father is usually the owner of the land and after displacement, his house, which is considered the primary one, is the only one that is replaced. The secondary residences belonging to the sons are not replaced.

Mr. Mugisha J., whose house was not replaced when he was displaced for the CPF says, “If someone is saying that they are going to replace you to your original position, how can they refuse to replace your house? I joined other families and
refused the compensation -for land only- that Total was giving me. Government sued us so that we could accept compensation that would not replace us to our original position. Is this fair?"

(e) Court decision setting bad precedent: Mr. John from Buliisa adds that the 2020 Masindi High Court decision allowing government to deposit in court the low compensation that nine households including Mr. Mugisha’s refused set a bad precedent. “People now fear. Even when they see that the compensation being given to them is very little, they just accept it. For instance, people are unhappy that for RAPs [Resettlement Action Plans] 2 to 5, only Shs. 600,000 is being provided for the relocation of graves. Under RAP 1, Shs. 1,000,000 was given. People have to perform rituals such as buying and slaughtering goats, procuring the services of mediums, retrieving their dead and transporting them.

The money [Shs.600,000] being given is not enough. But, the people are afraid to reject their compensation as they will be taken to court”.

Total has acquired or is acquiring land for various infrastructure under different RAPs. Land for an industrial area where the CPF will be located in Buliisa district was acquired under RAP 1. Land for a feeder pipeline, access roads and other infrastructure is being acquired under RAPs 2 to 5.

(f) Construction of culturally-inappropriate houses: The above isn’t the only challenge. On June 17, 2022, the Chinese Ambassador to Uganda, H.E. Zhang Lizhong, posted photos on Twitter. The photos were of houses that CNOOC constructed for families that the company displaced for its Kingfisher oil project.

Culturally, households in Uganda live on fairly large expanses of land. Household heads and their sons build houses on this land. However, the houses that were built for the Kingfisher PAPs are in a squeezed settlement. Sons have no space to build houses next to their fathers. In effect, the houses are breaking the socio-cultural fabric of the affected people.

(g) Inadequate grievance handling: In 2021, one local leader who is part of the EACOP project’s resettlement committee that is supposed to document and forward PAPs’ grievances to Total informed one of our partners that he had grievances himself but did not know who to forward them to. Lack of offices in the project areas, dormancy of the resettlement committees and others made it hard for some PAPs’ grievances to be managed.

CONCLUSION
Other challenges faced by the affected people exist. Sadly, instead of addressing them, oil companies and government give the impression that everything is OK. Together with the affected communities, we call on TotalEnergies, CNOOC and the Ugandan government to address the PAPs’ grievances.

By AFIEGO and Oil-affected communities
On June 1, 2022, AFIEGO and some of our Inclusive Green Economy Network-East Africa (IGEN-EA) partners organised three meetings with communities affected by oil activities in Hoima district.

During the meeting, communities including youth, women and men discussed the green economic activities that they can engage in to protect the environment and their livelihoods.

AFIEGO and IGEN-EA are advocating for investments in green economic alternatives to enhance community livelihoods and promote environmental conservation.

Between April and June 2022, AFIEGO and our IGEN-EA partners conducted research to determine the tourism potential of Bugoma forest.

The research was participated in by communities, tour operators, civil society groups, researchers, cultural leaders and government officials.

The research findings will inform lobby and advocacy aimed at protecting Bugoma forest, which is being destroyed due to oil, land grabbing and sugarcane challenges.
On June 2, 2022, AFIEGO with her partners under the Save Bugoma Forest Campaign local taskforce organised a radio talkshow at Spice FM in Hoima district.

During the talkshow, we mobilised stakeholders to stop the violation of the Bugoma forest host communities’ rights. The communities can no longer access sections of the forest held by Hoima Sugar Ltd for herbs and others.

We also advocated for protection of the forest from Hoima Sugar Ltd’s sugarcane growing activities.

On June 13, 2022, AFIEGO organised a meeting at the Kyakaboga resettlement camp for the oil refinery-affected people.

During the meeting, our environmental and human rights protection work was assessed. The assessment was participated in by one of our partners who works to promote human and environmental rights across the world.

AFIEGO undertakes such engagements to strengthen our work.

Between June 21 and 22, 2022, AFIEGO staff and our partners participated in a legal empowerment workshop in Entebbe.

During the workshop, AFIEGO staff and our partners were strengthened to comply with legal requirements for civil society.

The protection mechanisms available to us as human rights defenders were also shared.
In June 2022, AFIEGO and our IGEN-EA partners published a research brief on enhancing women participation in apiculture for livelihood and environmental conservation in the Albertine Graben.

In addition, we wrote an open letter reacting to President Museveni’s Telegraph article titled, Africa can help solve the energy crisis.

Furthermore, with 12 other civil society groups, we disseminated a statement showing that Uganda’s oil exploitation activities will not help the country reduce its GHG emissions.
This month, AFIEGO staff, research associates and youth champions wrote over 8 newspaper articles that were published in the leading newspapers. The media also published articles from the media interviews we held this month. Some of the published articles are captured below.

END CORRUPTION: UGANDA COULD MISS OUT ON OIL REVENUES

EDITOR: Upon completion in 2021, the East African Crude Oil Pipeline (EAOP), will be the world’s longest pipeline, transporting over 150,000 barrels of oil per day from Uganda’s Albert region, the Tanzanian Indian Ocean port of Tanga, spanning a distance of 1480km. The pipeline will generate up to 54 million tons of carbon emissions each year. As Uganda nears production of oil, the country should address the corruption issue or else proceeds from oil will be lost to corruption. In addition, this year, Total Energies and partner, China National Offshore Oil Corporation, reached a deal with Uganda to invest USD 2 billion in the country’s oil sector. This is a major milestone for Uganda as it seeks to become a major oil producer in East Africa. This large sum of money once managed by government leaders and officials, there is a possibility that we will not retrieve the money invested in the project or even get profits from it. Due to high levels of corruption in the country, some funds from oil have been used already even though they were supposed to be used for development purposes.

The government has failed to properly manage the funds allocated for the oil sector, leading to massive corruption and mismanagement of funds. The government has also failed to invest in the infrastructure required to support the oil sector, resulting in the country losing valuable revenue. In addition, the government has failed to invest in the education and training of citizens to prepare them for the oil sector, leading to a lack of qualified personnel to operate the oil industry. Moreover, the government has failed to invest in the development of the country’s infrastructure, leading to a lack of access to modern technology and facilities. As a result, the country is losing out on valuable oil revenues. Therefore, the government needs to take action to stop corruption and ensure that the funds allocated for the oil sector are used properly.
About Africa Institute for Energy Governance (AFIEGO)

AFIEGO is a non-profit company limited by guarantee that was incorporated under Uganda’s Companies Act. AFIEGO undertakes public policy research and advocacy to influence energy policies to benefit the poor and vulnerable. Based in Kampala-Uganda, the non-profit company was born out of the need to contribute to efforts to turn Africa’s clean energy potential into reality and to ensure that the common man and woman benefits from this energy boom. Through lobbying, research and community education, AFIEGO works with communities and leaders to ensure that clean energy resources are utilised in a way that promotes equitable development, environmental conservation and respect for human rights.

Our Vision
A society that equitably uses clean energy resources for socio-economic development

Our Mission
To promote energy policies that benefit poor and vulnerable communities

Upcoming events

July 4-6, 2022; Bunyoro: Meetings on women and youth’s roles in ensuring that government puts in place regulations for the Climate Change Act

July 8, 2022; Kampala: Petition the Minister of Environment to put in place regulations for the Climate Change Act

July 15, 2022; Buliisa and Kampala: Support nine Tilenga-affected families to engage the Court of Appeal to set a hearing date for their court case

July 15, 2022; Kampala: Mid-year reflection meeting for IGEN-EA members

July 20-22, 2022: Stakeholder sensitisation on the EACOP case at the East African Court of Justice (EACJ)

July 26-29, 2022; Kasese and Kampala: Seminars to empower women and youth clean energy champions to promote clean energy